

LIBERTY

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WASHIN
D. C.

A MAGAZINE OF RELIGIOUS FREEDOM



DECLARATION OF PRINCIPLES

*of the International
Religious Liberty Association*

We believe in religious liberty, and hold that this God-given right is exercised at its best when there is separation between church and state.

We believe in civil government as divinely ordained to protect men in the enjoyment of their natural rights, and to rule in civil things; and that in this realm it is entitled to the respectful and willing obedience of all.

We believe in the individual's natural and inalienable right of freedom of conscience: to worship or not to worship; to profess, to practice, and to promulgate his religious beliefs, or to change them according to his conscience or opinions, holding that these are the essence of religious liberty; but that in the exercise of this right he should respect the equivalent right of others.

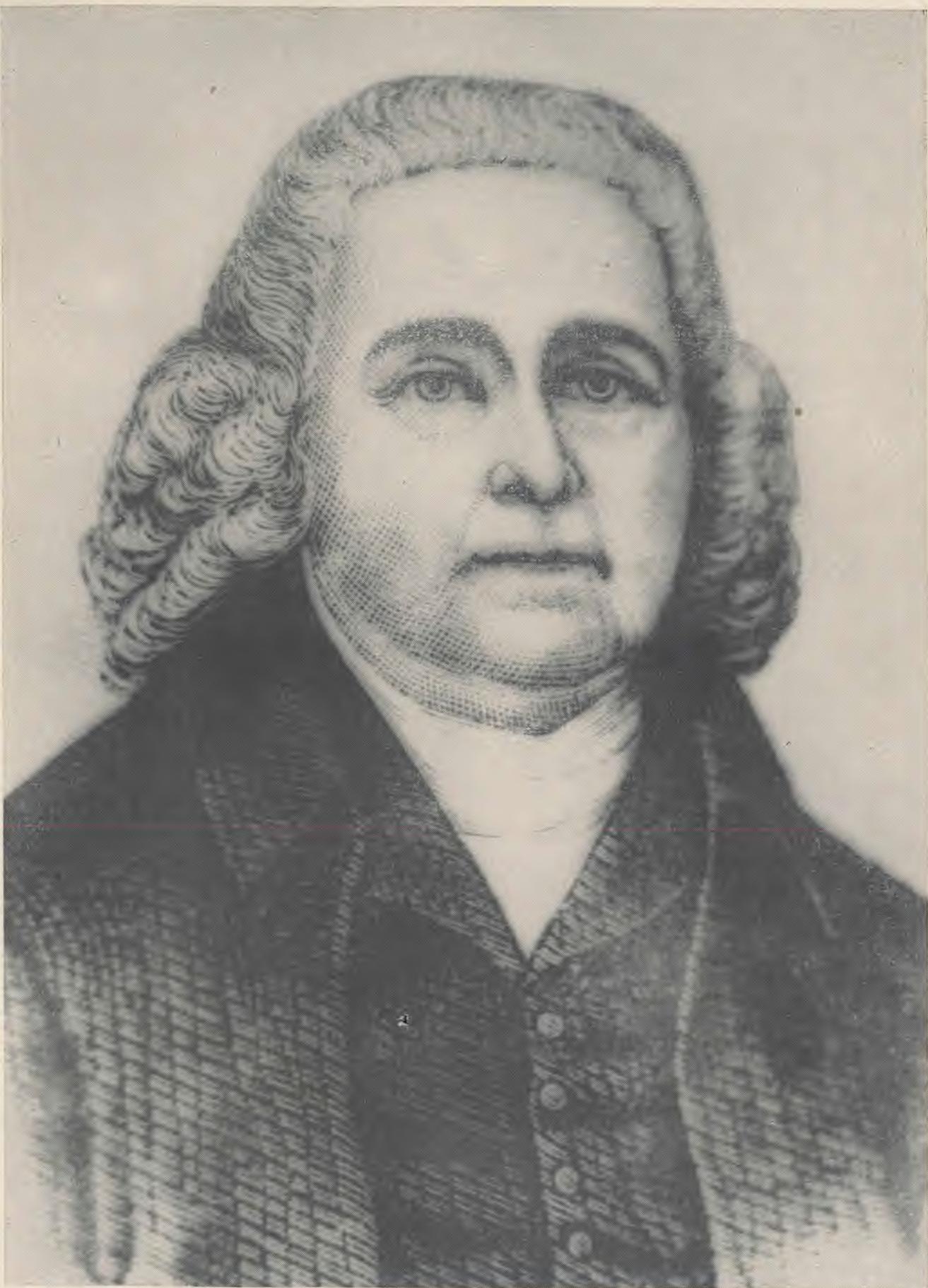
We believe that all legislation and other governmental acts which unite church and state are subversive of human rights, potentially persecuting in character, and opposed to the best interests of church and state; and therefore, that it is not within the province of human government to enact such legislation or perform such acts.

We believe it is our duty to use every lawful and honorable means to prevent the enactment of legislation which tends to unite church and state, and to oppose every movement toward such union, that all may enjoy the inestimable blessings of religious liberty.

We believe that these liberties are embraced in the golden rule, which teaches that a man should do to others as he would have others do to him.

*International Religious Liberty Association
6840 Eastern Avenue
Takoma Park, Washington 12, D.C.*





The Rev. Isaac Backus, greatest champion of religious freedom since Roger Williams.

35 CENTS
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LIBERTY

WASHINGTON
D. C.

A MAGAZINE OF RELIGIOUS FREEDOM

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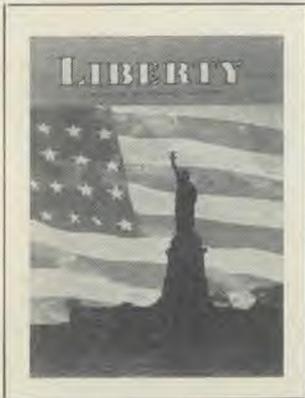
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IN THIS ISSUE

A NEGLECTED CHAMPION OF RELIGIOUS FREEDOM	5	Godfrey T. Anderson, Ph.D.
THE FREE PULPIT	11	Glenn L. Archer
THE "CHRISTIAN AMENDMENT"	16	Norman S. Meese
CONFLICT IN COLOMBIA: THE CASE FOR RELIGIOUS FREEDOM	18	Clyde W. Taylor, D.D.
FREEDOM OF RELIGION	19	Reprinted from USSR.
A "FAIR" SABBATH	22	W. L. Emmerson
INTOLERANCE? THE SUNDAY LAW ISSUE IN NEW YORK	25	
RELIGIOUS FREEDOM IN THE HOME (A COURT CASE)	26	
AS THE EDITORS SEE IT	28	
BOOKS	31	
IT SO HAPPENED	31	



OUR COVER PICTURE: What a priceless heritage we possess! Each day, from sunrise to sunset, we live in a land of complete liberty and religious freedom. We know nothing of the hardships and persecutions suffered today by minority religions in at least twenty so-called Christian countries. Which of us, upon first seeing that great lady, the Statue of Liberty, guarding the harbor of New York has not felt a tug at the heartstrings, knowing that she also guards our most treasured possessions—the free conscience, free state, and free pulpit.

Consider the great sacrifices of your own forebears to establish separation of church and state in these United States with its untold advantages to all creeds. Religion, to be religion, must be free. To keep man religiously free, separation is the best legal device. Let us guard our religious freedom, and not lose it by apathy and fear. Let us not revert to the medieval practices that history proves to be the principal cause of religious strife and persecution. Open the dark, grim pages of history filled with dungeon, bloodshed, and death, and count again the price our forefathers paid for America's free churches. Let us pursue the dream of our forefathers who sought to free the New World from the evils of religious intolerance. To keep our flag flying o'er the land of the free and the brave, keep the Statue of Liberty ever in mind, and remember that "eternal vigilance is the price of liberty."

COVER PICTURE CREDIT: EWING GALLOWAY



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THE INTERNATIONAL RELIGIOUS LIBERTY ASSOCIATION, organized in 1888, teaches only one doctrine—the doctrine of soul liberty, as indicated in the Declaration of Principles on the preceding page. The Association advocates no political or economic theories. Its officers are Alvin W. Johnson, Ph.D., secretary, and Aubrey H. Rulkoetter, Ph.D., Frank H. Yost, Ph.D., associate secretaries.



ARLO GLEER, ARTIST

Isaac Backus is richly deserving of the tribute paid him by a present-day student who wrote of him, "No man of his generation devoted his time and thought more consistently to the cause of religious freedom."

A Neglected Champion of Religious Freedom

By GODFREY T. ANDERSON, Ph.D.

[Dr. Anderson, college dean and teacher of history, is now president of the College of Medical Evangelists, Los Angeles, California.—Ed.]

STRONG CONVICTIONS win strong men, and then make them stronger." This was true of the Reverend Isaac Backus, a neglected champion of religious freedom. The spotlight of history that has focused attention on such men as Patrick Henry, Thomas Jefferson, James Madison, and a score of other champions of American liberty has swung past Backus, and he has merged with the shadowy background figures of his age. However, he deserves, from the standpoint of religious liberty at least, attention with these others. "If the greatness of a man is to be measured not in terms of wealth or learning or power but in terms of the principles that inspired his life, Backus must rank high in the list of Massachusetts worthies."¹ He has been called with justification the greatest champion of religious freedom since Roger Williams.² His actual accomplishments were in some respects even greater, since he wielded a solid influence on the formulation of the first organic laws drafted for the new states and nation.

Backus performed with remarkable energy in three different areas. He was an active minister for more than fifty years, during which time he recorded more than 68,000 miles of travel outside his own parish, mainly by horseback, and preached an average of 250 sermons a year. He preached the unbelievable total of 2,412 sermons during one five-year period of his ministry.³ "In the realm of ecclesiastical polity in the second half of the eighteenth century, his was perhaps the keenest mind in America."⁴

Second, he was a dependable historian. George Bancroft, the noted American historian, testified that Isaac Backus was "one of the most exact of New England historians." His volumes on the history of the Baptists and of New England contain much invaluable reference material.

Finally, and most significant of all, he was far ahead of his time in his concept of the separation of church and state, and his continual reiteration of the basic principles involved influenced the thinking of many prominent men in the colonies.

Isaac Backus was born in 1724, in Norwich, Connecticut, into a family of substance and convictions.

He received a limited education, and at the age of seventeen was converted and became an active Christian. But young Isaac, even at this age, was an independent thinker, and he soon found himself at odds with the theology and administration of the established Congregational Church. He felt a call to the ministry that would not be denied, and since his own church circumscribed his liberty of thought and expression, he joined the Separatists and preached for them for ten years.

During that time he came in contact with a small struggling sect, poorly thought of and often persecuted—the Baptists. His searching mind considered the tenets of their faith, and concurred. With his wife and four others he joined this denomination and organized a small church at Middleboro, Massachusetts, of which he remained the pastor until his death fifty years later.

Now Backus found himself with a minority group whose rights were casually brushed aside by the powerful civil-ecclesiastical establishment then in control. Baptists, Separatists, Quakers, in fact everyone of whatever faith, were taxed to support the clergy of the established church. Even before the slogan "No taxation without representation" became the popular rallying cry of the revolting colonists who wanted civil liberty, the members of minority church groups made their protests against taxation to support a church with whose doctrines they did not agree. They considered it rightly to be a matter of religious liberty. To those whose thought flows naturally with the powerful current of the majority, the importance of religious liberty is not so apparent; they have all the liberty they need. But independent thinkers, whose convictions run counter to the current, know that religious freedom is vital. The matter of paying a tax to support the state church was a matter of conscience to the courageous dissenters.

In some places toleration was granted to minority groups, and many of them were content to hold this concession and waive their rights. But Backus was not of this view. Nothing less than recognition of man's God-given rights in matters of conscience would satisfy him, and he refused to compromise for mere toleration by the ruling majority.

A knowledge of his early experiences with the tax for the established church helps us understand his position. His mother, a Separatist, refused to pay the tax for support of the ministry of the Congregational Church. In a letter written to Isaac, dated November 4, 1752, she wrote:

October 15th the collectors came to our house and took me away to prison about nine o'clock in a dark rainy night. . . . We lay in prison thirteen days, and were then set at liberty, by what means I know not.⁵

The Reverend F. Denison, of Norwich, gives some additional details of this episode. He says:

She was sick, and, thickly wrapped in clothes to produce perspiration, sat near the fire by her stand, reading the family Bible. The officer thought that, under the circumstances, she would yield and pay the rates. But Mrs. Backus was not the woman to abandon her religious principles.⁶

Isaac himself had been taxed in 1749 by the civil authorities to the amount of five pounds, for the established church. When he declined to pay he was seized; but release came when a friend made settlement for him.⁷

Although the Baptist denomination grew rapidly during the 1770's, there were few churches and a small membership previous to that time. Twenty of these churches in New England joined to form the Warren Association, at Warren, Rhode Island. James Manning, president of the infant College of Rhode Island (later Brown University), served as president of the association. One of the purposes of the Warren Association was to send forth appeals in behalf of religious liberty, with a view to hastening the separation of church and state.⁸ Under the leadership of President Manning the Warren Association waged a vigorous campaign to correct the wrongs under which the Baptists were suffering. In 1772 Backus was elected agent of the Committee on Grievances of the association. Without giving up the pastorate of his church in Middleboro, he renewed, in this capacity, his crusade for religious freedom.

Soon after the First Continental Congress had assembled in Philadelphia in September, 1774, representatives of New England Baptist churches met and prepared a statement protesting the general tax for the support of the ministry in Massachusetts. Isaac Backus was chosen to present this to the congress at Philadelphia. He, with others from New England and some Quakers from Pennsylvania, met with the Massachusetts delegates for four hours at Carpenters' Hall on the evening of October 14. Among those present were the Massachusetts delegates to the First Continental Congress, John and Samuel Adams, Thomas Cushing, and Robert Treat Paine. President Manning of Rhode Island College read the memorial in the well-filled room. This stated that liberty of conscience was both a natural and a charter right, which had been consistently violated by the Massachusetts General Assembly. The memorial stated:

The care of souls cannot belong to the civil magistrate, because his power consists only in outward force; but pure and saving religion consists in the inward persuasion of the mind, without which nothing can be acceptable to God.

And in conclusion it declared:

As the kingdom of Christ is not of this world, and religion is a concern between God and the soul, with which no human authority can intermeddle consistently with the principles of Christianity, and according to the dictates of Protestantism, we claim and expect the liberty of worshipping God according to our consciences, not being obliged to support a ministry we cannot attend, whilst we demean ourselves as faithful subjects.⁹



RUSS HARLAN, ARTIST

Isaac Backus's mother was sick and, thickly wrapped in clothes to produce perspiration, sat near the fire by her stand, reading the family Bible. The officer thought that, under the circumstances, she would yield and pay the rates. But Mrs. Backus was not the woman to abandon her religious principles.

An attempt was made by the Massachusetts delegates to answer these complaints. Paine insisted that it was not an issue of conscience, but merely of paying a little tax money. But Backus promptly asserted that with him it was *entirely* a matter of conscience and that he could not follow this practice "without acknowledging that power in man which I believe belongs only to God."¹⁰ By the time the conference closed, the Massachusetts delegates had promised to do what they could to obtain relief for dissenters, but John Adams wanted it clearly understood that "they might as well turn the heavenly bodies out of their annual and diurnal course as the people of Massachusetts at the present day from their meeting house and Sunday laws."¹¹

Robert Treat Paine simmered for awhile after the meeting, and then distilled a brew of bitterness. He, along with Adams, began to circulate reports that Backus had gone to Philadelphia only to prevent the colonies from uniting in defense of their liberties. This was too much for a good patriot to swallow, and Backus retorted that he had gone to Philadelphia with but a single purpose, namely, the vindication of natural and charter-granted rights. He was, he affirmed,

in absolute harmony with the objectives of the Congress. The Sunday following the Battle of Lexington he came out unequivocally for the colonial cause.¹² Eventually the slandering tongue fell silent.

Nothing daunted by the campaign of misrepresentation and calumny that followed his trip to Philadelphia, Backus continued by pen and by voice to set forth sound arguments in favor of religious liberty. He was not a man to treat symptoms and ignore the cause of the trouble. Without concentrating on individual grievances that needed redress, he directed his efforts toward correcting the basic fault in the current local government. In 1775 at a meeting of the Massachusetts Assembly, the Warren Association, acting under the stimulus of Backus, presented another resolution on the matter of taxation for the support of the state church. This contained the definite assertion that "we are persuaded that an entire freedom from being taxed by civil rulers to religious worship, is not a mere favor, from any man or men in the world, but a right and property granted us by God, who commands us to stand fast in it."¹³

This assertion created a violent reaction, but out of the ferment and fury came the recommendations of a



Soon after the First Continental Congress had assembled in Philadelphia in September, 1774, representatives of New England Baptist churches met and prepared a statement protesting the general tax for the support of the ministry in Massachusetts.

committee appointed to study some form of relief for dissenters. These recommendations came close to being enacted into law, but to the dismay of Backus and his group, they were eventually crowded out by other matters.

Another evidence of the unflagging interest of Backus in advancing the cause of religious liberty may be seen in his taking upon himself the role of historian. The first volume of his *History of New England, With Particular Reference to the Denomination of Christians Called Baptists* appeared in 1777, the second seven years later, and a third in 1796. He assumed this task, partly at least, because of his conviction that ever since the founding of New England, major crimes against religious liberty had been perpetrated by the leaders, both civil and ecclesiastical. He set about to write a true and fair history to reveal these designs on religious freedom, and to advance the cause of soul liberty.¹⁴

Meanwhile, Backus worked not only to curtail the unwarranted privileges of the established church but

to keep clear in the minds of his own church members the true principles of church-state separation. In 1778, speaking to the Warren Association of Baptist churches, he said:

Let it be heedfully minded we claim *no right* to desire the interposition of the *State* to *establish* that mode of worship, government, or discipline we apprehend is most agreeable to the mind of Christ. We desire no other liberty than to be left unrestrained in the exercise of our principles in so far as we are good members of society.¹⁵

He reiterated his position on church-state relationships when he published in 1783 a pamphlet entitled *A Door Opened for Equal Christian Liberty, and No Man Can Shut It*. He stated in this:

We believe that attendance upon public worship, and keeping the first day of the week holy to God, are duties to be inculcated and enforced by his laws, instead of the laws of men. . . . No one has the right to judge for others in religious affairs. . . . And all ministers who were supported by tax and compulsion among us before the late war, received that power in the name of the king of Great Britain, and not King Jesus; and they are the only offices in this land that

have retained the power over the people, which they have received in that name.¹⁶

After the new Federal Constitution had been drawn up at Philadelphia, and was presented to the States for ratification, Backus was chosen as one of the delegates to the Massachusetts Convention to consider ratification. There had been some concern expressed over the exclusion of any religious test for office. Backus spoke directly on this point in the convention. He said:

Nothing is more evident, both in reason and the Holy Scriptures, than that religion is ever a matter between God and individuals; and, therefore, no man or men can impose any religious test without invading the essential prerogatives of our Lord Jesus Christ. . . . Let the history of all nations be searched from that day to this, and it will appear that the imposing of religious tests has been the greatest engine of tyranny in the world.¹⁷

Backus voted with the majority in favor of ratification of the Constitution. The final vote favored ratification by a small majority of nineteen votes.¹⁸ While many of the Baptists felt there were inadequate safeguards for religious freedom in the new constitution, and two thirds of the more than twenty Baptists in the convention opposed ratification, Backus felt otherwise, and lent his voice and vote to the support of it. Time has vindicated his judgment.

The year after the new government went into operation, Backus, still championing religious freedom for all, wrote to President George Washington, protesting taxes for the support of the clergy in Massachusetts. Among other things, he said, "The religious ministers, when supported by force, are the most dangerous men on earth; while no men are more necessary and useful to human society than faithful teachers."¹⁹

During his remaining years the indomitable Backus continued the struggle for soul liberty. Although he saw much accomplished for the nation, he did not live to see disestablishment in his own State, Massachusetts. He died in 1806, and it was not until 1833 that church and state were separated in Massachusetts by amendment of the third article of the Bill of Rights of the Commonwealth. Although his waves of effort seemed to break futilely against the rock of Massachusetts church establishment, to the south the tide of progress in soul liberty was sweeping across Virginia and into other areas less rigid in re-

sistance. He could be encouraged by the progress that had been made, much of it due to his own efforts, and by faith he could envision a land that would eventually grant freedom of conscience to all.

Most of our pioneers are lost to fame. We see the land they cleared, the rivers they spanned, the frontier they pushed from one ocean to another. Although their names are forgotten, we live today by the work they did, and occasionally we pause for a brief salute to those whom few remember. As we live in an atmosphere of material comfort bought for us by the arduous, anonymous labor of long-gone men and women, so also we breathe the air of freedom, with the miasma of intolerance and oppression cleared away by the efforts of men like Isaac Backus. He had the courage to challenge custom, the persistence to carry his fight through discouraging years of stalemate, and the Christian spirit that conquers force at long last. Isaac Backus belongs not to his age only but to every age in which men regarded liberty and spoke bravely in its behalf. He is richly deserving of the tribute paid him by a present-day student and historian of church-state relations who wrote of him, "No man of his generation devoted his time and thought more consistently and unselfishly to the cause of religious freedom."²⁰

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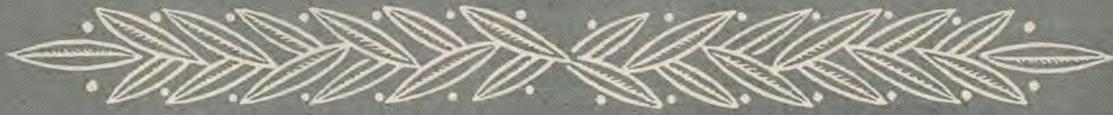
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All churches in the United States have a vigor, vitality, and spirituality not found in countries of formalized, established churches. All churches are free to carry on their enterprises under voluntary contributions. There is here more efficiency among the various church institutions, and more personal participation therein. The architects of separation conferred upon us a priceless boon—the free conscience, free state, and free pulpit.



J. BYRON LOGAN



The Free Pulpit

By **GLENN L. ARCHER**

[We publish here by permission the address delivered by Mr. Archer, Executive Director of Protestants and Other Americans United for Separation of Church and State, in September, to the National Conference of Southern Baptist Men, and in October to the Autumn Council of the General Conference of Seventh-day Adventists.—Ed.]

AS I TRAVEL ABOUT, I LOOK FROM SKY AND plane upon the great material resources of our country, the busy factories, the towering oil derricks pumping their black gold, the expansive wheat fields supplying bread for the nation, the great herds of cattle. But I do not come to you to speak of these things, as important as they may be to our national welfare. Rather, I come to speak of a treasure more precious than all these, that priceless heritage of the free pulpit, which is uniquely American.

As the legatees of the rich inheritance of the free pulpit, we sometimes find it difficult to comprehend that this very meeting could not be held today in at least twenty so-called Christian countries of the world. Neither can we understand why evangelical missions, churches, and seminaries are closed in so many countries of the world. We cannot believe that our churches are stoned, burned, bombed, and our evangelical missionaries persecuted for their convictions in countries behind the iron curtain, as well as in countries where Roman clericalism dominates the culture of Christian people. If just now you had a globe of the world in your possession and were to spin it and point your finger at any other country, you would find no nation with religious freedom equal to that in the United States.

Why is this so? It is so because our forefathers guaranteed religious freedom to their children by writing into our Constitution the First Amendment, which establishes the separation of church from state. This great amendment is the basis of our free worship, free pulpit, free church in a free society. Here is the spiritual Fort Knox of all creeds and ev-

ery church. Here, too, is the Baptists' unique contribution to world civilization.

Like all great advances of civilized man, the free pulpit cost plenty. Come with me to Orange, Virginia, and stand in a moment of prayerful silence at the graves of Baptist men who gave their lives that you and I might be religiously free. Walk with me in Rhode Island along the path Roger Williams trod into the wilderness on a bleak, cold winter day and contemplate the sacrifice this great Baptist made for you and me. Look now at the scaffold in Boston Commons where men died rather than give up their free pulpits. Live again, if you will, the hardships, denials, and persecutions of our forefathers who crossed the sea of storm and suffering that their children might worship God according to a free conscience. Give run to your imagination. Relive afresh how priest and king fiercely contended for civil power as millions died in medieval wars between pope and emperor. Let the dark, grim pages of history, filled with dungeon, bloodshed, and death, unfold, and count again the price our forefathers paid for America's free churches. How our hearts rejoice with the thought of their brave, stouthearted, noble deeds; and how we can sing with appreciation—

Faith of our fathers! living still
In spite of dungeon, fire, and sword,
O how our hearts beat high with joy
Whene'er we hear that glorious word.

Our fathers, chained in prisons dark,
Were still in heart and conscience free. . . .
Faith of our fathers! holy faith!
We will be true to thee till death.

Need I remind you that all these crimes of religious persecution were committed by a religious establishment. It seems to have made little difference whether the establishment was Roman Catholic or Protestant. Anyway, it was the dissenter who came in for torture.



REVIEW PICTURES

Live again, if you will, the hardships, denials, and persecutions of our forefathers who crossed the sea of storm and suffering that their children might worship God according to a free conscience.

He had to attend the established church no matter what his convictions were. He was forced to pay taxes to support a creed in which he disbelieved. He had to join the established church to hold public office. Even when he lived outside the dungeon or prison, he was at best a second-class citizen!

To correct these conditions and to avoid these crimes early Americans fled to the New World. Out of bitter experience, amid trial and error, they evolved four sound principles of law:

1. No church shall be established.
2. No citizen shall pay a tax to support his religion or that of any other.
3. No church shall have special privilege from the state. All must be equal before the law.
4. No citizen shall pass a religious test for public office.

The Colonists were not irreligious, nor were they hostile to religion. Quite the opposite—they were intensely religious, but according to varying patterns. The single established church floundered upon the rocks of crime and persecution. The plural establishment was tried and resulted in widespread dissension. Only separation brought peace.

Justice Black said in the *Zorach Case*:

It is precisely because Eighteenth Century Americans were a religious people divided into many fighting sects that

we were given the constitutional mandate to keep church and state completely separate.

To deprive religion of tax support was based upon the theory that the Biblical injunction of the tithe was a better method of support. They reasoned that if a man loves his church, he will support it voluntarily with profit to himself and to the church. It was their belief that a church filled with the power of God would not need tax support, and any other church was unworthy of tax support. Furthermore, it was also their belief that a separation of church and state not only was desirable but would in the long run benefit both the state and the church.

Justice Welch, of the Supreme Court of Ohio, reflected the true concepts of church-state separation in *Board of Education of Cincinnati v. Minor and Others*:

Government is an organization for particular purposes. It is not almighty, and we are not to look to it for everything. The great bulk of human affairs and interests is left by any free government to individual enterprise and individual action. Religion is eminently one of these interests, lying outside the true and legitimate province of government.

James Bryce observed in 1889:

It is accepted as an axiom by all Americans that civil power ought to be not only neutral and impartial as be-

tween different forms of faith, but ought to leave these matters entirely on one side.

The benefits of separation have been forgotten and need underscoring today. Here 257 creeds live in maximum harmony. All churches have prospered as they have nowhere else in the world. There has been no anticlericalism in the United States. Communists have not made such progress in religious groups here as they have in Italy and Poland. Sixty-one per cent of all our people attend some church. All churches are free to carry on their enterprises under voluntary contributions. All churches in the United States have a vigor, vitality, and spirituality not found in countries of formalized, established churches. All ministers have a free pulpit. There is here more efficiency among the various church institutions, and more personal participation therein. Even the government is less corrupt in areas where church and state separation is respected and obeyed. Our cleanest governments are in the rural areas where clericalism is absent.

The architects of separation conferred upon us a priceless boon—the free conscience, free state, and free pulpit.

And so it is with real sorrow that I must mention that all churches are not happy with the American plan of separation. In fact, one would destroy this part of our Constitution. But let this church speak for itself.

The Roman Catholic bishops, speaking November 20, 1948, in "The Christian in Action," an official pronouncement:

"Church-state separation is a mere shibboleth of doctrinaire secularism," and the Supreme Court of the United States gives a "novel" interpretation of the Constitution by holding "public funds for public schools only."

The same bishops speaking in November, 1955:

They [the Roman Catholic parochial schools] have full right to be considered and dealt with as components of the American educational system. The students of the schools have the right to benefit from those measures, grants, or aids which are manifestly designed for health, safety, welfare of American youth, irrespective of the school attended.

Bishop P. Cody, of Kansas City, dedicating St. Pius High School there, said:

The law of this land prohibits Federal contributions to sectarian schools, but laws have been changed.

Richard Joyce Smith, Roman Catholic member of the public school board of Connecticut, urged "local school boards to be authorized to allocate tax funds on the basis of community need to all schools, public and parochial, without discrimination."

The National Catholic Welfare Conference declared:

Local and state governments which refuse to support schools not under the control of the local school board are guilty of an injustice against other qualified schools within the community.

Cardinal McIntyre, Roman Catholic prelate of Los Angeles, has urged Federal subsidies to his denominational schools on the basis of "aid to the pupil."

Jesuit Fr. Robert C. Hartnett attacks the Supreme Court of the United States:

The alarming truth is that [our basic beliefs] are under attack right here in the United States. When we resist the effort to secularize American society, we are resisting what we believe will bring great harm to our country. We are fighting for freedom of religion and freedom of education.

What the good father's words really mean is that it is he who is attacking America's basic beliefs.

The Knights of Columbus are now urging a church-state union at two points:

1. Sending of an ambassador to the pope.
2. Tax monies of all Americans for Roman Catholic private schools.

Fr. William E. McManus, a very distinguished prelate, states:

By denying tax funds to parochial schools, our government has refused to help parents exercise their rights.

Fr. John Courtney Murray, whom I regard as Rome's best scholar in this country, believes "separation of church and state is hostile to religion." He describes the principle as "that negative, ill-defined, basically non-American formula, with all its overtones of religious prejudice." This view of Father Murray comes perilously close to the Latin-American line that Communists and Protestants are both subversive.

Consider, then, your knowledge of the great sacrifices of your own forebears to establish separation in these United States with all of its untold advantages to all creeds, even Roman Catholics, and meditate for a moment upon these samplings of direct assaults upon your own freedom of religion, and you will



conclude that religious liberty as we have known it is in grave peril today in our nation.

That peril is even more manifest when you recall that 595 clerically controlled periodicals reaching 22 million Americans monthly speak ill of church-state separation. Four million young people in 15,000 Roman Catholic parochial schools, which we are invited to subsidize with our taxes, are indoctrinated into the belief that church-state separation is unsound, unwise, and an un-American principle. Similar teaching reaches perhaps another three million minds in public schools where nuns hold at public expense with tax-free salaries a Roman Catholic parochial school in violation of our tradition and our law. In a dozen States, bills have been introduced (in some States like Connecticut, passed) to open tax fund doors for parochial schools of Roman Catholic character. Contrast also the law that churches should support their own institutions with the fact

that taxpayers have subsidized Roman Catholic hospitals with over \$125 million.

Americans are apprehensive, too, over bans on certain films like *Martin Luther*, boycotts against publishers and editors who dare to defend church-state separation. Censorship, boycott, book burning, and denials of free speech are common in Spain, Italy, and Russia, but foreign to the United States of America.

My friends in Congress experience grave doubts when Roman Catholic political action drives through such appropriations as that of one million dollars to refurbish the pope's summer home outside Rome, or House Bill 6586 appropriating the lion's share of

Americans are faced with two possible choices—obey the law that has brought us creedal peace and harmony, or lose by apathy and fear our heritage of freedom, only to revert to medieval practices which history proves to be the principal cause of religious strife and persecution.

H. A. ROBERTS





nearly \$26 million for Roman Catholic hospitals and schools in the Philippine Islands. Incidentally, Archbishop Santos, who wrote a pastoral letter denying Roman Catholics the right to attend the Billy Graham meeting in Manila, will become the principal beneficiary of House Bill 6586.

It is therefore out of a sorrowful heart that I am compelled to enumerate these pronouncements, these political acts, and this vast educational effort, waged by Roman Catholic leaders to undermine in theory and practice our great American heritage of the equality of creeds before the law.

It is with great charity and less hope that I admonish all beneficiaries of our American liberty to adjust medieval concepts to twentieth-century freedom and enlightenment. All America is alert to economic totalitarianism, but America seems quite indifferent to clerical totalitarianism. The whole world looks to this great new country for an example in all freedoms. Are we, then, to be fully alerted to one tyranny and apathetically unaware of another? Shall we forget so soon the blood sacrifices of our heritage and fritter them away by our unwillingness to see the dangers, our hesitancy to speak the truth, and fear to defend our birthright?

Ten years ago leaders from many walks of life, with full knowledge of some of the threats and dangers to our way of life, met and decided to do something about the defense of church-state separation. They formed a nonprofit, educational corporation known as Protestants and Other Americans United for the Separation of Church and State. These men and women, sensitive to spiritual values and dedicated to the constitutional guarantees of free worship and equality of all creeds before the law, launched an educational and remedial program designed to preserve free worship.

With boldness and courage they have spoken out in the affirmance of our tradition, and corrected many violations of law in the courts of the nation.

Americans are faced with two choices—obey the law which has brought us creedal peace and harmony, or lose by apathy and fear our heritage of freedom, only to revert to medieval practices which history proves to be the principal cause of religious strife and persecution. As for me, I choose to pursue the dream of our forefathers who sought to free America from the evils which have bedeviled the Old World for a thousand years.



S. M. HARLAN

The benefits of separation have been forgotten and need underscoring today. Here 257 creeds live in maximum harmony. All churches have prospered as they have nowhere else in the world.

I close with the challenge of Dudley Field:

The greatest achievement made in the cause of human progress is the total and final separation of church and state. If we had nothing else to boast of, we could lay claim with justice that first among the Nations, we of this country made it an article of organic law that the relations between man and his maker were a private concern, into which other men have no right to intrude. To measure the stride thus made for the emancipation of the race, we have only to look back over the centuries that have gone before us, and recall the dreadful persecutions in the name of religion that have filled the world.

Religion, to be religion, must be free. To be religiously free, separation is man's best legal device. Beware, then, of those who cleverly subvert this freedom. They are the enemies; you are the defenders of our legal heritage of the free pulpit. They are the enemies; you are the champions of the grandness of the gospel of Jesus Christ, wherein men are truly free.

The "Christian Amendment"

By **NORMAN S. MEESE**

[This article written by Norman S. Meese, Associate Editor of the "New Age," official organ of the Supreme Council, Scottish Rite of Freemasonry, Southern Jurisdiction, U.S.A., appeared in the "New Age," issue of July, 1956. It expresses the views of the editors of LIBERTY: A Magazine of Religious Freedom, and is published here by permission.—Ed.]

FOR MANY YEARS religious fanatics have not ceased to express resentment because no reference to God is made in our Constitution, and they have claimed that hence it "ignores the principles upon which our country was founded." They then deplore the fact that supreme honor is not accorded Jesus Christ in that document. Allied with these continued complaints has been the agitation to establish "In God We Trust" as our national motto and the placing of "under God" in the Pledge of Allegiance as our official expression. This led to the establishment in 1946 of the Christian Amendment Movement, which has for its objective the adoption of an amendment to the Constitution of the United States which reads:

"Section 1. This nation devoutly recognizes the authority and law of Jesus Christ, Saviour and Ruler of nations, through whom are bestowed the blessings of Almighty God.

"Section 2. This amendment shall not be interpreted so as to result in the establishment of any particular ecclesiastical organization, or in the abridgment of the rights of religious freedom, or freedom of speech or press, or of peaceful assemblage.

"Section 3. Congress shall have power, in such cases as it may deem proper, to provide a suitable oath or affirmation for citizens whose religious scruples prevent them from giving unqualified allegiance to the Constitution as herein amended."

Since 1947, proposed amendments of this general character have been regularly introduced. About the middle of 1954, a similar resolution (H.J.Res. 289) proposing such an amendment was offered in the House of Representatives and was referred to its Judiciary Committee. In May and June, 1955, no

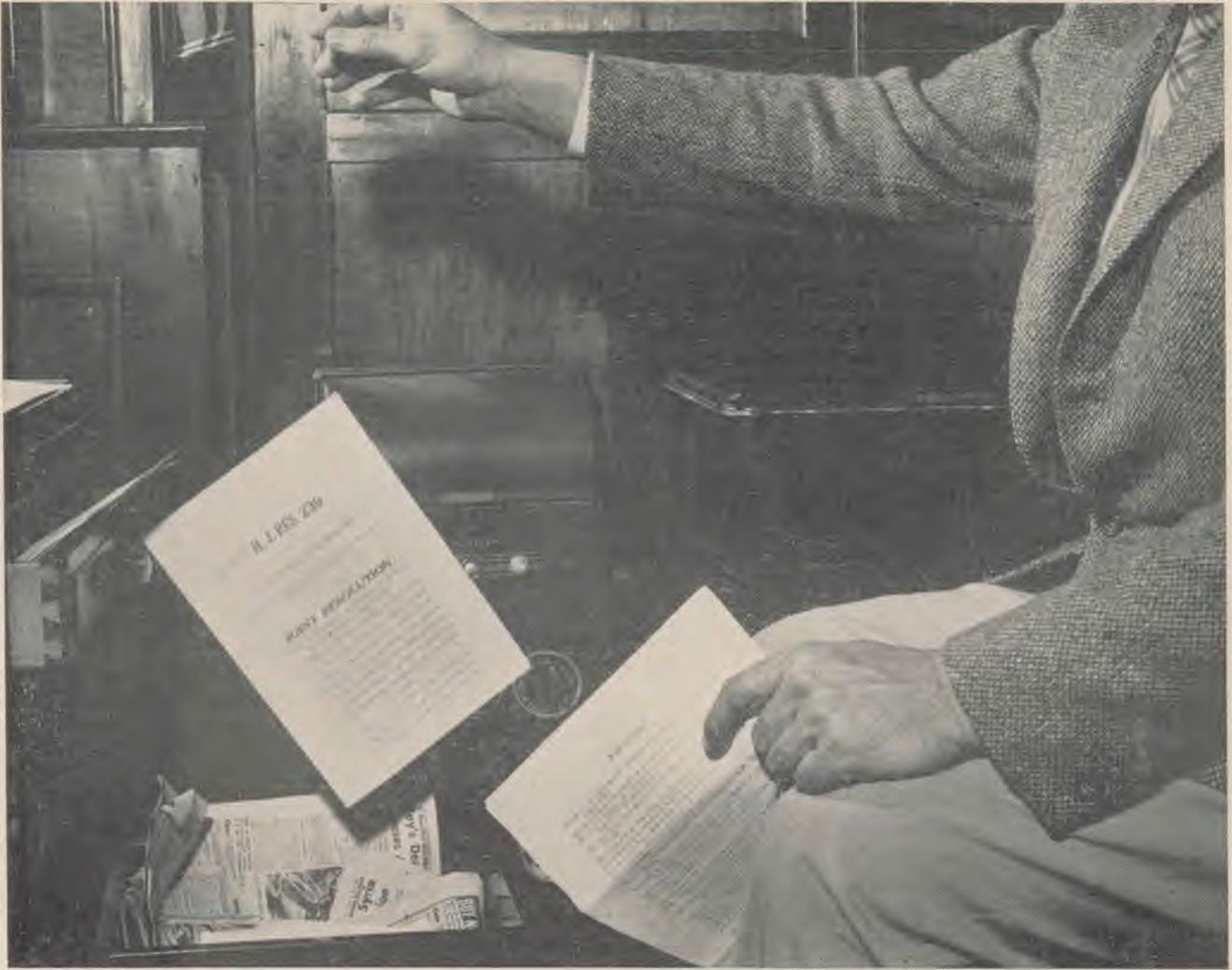
less than four like bills were introduced in the House and were referred to the same committee. A companion bill later appeared in the Senate and was referred to the Judiciary Committee of that body. None of these bills have thus far been granted a hearing.

A careful study of these bills must lead every thoughtful person to the conclusion that the acceptance of any one of them would be a national calamity from the effects of which the country might never recover. An examination of the phrase, "authority and law of Jesus Christ" should be enlightening, because its inclusion in the Constitution would necessarily demand that all action by the government square with it.

Since Jesus Christ cannot exercise His "authority" in person, this must be accomplished for Him through human agencies now here. These agencies will of necessity be a part of our government machinery. In the absence of a codified body of religious authority, these human agencies must either be theologians or they would have to rely upon religious leaders to set forth and explain that "authority." For the clergy thus to be in charge of or to instruct those in civil power in their duties would obviously make of our government a priestly oligarchy.

It is easy to see what must result if one sectarian group claiming to be the only legitimate heir to Jesus Christ's "authority" and the head of which claims "to hold upon this earth the place of God Almighty" were to seize civil power following the adoption of such an amendment. A Supreme Court appointed by a sympathetic chief executive would no longer feel obliged to maintain separation of Church and State in accordance with either existing civil law or tradition.

The New Testament is the only source for "the law of Jesus Christ." It will, then, have to be decided what translation of the New Testament is to be used as its official text. No single version would be acceptable to everyone. Any court decision in this



J. BYRON LOGAN

The Congressional committees to which these bills have been referred in the past have done the country a service by consigning them to the wastebasket. These latest ones should receive the same treatment.

matter would constitute an establishment of religion.

An examination of Section 2 of the proposed amendment shows that it contradicts Section 1. It would not be possible to put any part of Section 1 in effect without nullifying Section 2.

Section 3 is permissive and not mandatory; hence, it affords no protection whatever to minorities. It completely abrogates every freedom of conscience and religion at present guaranteed. For that reason it would inevitably lead to legal chaos and almost certainly to revolution. Furthermore, this section, by reason of its wording, abets mental reservation and evasion in taking the oath of allegiance.

The *New Age* has been informed that a number of members of Congress have supported or sponsored this proposed amendment and that the movement is not without resources. It is said to have ample funds

and to use the facilities of a large number of radio stations to promote its activities. It also publishes a paper which it calls "The Christian Patriot" with a banner line saying, "The greatest patriot is the one who does the most to bring his country to Christ." The editor is the Rev. T. C. McKnight, D.D., with headquarters in Pittsburgh, Pa.

This appears to be nothing short of a direct frontal attack upon the liberties guaranteed the citizens of this country by the Constitution. This proposed amendment, if passed, would do more irreparable harm in a few short days than any number of active Communists could do in a decade. The Congressional committees to which these bills have been referred in the past have done the country a service by consigning them to the wastebasket. These latest ones should receive the same treatment.



COURTESY OF NATIONAL ASSOCIATION OF EVANGELICALS

On the eve of its dedication, Saturday, December 22, 1951, this beautiful new building of the Southern Baptist Church in Bogota, Colombia, South America, was stoned by a mob assembled by a neighboring priest using the loud-speakers of his church.

Conflict in Colombia: *The Case for Religious Freedom*

By **CLYDE W. TAYLOR, D.D.**

[Dr. Taylor is Secretary of Public Affairs for the National Association of Evangelicals, Baptist preacher, former missionary to Colombia, student of and active leader in religious liberty matters. Names and places involved in the incidents here reported are on file, and can be produced when necessary.—ED.]

IN MANY respects the situation in Colombia is the most significant test of religious freedom in the Western Hemisphere. More than any other Latin American country, Colombia is the scene of tense, continuous conflict between medieval ecclesiastical pressures and modern concepts of democratic constitutional procedure. The ultimate result of this conflict remains to be seen. If the Roman Catholic Church were to acknowledge the full rights of the Protestant minority, Colombia would be relieved of a severe impediment to its progress as a member of the

family of free nations. To date, the Catholic Church has not chosen to do so. Rather, it attempts to convince the rest of the world that the ecclesiastical pressures that have precipitated religious persecution do not exist.

The *Hispanic American Report*, published by Stanford University, has referred to the recent history of Colombian Catholic policy as "a record of nine years of collaboration with tyranny and . . . inquisitorial moves against Protestantism." This same report noted that since the overthrow of the Rojas regime the clergy has gained strength because of a "democratizing attitude" it has adopted since the last days of the dictatorship. This attitude, if it does indeed exist, must be viewed as a tactical expedient toward the
(Please turn to page 20)



REVIEW PICTURES

Protestant churchgoers congregating outside of their new meeting hall in Kiev, Russia.

Freedom of Religion

[Reprinted from USSR, issue No. 8.—ED.]

RELIGION IN THE SOVIET UNION is the personal affair of the individual. The law guarantees the right of each citizen to profess any faith and provides for the punishment of any type of religious intolerance.

There is complete separation of the church from the state and the school from the church. The state cannot intervene in the internal affairs of the church, nor can the church interfere in the activities of the state.

In the Soviet Union no distinction is made between citizens because of their faith. Official documents, such as passports and marriage and birth certificates, do not designate the citizen's religion. Officials are not allowed to inquire into the religion of applicants of jobs or admission to educational establishments. The clergy enjoys the same political rights accorded every citizen, including the right to vote and to be elected to political office.

Believers of any faith who wish to observe religious rites together may unite into congregations. Central and local authorities grant these congregations the free use of buildings for their services, assign premises for academies, seminaries and other schools which train clergymen, provide paper and printing facilities for the publication of religious books and church magazines. Congregations may also build new houses of worship. Churches of all faiths are supported entirely by funds raised voluntarily among their adherents.

Before the October Revolution of 1917 the official religion of the country was the Russian Orthodox faith. Now there is no state religion, but the Russian Orthodox Church continues to have the largest following, with adherents living mainly in the central regions of the country. It is headed by Alexii, Patriarch of Moscow and All Russia, elected in 1945 by the General Council of the Russian Orthodox

(Please turn to page 23)

CONFLICT IN COLOMBIA

(Continued from page 18)

maintenance of the political power of the ecclesiastical establishment. There is no evidence that it includes any concept of religious liberty.

Until the beginning of the past decade Colombian civil authorities were usually willing to take action against incitement to persecution and intolerance of the Protestant minority. But when the dictatorial regime of Laureano Gomez burst onto the scene in 1948, the accompanying political violence offered a smoke screen behind which religious persecution could hide. Since then the Catholic hierarchy has shown its willingness to collaborate with the dictators whenever this course has seemed to be in its interest. While thousands of Roman Catholics have suffered hardship, injury, and even death for some, in the political turmoil, repressive actions against Protestantism have been pushed. A good example is the "Mission Territories" agreement concluded between the Vatican and President Rojas Pinilla, whereby three fourths of Colombia was defined as Catholic "mission territory." In effect, this area has been declared out of bounds to Protestants in matters of education and religion. Since it has been enforced, this agreement has meant the closing of more than 200 Protestant schools, in spite of the fact that the majority of Colombian children do not have the opportunity of even a minimal education.

This Colombian-Vatican agreement has meant also the closing of forty-six Protestant churches in the mission territories, although some of these have been reopened within the past several months.

In addition to the repressive legal action is the violent persecution of the religious minority, most of which is incited by priests. In 1951, for instance, a parish priest in Bogotá led a protest parade of excited Catholics to the dedication of the new Central Baptist church. After the priest had denounced the Protestants from the steps of the church, stones began to fly, and virtually every window of the church building was broken. He later admitted his responsibility for the procession and claimed he would do the same way again, since the Protestants had "no right" to be invading his parish. He was never disciplined, either by church or civil authorities.

In the summer of 1956 arsonists set fire to an American missionary residence at La Cumbre, Valle. Several witnesses in sworn testimony named the local Catholic priest as the instigator who planned the affair and hired four men to execute the plot, with police cooperation. The priest was never disciplined for his actions.

In the spring of 1957 a Protestant worship service at San Carlos, Córdoba, was interrupted by a priest. After he questioned the Protestants' right to assemble,

he withdrew and sent in a policeman who stopped the meeting. The leader of the service, a licensed pastor of the Presbyterian Church in Colombia, was taken to the police station, where he was ordered to stop conducting Protestant religious services.

Two American missionaries, one a veteran missionary eighty-two years old, were arrested in Quinchia, Caldas, in the summer of 1956 and were charged with having communist literature in their possession. The literature was "found" in their home by the police officers who made the arrest. After being held in house arrest for two days, their case was turned over to the Colombian Secret Intelligence Service. The women were arraigned before the Military Penal Court and had to spend two nights in the police barracks. After several weeks of harassment they were finally cleared by the Colombian Government through the intervention of the United States Embassy.

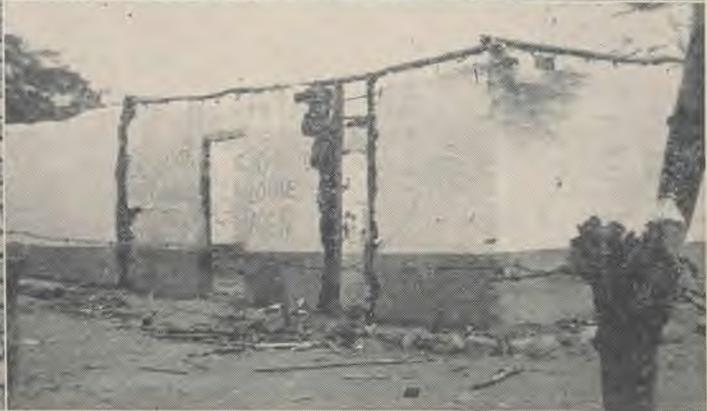
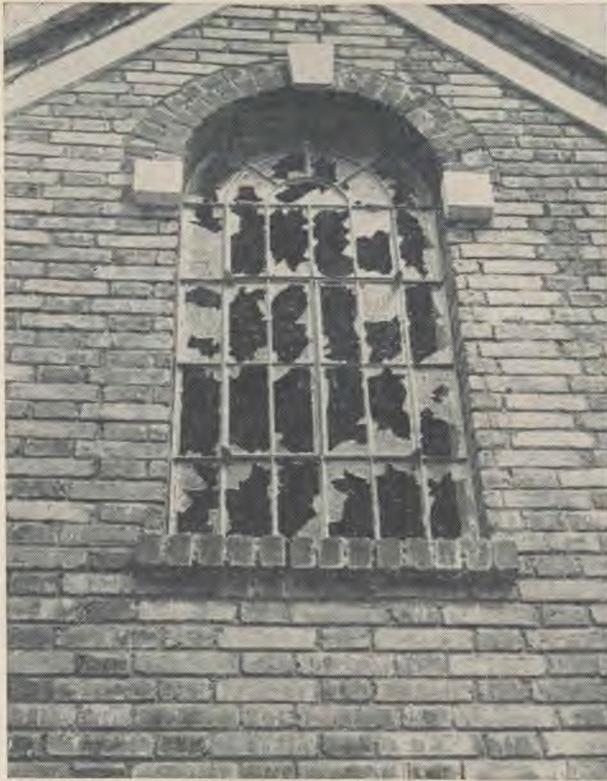
In other instances there is evidence of collaboration between priests and police in oppressing Protestants. Early in May, 1957, a governing elder of an evangelical congregation was administering the Lord's Supper when the local priest entered, knocked the communion cup out of his hand, and insulted the group. Then the civil authorities arrived and took the Protestants to a school building where they were locked up. When they were released at sunset a mob was waiting, armed with clubs. Although beaten and bruised, the Protestants all escaped. Later the mob caught a twenty-four-year-old woman member of the Protestant congregation, urged on by the priest's order "not to leave one Protestant alive." Her mangled body was found later in the waters of the Tasajo River.

Is there hope for religious freedom in Colombia? Yes—if the Roman Catholic Church will alter its present policy, recognize the rights of the religious minorities, and instruct its priests against inciting religious violence in any way.

Unfortunately, Catholic spokesmen in the United States seem unconcerned about the Colombian persecution. They attempt to give the general impression that Protestant reports are exaggerated or totally untrue.

These spokesmen seem to be willing to follow a tortuous path in order to avoid acknowledging the oppression of the Protestant minority in Colombia. They refuse to examine the facts, while at the same time they avoid direct denial of the incidents of violence that have been cited. They attempt to arouse doubt by innuendo.

If U.S. Catholics are doubtful that there is religious persecution in Colombia, they need only check with the United States Department of State to get the facts. The persecution has been the subject of numerous communications between the United



COURTESY OF NATIONAL ASSOCIATION OF EVANGELICALS

Smashed furniture and broken windows—burned and torn Bibles—burned homes and churches—this has been the lot of Protestants in Colombia because of the repressive action by priest-led mobs.

States and Colombian diplomatic officials. Here, for example, is a portion of a letter from the Secretary of State, John Foster Dulles, to the Colombian Minister of Foreign Relations, dated September 12, 1956:

I am disturbed to learn that unprovoked attacks on United States Protestants and Protestant missions have been continuing. I refer particularly to the attacks on the establishments of the Mennonite Brethren in Christ at La Cumbre, Valle, on the night of July 5 and July 8, in which American property and American lives were threatened and endangered.

I am also particularly disturbed over the situation prevailing in regions of Colombia designated as mission territory. The closing of Protestant churches in that area and in other parts of Colombia has been the subject of numerous communications to me from many conscientious and high-minded people of Protestant faith, complaining of the uprooting of establishments that have existed unquestioned and unmolested in Colombia for many years and represent a considerable investment in property and personnel. It is difficult to reconcile these unfortunate developments with the provisions of Article XIII and XIV of the Treaty of 1846 between the United States and Colombia, guaranteeing special protection to American personnel and property and security of conscience and freedom of worship throughout Colombian territory.

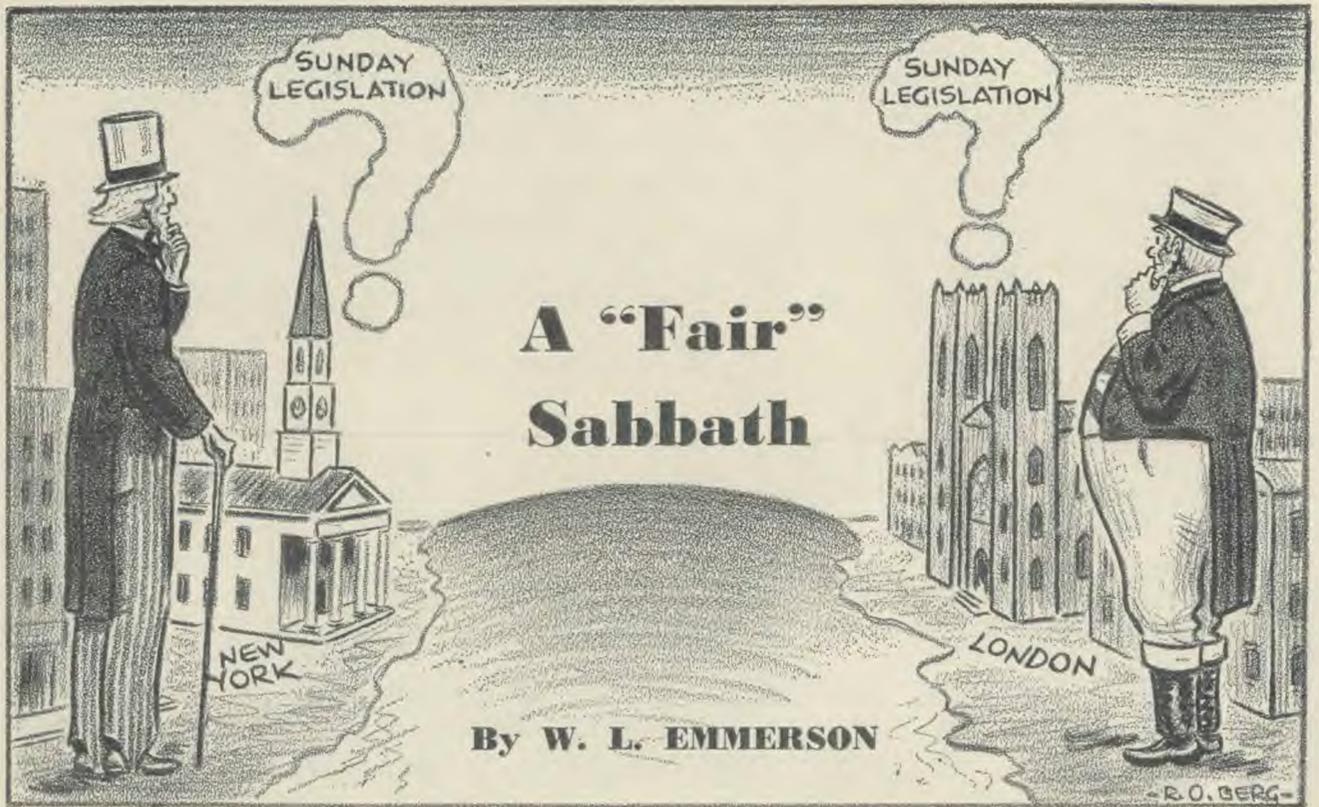
The full text of this letter was printed in the *Congressional Record* of March 1, 1957.

Perhaps the greatest hope comes from liberty-loving Colombians, who would like to see their country move back to its constitutional basis of religious freedom. *El Tiempo*, Colombia's leading newspaper, enunciated this hope in an editorial last September:

Freedom of religion is not a gracious concession of the mayor or a donation of the authorities, but a right made sacred by the national Constitution. It is the subject matter of an international commitment, since it forms part of the Charter of Human Rights, which has been signed by Colombia, even though it has not always been observed. The violations of freedom of religion are no more to be excused than the abuse of the other rights of mankind, such as freedom of speech, freedom of assembly, freedom to travel, or freedom of political views. But in communities where a specific religion is greatly in the majority there is a tendency to minimize the importance of guaranteeing the rights of minorities, which, the smaller they may be, the more they are exposed to suffering oppression. . . .

There are those who have pretended to justify the persecution of Protestants by claiming that they have abused the right of religious liberty by making political proselytes. If this refers to foreign heretics, the provisions of common law should be applied to their case which prohibits them from mixing into the party strife of the Colombians. And if it refers to Colombians, this right of theirs should be respected, for they have not lost it by the failure to practice the religion of the rest. Under no circumstances is the spectacle to be condoned—which has been repeated many a time in this country until quite recently—of the stoning of Protestant churches by mobs organized and egged on by fanatics, irresponsible persons or demagogues who stir up primitive passions for their own selfish purposes. Persecution of religious minorities, carried out with the complicity or under the direction of the very authorities, in the past (but not in the remote past) has been our national shame in the eyes of the world, notwithstanding the pretexts with which there have been attempts to justify it.

We will pray that the well-worded hopes of *El Tiempo* may yet prevail.



LIBERTY correspondent in Great Britain

AFTER AN INTERVAL of about five years the Sunday-observance laws in Great Britain have had another airing in Parliament. A private member's motion was put down that a select committee should be appointed to examine and report on the legislation. As usual, the Lord's Day Observance Society set its powerful lobby in motion to prevent any movement toward the relaxation of the Sunday laws, but, as it worked out, the rule of the House frustrated both advocates and opponents of the motion. By standing order at least one hundred members must be present for a vote to be taken, and as there were only eighty-five in the chamber, the debate had to be "adjourned."

It is a curious coincidence that the city fathers of New York should have also had before them recently a measure relating to Sunday observance. But whereas the Sunday observance acts in Great Britain were under attack from secular interests, arguing that they should not be compelled to observe a day about which they have no religious scruples, the critics of the Sunday legislation in New York were religious people, such as Jews and Seventh-day Adventists, who argue, equally cogently, that it is not right that people who observe a day other than Sunday should be compelled to observe Sunday as well. Hence the New York bill for exemption of those who observe another day than Sunday has been described by its advocates as a "Fair Sabbath Law."

However, the bill before the New York City Council was as passionately attacked by Roman Catholic spokesmen as the motion in the Commons was attacked by the Lord's Day Observance Society. The Roman Catholic Archdiocese described the law as a "No Sabbath Law," by which "the Sabbath principle in our culture" would be "destroyed."

The American debate was actually carried to a conclusion, in our view very fairly, by the approval of the bill and its being sent for ratification to the New York State Legislature. There it failed to muster sufficient votes, under legislative rules, to become law.

It is surely significant that the protagonists of Sunday observance in these two controversies on opposite sides of the Atlantic, while in most things theological poles apart, should on this issue be united in seeking to legalize an unbiblical doctrine by unbiblical methods. For in the first place there would be no destruction of "the Sabbath principle in our culture" if all the Sunday laws were to go, because the true Sabbath of the Bible is the seventh and not the first day of the week. And second, Christ made it quite clear in His great commission that men were to be *taught*, not *compelled*, "to observe all things whatsoever" He "commanded." In the sphere of religious doctrine and practice, the biblical rule is "Let every man be fully persuaded in his own mind," and that completely excludes any form of coercion, legal or illegal.

FREEDOM OF RELIGION

(Continued from page 19)

Church, which was attended by representatives of all the Christian Orthodox Churches of the world. The Patriarch has an advisory body—the Holy Synod. The Moscow Patriarchy has charge of a number of Russian Orthodox parishes located in many other countries.

The religion having the second largest number of adherents in the Soviet Union is the Moslem Faith (Mohammedanism). It is most widespread in the republics of Central Asia and in some regions of the European part of the country. There are four Moslem religious boards, based on geographical location and historical background of the Moslem communities.

The next largest denominations in the country are the Evangelical Christian Baptist Church, the Starobriadzi (Old Believers), the Jewish religion, the Armenian (Gregorian) Church, the Orthodox Church of Georgia, the Roman Catholic Church, the Buddhists and the Lutheran Church. There are also many denominations with smaller numbers of adherents, like the Seventh-day Adventists, Methodists and other faiths. All these religious associations, regardless of the number of their adherents, enjoy the same rights as the larger denominations.

Central ecclesiastical bodies convene congresses or conferences to consider problems relating to their respective denominations. They are attended by both the clergy and representatives of the laity. Ecclesiastical centers of the Soviet Union maintain contact with religious bodies abroad by exchanging correspondence and delegations.

A brief picture of the life of various religious communities is given on the following pages by leading representatives of some denominations who were interviewed by a staff writer for the magazine *USSR*.

Nikolai, Metropolitan of Krutitsy and Kolomna, who is a member of the Holy Synod, occupies one of the leading positions in the hierarchy of the Russian Orthodox Church. He was asked about the right to worship.

"The right of each citizen of the USSR to worship is expressed by his freedom to belong to any of the religious associations of the country. He can follow the dictates of his religion and observe its rites without hindrance. He is free to join any of the religious groups or to withdraw from them."

Asked if there were any conflicts between the various religions in the Soviet Union, Metropolitan Nikolai replied:

"Since freedom of conscience is protected by law and all religious groups, regardless of the size of their membership, enjoy equal rights, we have a climate that does not engender conflict. Each religion respects

the others. The Russian Orthodox Church for its part extends its good will to all other faiths and cooperates with all other religious groups in the general effort to maintain world peace."

The Protestants are most numerous in the western parts of the Soviet Union. The Lutheran Church, for example, has its largest following in Latvia and Estonia. At the same time, many Protestant communities may be found in other regions. For instance, most of the Evangelical Christian Baptist communities are concentrated in the Ukraine, but this denomination also has a big community in Moscow. Our staff writer interviewed Alexei Karpov, Presbyter of the Moscow Baptist Church.

"This year," the Presbyter said, "the Evangelical Baptist Brotherhood of the Soviet Union will celebrate its ninetieth anniversary. It was ninety years ago that the first Russian Baptist, Nikita Voronin, was baptized in Tbilisi, now capital of Georgia.

"As a rule all of our churches hold service five times a week. Every congregation selects from its membership those best qualified to preach the sermons. Each church has from five to ten preachers. Many of our communicants sing in church choirs.

"We maintain contact with our congregations through the columns of *Bratsky Vestnik* (Herald of Brotherhood), which prints articles, sermons and news about the activities of local churches. The brethren of the different communities also exchange frequent visits.

"The Evangelical Church lives in peace and mutual understanding with other Christian churches of the Soviet Union. Doctrinal and ritual differences are no reason for disputes between churches. We are equally dedicated to the teachings of our Saviour.

"In the past few years we have had an increasing number of meetings with representatives of churches of other countries. In March 1956, for example, we were visited by ten leaders of the National Council of Christian Churches in the United States, headed by Dr. Eugene Blake. A delegation representing the various churches of the USSR, headed by Metropolitan Nikolai of the Russian Orthodox Church, visited the United States last June."

Jewish religious communities exist throughout the Soviet Union, but the majority of them are located in the European part of the country. Our staff writer interviewed Rabbi Solomon Schliffer, head of the Jewish religious community in Moscow. Speaking of the life of these communities, Rabbi Schliffer emphasized the leading role of the Moscow group and the contact it maintains with co-religionists in other cities.

"Jewish communities in other parts of the Soviet Union refer their problems and requirements to us. These may be the opening of a synagogue, choosing a Rabbi, obtaining a Torah scroll and prayer books, or it may be a question regarding ritual.

"Moscow has three synagogues and many dozen *minyans* (a group of ten Jews who gather for prayer). It is difficult to estimate the exact number of *minyans*, since any Jew may lead the prayers and a rabbi is not necessary.

"The Jewish faith has its specific rituals, and there are no obstacles placed in the way of their observance. Matzoth, for example, the unleavened bread required for the Passover holidays, are baked at many bakeries, and kosher meat is sold at stores under the supervision of inspectors I appoint in my office as rabbi.

"For the holidays last fall we prepared a new edition of the Siddur, our book of common prayer, and the Luah, our calendar. At present we have a sacred duty to perform. During the war, hundreds of our Jewish communities were completely destroyed by the fascist invaders. Torah scrolls have recently been found, and the authorities turned them over to us. Now we are restoring and allocating them to the communities that need them.

"We are also preparing to open a *Yeshiva*, a rabbinical college. Many of our communities are cooperating in this endeavor, but the main work is being carried on by the Moscow community.

"Not long ago a delegation of the Orthodox Rabbinical Council of America, headed by Rabbi David Hollander, visited the Soviet Union. We also received a delegation from the New York Board of Rabbis, led by Rabbi Israel Mowshevitze. We maintain contact

with the Jewish communities of many other countries, including Israel. During the first half of 1956 we received forty-eight foreign delegations and were happy to welcome them all."

The Roman Catholic Church has the largest following in the western parts of the Soviet Union. Catholics are most numerous in Lithuania, which has six dioceses. There are also many Catholics in Latvia and in the western regions of the Ukraine and Byelorussia.

Our staff writer asked Dean Joseph Buturowicz, of the Church of St. Ludwig, to describe the relationship between the Catholics and other denominations. He replied that their relations were based on mutual respect and equality.

"We Catholics," Dean Buturowicz said, "respect all other faiths. Their equal right to worship eliminates the possibility of religious discord."

Dean Buturowicz spoke with gratification of the international contacts maintained by the Catholic Church of the Soviet Union. "Among the latest official visits to our country," he said, "most noteworthy were the visits of a delegation of Catholics from Viet Nam and that of Dr. Mark Reding, dean of the College of Divinity at Graz, Austria."

In conclusion, Dean Buturowicz said: "I believe that all possibilities exist here in the Soviet Union to enable anyone to freely profess his own religion and to worship in the faith of his choice."



Central and local authorities grant congregations the free use of buildings for their services.

INTOLERANCE?

The Sunday Law Issue in New York



A. DEVANEY

THE ASCH-ROSENBLATT BILL to enact a Fair Sabbath Law, now pending before the Assembly and Senate of the New York State Legislature, has elicited virtually unanimous endorsement by the entire Jewish community. . . . As a nation of people adhering to many different religious faiths, we owe our strength and unity to the universal acceptance of the uniquely American concept that each citizen should have the right to practice his religion without government interference. Basic to this principle is the mandate that no person should be penalized for adhering to his religious beliefs so long as he does not interfere with the rights of others nor endanger the public peace or security. The present compulsory Sunday-observance law in New York State is a serious violation of this mandate. . . . Fair play dictates that a person not be subjected to hardship because of the practice of his faith. Together with our Christian neighbors we are distressed by the increasing commercialization of the Sabbath, both Christian and Jewish. We commend every effort to restore holiness to the Sabbath, but the means employed must be as

BECAUSE OF OUR BELIEF in the freedom of religion for all we would support legislation to provide, as a sufficient defense against breaches of Sunday law, that the defendant regularly keeps another day of the week as holy time and does not labor or engage in business on that day and that the act complained of was done in such manner as not to disturb or interrupt other persons in observing the first day.

—*Statement of Legislative Principles*, New York State Council of Churches, 1958.

worthy as the objective we seek. To invoke the instrumentality of state control to enforce observance of the Sabbath day would defeat the very spiritual purpose we seek in common. . . .

We therefore urge the passage by the New York State Assembly and Senate of the Asch-Rosenblatt Bill. Such affirmative and forthright action at this time would constitute a major contribution to strengthening the highest ideals of American democracy.

—Ad Hoc Committee of Jewish National Organization, January 22, 1958.

SUNDAY IS A DAY OF PRAYER, religious worship and rest. With due respect to the religious beliefs and practices of others, we maintain that the present laws concerning the proper observances of Sundays should not be relaxed. This conviction is based on religious beliefs and practices, on the traditions of our country and on the inevitable abuses that would be occasioned by the proposed changes. We regard as completely invalid the argument presently advanced in some quarters that to prohibit commerce on Sundays restricts the religious freedom of persons who observe the Sabbath on Saturdays. Present laws already allow liberal exceptions for the sale on Sunday of merchandise that might be vitally necessary for the welfare of the people. We make no objection to such exceptions nor do we see impropriety in the legal recognition now given to certain recreational and cultural activities on Sunday.

—Msgr. Thomas A. Donnellan, in the *New York Times*, March 2, 1958.*

* The Asch-Rosenblatt Bill, with its tolerant exemptions, was recommended by the New York City Council for passage. It was defeated in the New York State Legislature.



Religious Freedom in the Home

A Court Case

GLORIA T. HACKETT, PLAINTIFF

v.

JOHN W. HACKETT, JR., DEFENDANT.

Common Pleas Court, Lucas County, Ohio
(No. 49584—Decided November 15, 1957)
Cited as 4 00(2d) 245

Husband and wife—Antenuptial agreement as to child's religious training—Similar provision in separation agreement—Court without power to enforce—Constitutional law—Freedom of worship.

ALEXANDER, *Judge*. On motion to show cause filed by defendant-father against plaintiff-mother.

The facts are not in dispute. The mother, a non-Catholic, and the father, a Catholic, were married in the Catholic church after executing an antenuptial agreement providing that "all children born issue of the marriage shall attend the Catholic school and be brought up in the Catholic faith." One child was born and duly baptized in the Catholic church.

Soon thereafter the mother changed her mind and sought exit from her antenuptial agreement. Release was refused. As she nursed her child she apparently nursed also a determination to repudiate her agreement, and by the time the child had reached five she was making no secret of her intentions. A few months later she left the matrimonial dwelling, taking the child with her. She retained counsel and executed a separation agreement which, among other things, awarded the non-Catholic mother custody of the child and provided that the child was to attend a certain Catholic school previously approved by the mother.

Thereafter the parties were divorced in this court, without contest, and the separation agreement, though not approved by the court, was, in compliance with the terms thereof, made a part of the decree.

The mother duly entered the child in the Catholic school, where she completed the first grade. When it came time to enter the child in the second grade, in-

stead of taking the child back to the same school, the mother entered her in a public school. Thereupon the father filed this motion, calling upon the court, among other things, to require the mother to show cause why she should not be punished for contempt of court for violating the court order embodying the agreement that the child attend the Catholic school.

The mother appeared and defended on the ground that this provision of both the antenuptial and post-nuptial contracts is void, and hence that portion of the court order reiterating same is not enforceable by the court. Whether this contention is correct is the only issue before the court at this time.

The father's counsel has argued orally and in briefs with persuasive skill and impressive learning in behalf of the validity of this kind of contract and court order, and very effectively in behalf of his client who happens to be not only an able and popular member of the bar of this court but also the nephew of the distinguished Roman Catholic prelate who performed his marriage ceremony.

However, we are constrained to hold that the court does not have the right or the power to enforce the contract the mother has repudiated, or the order of which she appears to be in contempt, either by imprisoning her until she sends the child back to the Catholic school or by any other means. Our study of the question has convinced us that the violated portion of the contracts and hence the order embracing same are really void. Void means "empty, having no legal force, ineffectual, unenforceable." It is not the court's function to pronounce a value judgment upon the contracts, i.e., to decide whether good or evil, right or wrong, wise or unwise, proper or improper.

The Constitution of Ohio, Art. 1, Sec. 7 reads as follows: "All men have a natural and indefeasible right to worship Almighty God according to the dictates of their own conscience. No person shall be compelled to attend, erect, or support any place of wor-

ship, or maintain any form of worship, against his consent; and no preference shall be given, by law, to any religious society; nor shall any interference with the rights of conscience be permitted. . . ."

The Catholic father very understandably insists upon the child's attendance at the Catholic school, because there the child is nurtured in and prepared for the Catholic form of worship. Now, it seems a school must have scholars as well as dollars. Hence it must be concluded that when the father pays the child's tuition he supports and maintains the Catholic school and the Catholic faith. Only if the school were to abandon every vestige of Catholicism would these conclusions appear to be untrue.

Regardless of what the mother assented to or solemnly promised, if the court were to *compel* her now, *vi et armis* or otherwise, to keep her promise, that would appear to be compelling her to support or maintain a certain "form of worship, against her consent." Moreover, that would be an unpermitted "interference with her rights of conscience." And these are among the very things which no person, not even a devout communicant, may lawfully be *compelled* to do by any person, not even his own church—against his consent.

The Supreme Court of the United States in a celebrated case (*McCullum v. Board of Education*, 333 U.S. 203, 219, footnote 8), quotes Black, *Essays and Speeches*, 52 (1885): "The manifest object of the men who framed the institutions of this country was to have a state without religion and a church without politics—that is to say, they meant that one should never be used as an engine for the purpose of the other. . . . For that reason they built up a wall of complete and perfect partition between the two." Surely it would be regarded as using the state "as an engine for the purpose of the" church to call upon the authority and power of the state to coerce the mother to send the child against her consent to any school extolling the tenets of any religion. It would be breaching that "wall of complete and perfect partition" erected for the benefit and protection of the church as well as of the state.

The father "concedes that the *welfare* of the child is the determining factor." But the court is not deciding the welfare issue at this time, but only the question of the court's power to enforce the contracts and order, which, of course, depends upon the legal validity thereof. "A child's interest in its temporal welfare will be protected by the law if its parents neglect to protect it; hence, it is appropriate to speak of a child's right to its temporal welfare. On the other hand, under the mandate of separation of church and state, if the child's religious welfare is neglected, the state may not intervene to protect it. A judge convinced that a child will die if it does not receive an immediate blood transfusion can constitutionally direct the

giving of the transfusion over the parent's objection. A judge equally convinced that the parent's refusal to baptize his dying child will deprive the child of eternal salvation is constitutionally without power to take any legal action. It serves no useful purpose to speak of a legal right which the Constitution prohibits the state from recognizing or enforcing." (Pfeffer, p. 354.) . . .

We wish to make it clear that our decision in the present case is neither condonation or condemnation of the mother's repudiation of her solemn promise or of her violation of the court order. It is simply a holding that if a mother is to be deterred from her present course of action the dissuasion must be accomplished by means other than force. It is impossible for us to see how the state, through this or any other court, may employ the strong arm of the law to compel the mother to act contrary to her conscience in any matter pertaining to religion. It should be axiomatic that neither contract nor court order can deprive her of the right to change her mind where religion is involved. "Implicit in the American tradition of religious freedom are the concepts of voluntary entry and free exit . . . the constitutional guarantee of religious freedom, which certainly includes freedom to change one's religion. Few will deny that effectuation by a state agency of a church's dogma of no-exit is offensive to American concepts of religious liberty and the separation of church and state." (Pfeffer, *supra*, 385, 383.)

Lest someone gain a false impression that defendant-father is an inhuman monster seeking revenge by having the mother of his child imprisoned until she keeps her promise to send the child to the Catholic school, it should be noted that both at the oral hearing and in his brief, he made it clear that he has "no present intention or desire to see the plaintiff imprisoned." Because of his unusual closeness to his church, the words of *The Pilot* (Mar. 6, 1954), official organ of the Boston Archdiocese, seem appropriate: ". . . for Catholics their faith is their most treasured possession." And: ". . . small wonder that they would wish to see it passed on to the coming generation as the road to their salvation as well."

The Catholic father would be well within his rights were he to place preservation of his faith above preservation of his family. Unfortunately for him, while the former may take precedence over the latter in an ecclesiastical tribunal, no faith or religious dogma may ever take precedence over a state constitution in a state court.

Plaintiff-mother is therefore found not guilty of contempt of court, and that branch of defendant-father's motion is denied. Exceptions are allowed defendant-father. The remaining branches of the motion may now be assigned for hearing. A journal entry may be prepared accordingly.

Russia and Colombia

IN THIS ISSUE OF LIBERTY: A Magazine of Religious Freedom we are printing a discussion of freedom of worship that appeared without by-line in the monthly magazine *USSR*, published by the Embassy of the Union of Soviet Socialist Republics, in Washington, D.C. Issue No. 8 of *USSR*, a Ukrainian special issue, containing the article we are reproducing, came as a complimentary copy to our office.

We are also publishing in this issue a report, with Dr. Clyde W. Taylor's by-line, on current occurrences in the Republic of Colombia. This should also prove of interest, particularly since Father John E. Kelly, Information Director of the National Catholic Welfare Conference, upon his return from a visit, declared of inquiry into accounts of religious persecutions in Colombia that the picture presented in the United States is inaccurate.

Much might be said by way of comment concerning the matter of each of these articles. We refrain.

F. H. Y.

Law Day

MAY 1 HAS BEEN SET aside as Law Day. We greet this day with satisfaction.

We urge the maintenance of liberty in law. When free men define their freedoms and their activities in freedom by law, they have exercised the grandest powers that rest in man to use—the protection of human personality, of the common man, even of the minority, by law.

But even to this free exercise we free men have set bounds. We have a higher law than the day-by-day expression of legal wisdom that the continuing flow of new laws provides. We have our Federal and State constitutions that set the boundaries of our laws, with the solid principles of freedom, civil and religious, and the safeguards of separation of church and state.

We need to remember, however, that our constitutional rights remain only neat rhetoric on fine parchment unless the citizen who feels himself wronged is willing to do something about it. Each citizen must see to it, singly or in combination, that his rights are not infringed upon.

Let not our rights atrophy from lack of vigorous exercise.

F. H. Y.

"Independence" of Church and State

THERE HAS EMERGED LATELY a use of the word "independence" instead of "separation" when Catholics discuss church-state relations, which we believe should be studied—nay, resisted.

The Pope's condemnation of the church-state relationship which we have in the United States, contained in the *Syllabus of Errors*, and the support given to our type of church-state relationship in this country by the United States Supreme Court both use the expression "separation." If one speaks of the "independence" of the church and the "independence" of the state, he raises questions in both categories. We are heartily in favor of the freedom of the church which the term *separation* guarantees, but the word *independence* opens an entirely new field of church activity in relation to a free society. "Independence" could offer great opportunities to a well-organized, well-financed, forward-looking church organization.

In the other category the United States declared its independence and set up a free government almost two centuries ago. It seems a bit strange to talk now about the independence of the state in the United States. From what is government in the United States now to be declared independent? This not only has a connotation but might also carry an inference.

Keep church and state separate, and preserve both the use and the meaning of "separation." F. H. Y.

Least Common Denominator

THE NEW YORK STATE LEGISLATURE wisely defeated a bill that would have made available from the State Commissioner of Education, upon request, a "nondenominational" version of the Ten Commandments for all public-school classrooms. Since the Jewish, Protestant, and Catholic versions of the commandments differ, the end product would be the lowest common denominator of the three.

Theoretically, the idea may appear good, but for all practical purposes it is definitely objectionable. The plan was proposed by the American Legion as part of its "back to God" program. As a private organization the Legion is within its prerogatives when drafting a plan for its members, but when they attempt to go beyond their own organization and propose to include the captive audience of a tax-supported institution, they are definitely out of place.

Actually, the plan proposed that which could not exist—a "nondenominational" version of the Ten Commandments. Any denomination that would be party to any attempt to draft such a document would be obliged to be traitor to its own version of the Ten Commandments that it believes to be right. If they believe the commandments to be of divine origin, what authority would they have for changing them? Would the end product be the commandments of God or of men? No version of the Scriptures would support the compilation. A "nondenominational"

version of the Ten Commandments is as much an anomaly as a "nonsectarian" religion. Every religion is sectarian.

The children would learn the Ten Commandments in one form at school and in another form at Sunday or Sabbath school. This could easily result in confusion and even disrespect. There are basic differences between the Jewish, Catholic, and Protestant versions of the Ten Commandments that cannot be readily combined.

Pedagogically, the plan is to be questioned. A teacher teaches what he knows, or that which he is prepared to teach. If expected to explain the composite Ten Commandments, he might face personal embarrassment. On the other hand, to display and not explain or discuss is poor teaching practice.

In summary, it would appear that the child, the intended beneficiary, would be instead the victim of the proposal, and the parents eventually antagonized. If something is to be presented to the pupil, why not have a legal mind draw up ten basic principles of our moral and ethical responsibility as citizens to our fellow men, and hang those on the classroom wall? Then allow the churches to teach the Ten Commandments as they believe them and as they appear in their versions of the Scriptures. The interpretations of the Ten Commandments by various churches have no common denominator.

A. H. R.

The Fiordelli Case

WE WANT TO SAY just a word about the case of Bishop Fiordelli, of Italy, who took the occasion of the civil marriage of an Italian man and woman to call the woman some bad-sounding names. What we want to say is that we are glad that judges in Italy had the legal insight and the moral courage to declare the bishop guilty of defamation. We subscribe to that verdict.

Now the courts have taken another look at the case, on the plea that the bishop was within his rights under the 1929 Vatican-Italian Concordat. And they have come up with a 6,000-word opinion that they, the court, are right and the bishop was wrong. Good.

Here is another decision that buttresses satisfactorily the freedom clauses in the Italian Constitution, and another rebuke to a prelate who does not understand human rights and the innate dignity of the human personality. A churchman anywhere has just as much right to call a person bad names as any other citizen has, and no more, and that right is—none.

F. H. Y.

Hail Tacoma, Washington!

THE TACOMA CITY COUNCIL has, according to news reports, voted to repeal "its unenforced laws barring sale of groceries, meat, cars, and personal property on Sundays." The regulation

of business in respect to days of closing, it was suggested, should be left to trade associations. Here indeed is where it belongs.

Sunday laws are discriminatory. They always list a bewildering mass of exceptions, usually without rhyme or reason, except that if they were not in the laws our outraged populace would rise up like free men and throw out the Sunday laws and the legislators who made them.

And Sunday laws are religious laws, and therefore contrary to the spirit and the requirements of constitutional freedoms in the United States.

F. H. Y.

His Honor the Mayor

MAYOR DILWORTH OF PHILADELPHIA stated his "belief" in the separation of church and state in an interview some weeks ago. He applied the principle to the question of the support of parochial schools, and took a very commendable stand: "If parents want to send their children to private schools, they ought to pay for it. The only place to get a free education should be in the public schools." We say, "Amen, and amen."

This leaves open the question of "fringe benefits." We insist that bus transportation and textbooks are not "fringe." They are directly and fully part of the educational program. Transportation to the school by one means or another, from shank's mare to helicopter, is essential to a school's existence. If the tax funds pay for the transportation, that payment is an aid to the school. If the tax funds pay for the textbooks, that payment is an aid to the school. If the school is church-related, furnishing such aids is contrary to everything that the American people have written into their Federal and State constitutions concerning separation of church and state.

There are three sound bases upon which a church-related institution should refuse to receive, or be stopped from receiving, tax aids:

1. It tends to deprive organized religion of one of its dearest possessions—voluntarism. Each church should tend to its own business and pay its own way. This is the healthiest *modus vivendi*. It is both spiritually and practically important.

2. It puts the church in danger of control by the state. Even if there are given by the state seemingly solid guarantees of autonomy to the church, changes in legal arrangements, and of governmental personnel, present constant threats of government control. These threats often increase in proportion to the size of the subsidy given.

3. It taxes a man of a particular faith, or of no faith, to support a different faith—in which he does not believe. This is offensive to every concept of individual right and personal freedom.

This is freedom, the freedom of people to have what they want and can pay for.

F. H. Y.

A "Way of Life" in Colombia and in the United States

A STUDY OF THE SITUATION in Colombia, with the ugly record of destruction of non-Catholic worship property and the injury and even death of hundreds of non-Catholic worshippers at the hands of priest-led mobs, is suggested. The study is not to be religious but "sociological."

What does this mean? We think we know. It means that the situation in Colombia will be looked at in terms of the whole background and make-up of the Colombian people—their "culture." Religion will be viewed as a "social" force, and the actuality of religious persecution will be glossed over, submerged, or ignored as a matter of sheer religious hatred, fear, and bloody bigotry, explained away as a series of public disorders, instigated by "foreign" intruders upon the Colombian "way of life."

What happened, however, and is still happening, in Colombia was and is religious persecution.

But we wish to call attention to something. Exactly the same "sociological" argument is used in the United States by proponents of Sunday laws and even, astonishingly, by courts of law in support of Sunday laws. We quote a paragraph from a recent newspaper article, which expresses the point concisely:

How can such laws be valid in a country which is constitutionally prohibited from passing any laws respecting religion—as the United States is? The answer seems to lie in the theory behind blue laws . . . essentially civil regulations, not religious ones. Their purpose is to promote the public peace, good order and morality, not by imposing the observance of Sunday as a religious duty, but by enforcing the cessation of labor as a reasonable exercise of the police power. The former basis would not be legal; the latter basis is.

We challenge this interpretation of Sunday laws, no matter where made or by whom. Sunday is a religious day. Sunday laws are religious laws. What is happening in the United States in continuing on the statute books, and enforcing, Sunday laws is religious persecution.

F. H. Y.

"Spiritual Principles"

A ROMAN CATHOLIC EDUCATOR recently said that the "blackout" of religion in the public schools violates the "American child's right to know basic spiritual principles on which our nation is founded" and "it may be that the religious vacuum in our schools has been instrumental in bringing about the fact that one-fourth of all the crimes of the nation are committed in the 17-21 age group." The first statement assumes what it does not prove, and the second casts an aspersion on the public-school system without supporting evidence.

In view of the above statements, and others that appear from time to time from the same parent source,

could it be that they are part and parcel of a master plan eventually to secure sectarian supervision of religious instruction when, or if, such is introduced in our public school system? From the same church another voice recently said that the issue is "not whether the public schools are 'godless,' or whether they teach the right kind of moral values, but whether, as presently constituted, they can teach what millions of parents believe in conscience should be taught." It takes no creative thinking to imagine what those particular parents might want taught if the schools were not "as presently constituted." Another representative said that it would result in more harm than good to teach an anemic religion. It is obvious from this statement that a religion of high blood count alone could satisfy.

To what did the speaker refer when he said it was a child's right to know the basic "spiritual principles" of our country's foundation? Spiritual is defined by Webster as "sacred matters," "church affairs," or "states of the soul." This is the very thing the founders of our country did not put into the foundation—the very thing the Founder of Christianity took from the state when He said, "Render therefore unto Caesar the things which are Caesar's; and unto God the things that are God's." Erroneously, spiritual principles are sometimes confused with civil or social principles, such as expressed in the last six commandments. These principles of conduct are in Romans 13 placed by Paul within civil jurisdiction, but the state of the soul is left as an individual matter between the person and his God. The last six commandments have a spiritual responsibility, but with that the state has no concern. A man is responsible to God as well as to the state when he commits murder, but the state cannot administer justice for any violation of spiritual principles involved in the act.

In refusing to teach religion in the public school the state is not thereby depriving the child of a right, but rather protecting it and its parents from being exploited by sectarian interests, and reserving for the parents the sacred duty of instructing the child religiously and of selecting the church they choose to have supplement the religious instruction given in the home. No attempt is made to classify juvenile delinquents religiously, consequently no definite figures are available. The state is interested in punishing the criminal act, regardless of religion or its absence in the life of the offender. If statistics were available, they might reveal some unexpected conclusions that would be both enlightening and disappointing.

In the absence of evidence we should be conservative with our inferences, and leave the teaching of "spiritual principles" where they were placed by the Founder of Christianity—in the home and in the church.

A. H. R.

BOOKS

Religious Liberty, by Giovanni Miegge.

New York, New York: Association Press. 94 pages, price, \$1.25.

The author of this book illustrates the basic problems of why and how Christians throughout the world must defend religious liberty whenever it is threatened.

He states that the idea of religious liberty, the different interpretations of it, and the problems arising from it are the result of a long process of historical development that in the main has taken place in the traditionally Christian countries. He points out that in Christian countries there are three concepts of religious liberty—the Roman Catholic, the Protestant, and the secular. The book provides a challenging analysis of these three concepts and also indicates the problems inherent in countries where state churches operate state schools.

Various possibilities for separation of church and state are indicated as the author cites what separation means in this country or that over the world.

In the author's opinion the Communist world presents the most acute problem of religious liberty. When the state persecutes the church in Communist countries it always accuses the church of being involved in some conspiracy with the enemies of the state.

The book also deals with the problem of freedom in

the non-Christian world and points out three factors that work together against the exercise of religious liberty. In the author's opinion the renewal of life in the ancient religions, nationalism, and the determination to put an end to colonial dependence, and, in some immense areas, e.g., China, Viet Minh, and North Korea, the alliance between nationalism and Communism, combine to produce a general attitude of hostility toward Christianity and a tendency to limit or exclude its activity.

In summing up his thesis for religious liberty Giovanni Miegge states that religious liberty is primarily a man's liberty to profess a faith different from that of the dominant religion, and it includes the right of every man to bear witness to his faith. The work also upholds the Universal Declaration of Human Rights, which was accepted on December 10, 1949, by the General Assembly of the United Nations.

Because of the present endeavor on the part of certain religionists and labor unions to enact Sunday laws that would take away from the citizens their religious liberty, this work is extremely timely. All who value their present liberty and who welcome ammunition for use in their fight to preserve freedom of conscience will welcome this little volume.

GEORGE E. TAYLOR
Washington, D.C.

IT SO HAPPENED —

UNITED STATES

Education

At a recent four-day National Workshop for Religious Liberals, held in Washington, D.C., the recent proposals that Federal assistance be given private colleges was examined. Joseph S. Clark, Jr. (D-Pa), suggested that the States be left free to determine whether aid should be given for auxiliary services and for capital improvement. Paul Blanshard and Dr. Leo Pfeffer maintain that a constitutional issue is involved even though Federal funds are restricted to capital use in assistance given to private colleges.

A three-judge Federal court in Philadelphia, Pennsylvania, will be asked to issue an injunction on the practice of the daily reading of the Bible and recitation of the Lord's Prayer in the public schools of Abington township.

Several prominent taxpayers are planning to sue the State of Connecticut, challenging the recent school-bus law, which was passed by a margin of one vote. Only after members of the legislature had been threatened by one of the churches with political reprisals was the permissive law passed.

The judiciary committee of the Michigan Senate recently tabled a joint resolution providing for Bible reading without comment at the beginning of each school day in the elementary public schools. The bill

also required that children memorize the Lord's Prayer and the Ten Commandments by the time they reached the sixth grade. The Michigan Council of Churches opposed the bill, for they favored voluntary rather than compulsory Bible reading.

A group of California Democratic leaders are opposing the proposal to tax nonprofit parochial and private schools. They defend tax exemption as "morally right, legally justified and economically sensible." They maintain that in view of the shortage of public-school facilities, "it would be an absurdity to repeal the tax exemption."

Sunday Legislation

The Tacoma, Washington, City Council voted to repeal its unenforced Sunday laws. One member of the council said, "We can't legislate on the basis of religious beliefs," and another suggested that trade associations rather than legal measures be used to determine whether their members do business on Sunday.

A recent attempt, backed by the Michigan Council of Churches, to pass legislation prohibiting Sunday sales in Michigan was defeated in committee. An attempt to bring the bill out of committee directly on the floor was defeated in a 69-31 vote.

HAWAII

The Maui Christian Ministers' Association has protested the provision of free bus transportation to parochial school children by the county board of supervisors on the island of Maui. Similar transportation has been voted by city and county governments on the islands of Hawaii and Kauai. The ministerial association contended that using tax money for this purpose is a "direct violation of the principles set forth in the First Amendment, which provides for the separation of church and state."

MISCELLANEOUS

The president of Union Theological Seminary in New York was recently denied the use of even the letter columns of the *New York Times* to reply to an attack upon the World Council of Churches by the National Catholic Welfare Conference in an article headlined, "Catholics Assail Protestant Body."

The citizens of Ponchatoula and Hammond, Louisiana, have instituted legal procedure to prevent the sale of a large new public hospital to a Catholic order for one dollar. The hospital unit cost the city \$900,000.

Attorney General Brown of California has issued an opinion that local ordinances forbidding door-to-door solicitation, or sales without prior invitation, do not apply in the sale of religious literature or in religious solicitations for funds. He maintains that there is a distinction between purely commercial sales and religious promotion through house-to-house calls regulated by such ordinances.

The State Department is being asked by the Southern Baptist Press Association to "continue and accelerate its efforts" to secure religious freedom in Spain, Colombia, and other countries where the Baptist people continue to be persecuted."

At its sixty-ninth annual meeting, the Lord's Day Alliance assailed Mayor Richardson Dilworth of Philadelphia as a "foe of the Christian Sabbath." Members of the organization were urged "to remember the mayor's record should he become a Democratic candidate for governor in the May primaries." Mayor Dilworth has favored Sunday sports and entertainment, thus partially ignoring the present blue law.

AUSTRIA

Negotiations are in progress with the Vatican for a revision of the Concordat with Austria, which became effective in 1934. The church claims the Concordat has been violated because civil marriage and divorce have been legalized and the government has refused to fully support the parochial schools.

BELGIUM

A bill has been introduced in the Belgian legislature that would provide for two special funds, one for state "scholastic and other educational edifices" and the other for state "superior educational institutions and university cities." The bill has been sharply criticized by Roman Catholics, believing that it would tend "to abolish independent educational systems in favor of an all-powerful state." Some believe that the bill threatens to revive the "school war," which developed in 1955 over the question of a reduction in subsidy for the parochial schools.

BOLIVIA

The Bolivian Government for the first time in its history has entered into a contract, not a concordat, with the Vatican that is to be valid for ten years. The Roman Catholic Church is given the right to supervise religious instruction in the public schools, and the government has promised to give aid to certain phases of the church's work. Since exclusive

rights are not granted to the church, it is expected that Protestant activities will not be affected.

CANADA

The chairman of the Inter-Church Committee on Religious Education in the Schools of Toronto has disclosed that grade 7 in the public schools may be offered a new course in religious education this fall. The life of Jesus, as recorded in the Gospel of St. Mark, will be the focal objective of the course. Ontario law requires two half-hour periods of religious instruction a week to be given in grades 1-6. This plan would expand religious training to grade 7.

The bid of the Canadian Broadcasting Company to avoid standing trial for its alleged violation of the Lord's Day Act of Canada has been declined by the Ontario Appeal Court in a 3 to 2 decision. The appeal was based on the premise that as a government-owned firm it was the agent of the Queen, and "the Queen can do no wrong."

COLOMBIA

A homemade bomb was thrown into a bedroom and exploded only a few feet from where several missionary women were asleep. The incident followed shortly after the missionaries had been denounced over a public-address system by the priest of the local Catholic church. Considerable damage occurred to the house, but the women suffered no serious injury.

In commenting on the proposal that an impartial committee investigate the church-state relations in Colombia, a Lutheran leader said he believed the Protestants would welcome such an investigation, and that it is particularly gratifying to note that Cardinal Luque would favor such a study.

DOMINICAN REPUBLIC

The Dominican Republic has signed a concordat with the hierarchy that reinforces the one of 1954. Under the new pact the Republic will finance the religious, social, and educational projects of the church.

ETHIOPIA

The Ethiopian Government has appointed its first minister to the Vatican. A papal internuncio has been appointed by the Vatican to Ethiopia, and he is now in residence at Addis Ababa. Previously the Vatican was represented only by an apostolic delegate.

GERMANY

An order has been issued by Dr. Hans Sommeroock, director of the Bamberg District Court, that wooden crucifixes be placed in the courtroom facing the spectators. The purpose specifically is to remind witnesses to testify truthfully. Crucifixes were removed from the courtroom under Chancellor Otto von Bismarck.

ISRAEL

There has been a growing protest against the power of the rabbinate in Israel. Public opposition was greatly strengthened when an order was issued by the rabbinate that a five-year-old child of a mixed marriage be buried outside the Jewish cemetery. Compared with other acts, this may seem small, but public reaction was quick and positive.

ITALY

The right of Protestants to public assembly was recently upheld by Italy's Constitutional Court, the highest in such constitutional matters. This decision may have important consequences for the country's non-Catholic citizens. The court held that article 17 of the Italian Charter of 1948 must prevail over article 18 of the police laws that were enacted in 1931. Article 17 stipulates that such meetings may be prohibited only when evidence exists that they are a threat to public safety, whereas article 18 requires police authorization for all such gatherings.

In a 6,000-word opinion issued by a Florence court consisting of three Roman Catholic judges, the recent conviction of Bishop Pietro Fiordelli was upheld. The court said that the rights of Italian citizens must be protected against any infringement by the church: "Any time the ecclesiastical authorities offend these subjective rights of citizens guaranteed by . . . the Constitution, the protection provided by the laws of the State must operate in defense of these very rights."

NIGERIA

At a recent meeting the All-Africa Church Conference urged that the guarantees set forth in the United Nations Declaration of Human Rights be written into "any new constitutions for existing and emergent states" in Africa. The resolution proposes that the new constitution should provide for "freedom of worship, freedom to propagate the faith, and freedom of speech and assembly."

PERU

The director of government recently announced that "it is forbidden to hold meetings or acts of non-Catholic religious propaganda in parks, plazas, or other public places." In 1946 the ministry of foreign relations interpreted this law as not establishing "any prohibition against Protestant missionaries . . . in enclosed places." A degree of confusion exists regarding the state laws, owing to the different interpretations by various public officials.

PHILIPPINES

A former senator who was chairman of the committee that drafted the Constitution and who presided over the constitutional convention is urging that the Philippine Constitution be amended to bar bishops, priests, and nuns from election activities. The open activities of the clergy and representatives of religious orders, during the previous election, led to the present proposal.

POLAND

After last year's "arrangement" between Poland's Communist government and the Vatican, the country is again coming under the domination of the hierarchy. "In small communities, those who fail to attend church are spurned." The teaching of the Catholic religion has been reintroduced in the public schools.

SCOTLAND

A recent vote in the General Assembly reaffirmed by a count of 132 to 20 that a 300-year-old declaration forbidding ministers of the church to serve in parliament be continued. The action was prompted by a current bill for the reform of the House of Lords under which ministers might be eligible for life appointment to the upper chamber.

SPAIN

A special day of intercession was recently designated by the Evangelical churches of Spain. They have asked that the Christian churches in other countries join them in the prayer that a means may be found to obtain civil marriages for Spanish Evangelicals. Civil marriage in some communities has practically become impossible.



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Freedom Bells

July is a month to commemorate freedoms. The thirteen colonies of the British Crown, ranging along the eastern coast of North America—now expanded into the United States of America stretching across the continent—culminated their insistence upon independence on July 4, 1776. North Carolina has the honor of taking the first official step toward independence, on April 12, 1776, when it authorized its delegates in the Continental Congress to join with others in voting for independence. Virginia was the first colony actually to instruct its delegates to take the initiative, and Virginia's Richard Henry Lee moved on June 7 a resolution that "these united Colonies are, and of right ought to be, free and independent States." A committee consisting of Jefferson, John Adams, Franklin, Sherman, and Livingston was appointed to draw up a declaration. They assigned the responsibility of the writing to Thomas Jefferson. On July 2 a resolution of independence was voted, with New York abstaining and Pennsylvania and Delaware casting divided ballots. There were three negative votes. Two days later, on July 4, the committee in a delegation presented the product of Jefferson's mind and heart and pen, and it was voted by the Congress. On July 8 the Declaration was read publicly, to the accompaniment of the tolling of the liberty bell.

Canada celebrates July 1 as its great national day. Catholic French lower Canada and Protestant British upper Canada had been joined in 1840. In 1864 the lower provinces of New Brunswick, Nova Scotia, and Prince Edward Island were considering a federal union, and Canada suggested a wider union including itself. A conference held in the city of Quebec in October outlined the plan of federal union which became the basis for the British North American Act, which has served as something of a constitution for the Dominion of Canada. It created Canada as the first federal union in the British Empire, consisting of the four provinces of Ontario, Quebec, Nova Scotia, and New Brunswick. The union became effective on July 1, 1867, a day celebrated ever since in Canada as its national holiday.

The Republic of the Philippines celebrates July 4 as its national independence day. In 1896 the Filipinos rebelled against the Spanish, who had been governing the island for nearly 400 years. The United States, having entered into war with Spain, intervened in 1898, and established its control of the islands by 1902. In 1934, after a generation of benevolent American government in the Philippines, the United States Congress passed a bill granting the Philippines independence in 1946. It was a curious combination of circumstances that made the year significant for Philippine independence, because the Japanese occupation had intervened, and ended in 1945. The Philippine Republic became a fact on July 4, 1946.





CHARLES CAREY

Birthplace of the Virginia Bill of Rights

In this room, the library of Gunston Hall, his home, George Mason, Virginia planter and statesman, composed the Virginia Bill of Rights in 1776. This famous document sets forth the bold claim, then so radical,

“That all men are by nature *equally* free and independent, and have certain inherent rights, of which, when they enter into a state of society, *they cannot, by any compact, deprive or divest their posterity*; namely, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety.”

It ended with the emancipation of religion:

“That religion, or the duty which we owe to our Creator, and the manner of discharging it, can be directed only by reason and conviction, not by force

or violence; and, therefore, all men are equally entitled to the free exercise of religion, according to the dictates of conscience; and that it is the mutual duty of all to practice Christian forbearance, love, and charity towards each other.”

Mason's Bill of Rights greatly influenced the Bill of Rights that was incorporated into the Federal Constitution. Indeed, Mason insisted tirelessly that such a protection of the citizens' rights should be included in the great American instrument of government.

In the same room, the same year, George Mason gave to his beloved Virginia its first constitution.

Mason's work on these two great documents was completed before the proclamation of independence by the Second Continental Congress, July 4, 1776.