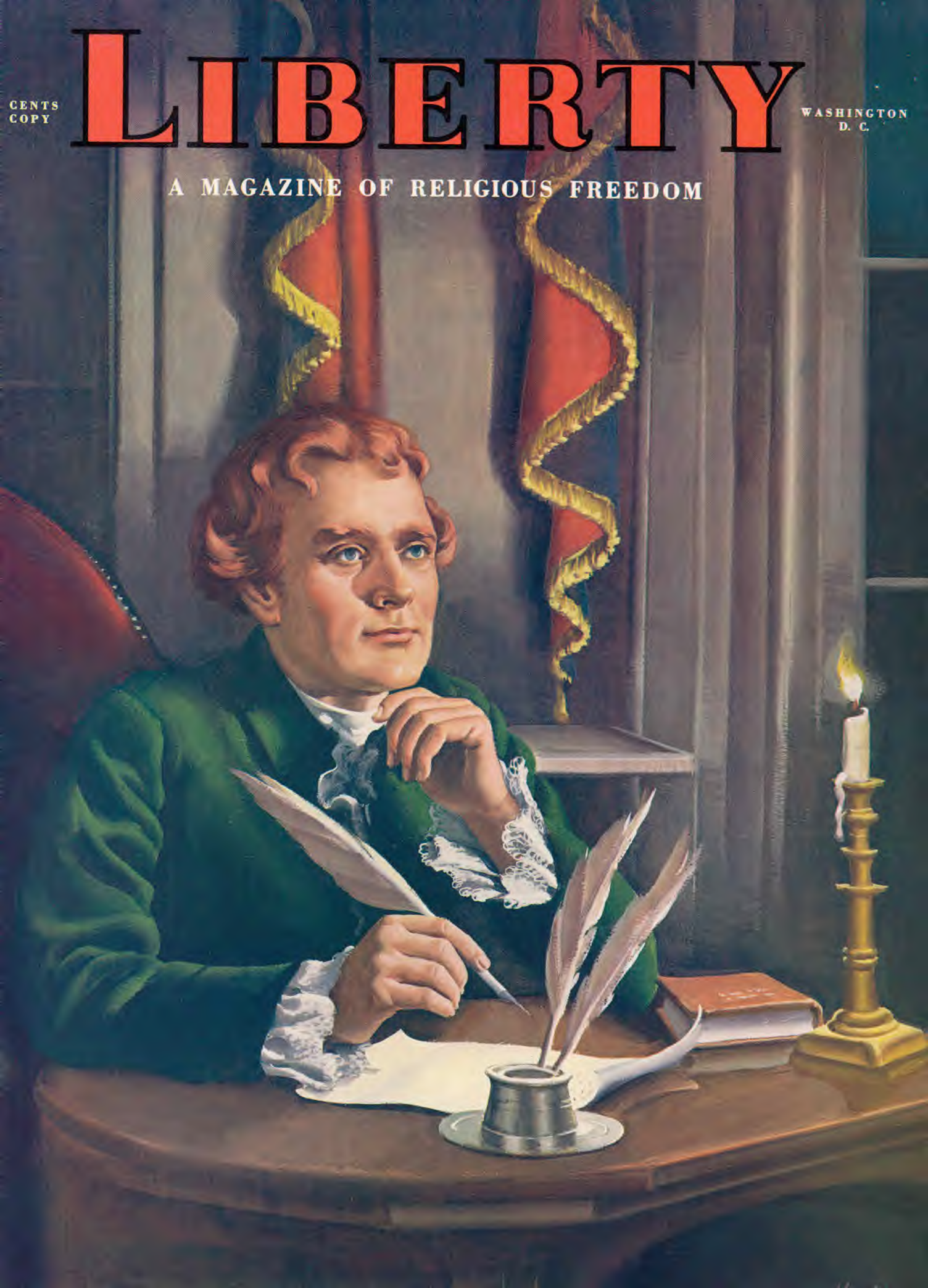


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LIBERTY

WASHINGTON
D. C.

A MAGAZINE OF RELIGIOUS FREEDOM



Declaration of Principles

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.

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LIBERTY

WASHINGTON
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A MAGAZINE OF RELIGIOUS FREEDOM

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OUR COVER PICTURE: This delightful painting of Thomas Jefferson, by Russ Harlan, pictures this distinguished early American statesman in his study at his Monticello, Virginia, home. On October 20, 1931, this study was dedicated to the "freedom of the press." Jefferson wrote the basic American rights of "life, liberty, and the pursuit of happiness" into the Declaration of Independence. It was on the revolving table pictured here, it is said, that the first draft of the Declaration of Independence was penned. LIBERTY is happy to present this original painting of this great man of freedom in his study, which has become a national symbol of the ideal concept of the free press. Such concepts as these are vital in this climactic hour when the human race desperately needs to maintain democratic principles in dealing with contemporary realities.

COVER PAINTING BY RUSSELL HARLAN

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THE INTERNATIONAL RELIGIOUS LIBERTY ASSOCIATION, organized in 1888, is dedicated solely to the preservation of religious liberty, as indicated in the Declaration of Principles on the preceding page. The Association advocates no political or economic theories. General secretary, J. Arthur Buckwalter; associate secretary, W. Melvin Adams.

keep the press free!

editorial



THE GLOBAL IMPACT of the modern press and associated media of communication makes it possible for the business of the world to be heard and viewed by the peoples of the world as it is transacted in the presence of the planet. This world coverage of the press is most significant in this age when all the freedoms that comprise a free society are being subjected to a new scrutiny and are jeopardized by a new spirit of collectivism.

It is imperative to maintain a free press in such a world as this. Enslave the press and the human race returns to bondage. It is an evil tendency when man's interest in security and material gain takes precedence over the importance of individual liberty. Any inclination within a free society to be indifferent to the liberties that made it free is in itself a threat to freedom.

At the very heart of liberty lies the freedom of speech and of the press. If men are not free to convey their thoughts to each other, no liberty is secure. Confused public thinking can never be improved by repressing the publication of private thought. In such repression superior knowledge is often denied the public by inferior men.

Censorship and repression of the free press have a very unsavory history. If nothing is to be published save what the civil or ecclesiastical rulers in power approve, then knowledge and truth are placed in bondage to power and coercion. It is a great risk to suppress so-called heresy. It results all too frequently in the suppression of truth. It circumscribes individual genius and inspiration. It stultifies faith. Legislated fixity is sterility. This law of tyranny is the seed of decay.

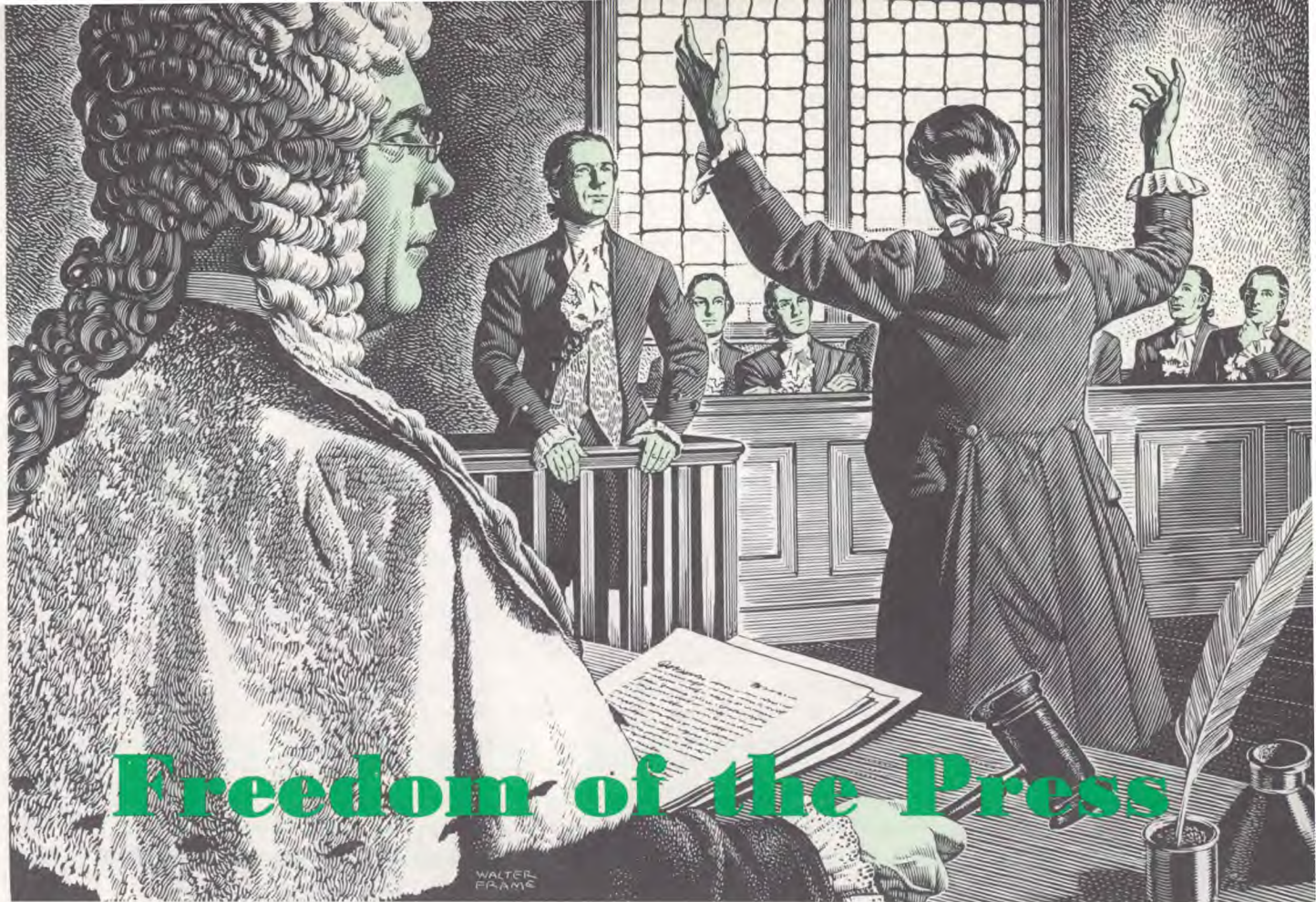
Repressed expression of conscientious beliefs tends to corrupt life. The citizen's conscience is the source of the state's vitality. To repress it is to stifle the higher life of the state. Such suppression of any just freedom, therefore, is an unlawful step toward the mental and spiritual sterilization of the people. When freedom of the press is denied, creative thought is stymied. Mental and spiritual suffocation and atrophy of thinking result. A man who is not free is not true to his highest potentialities. A society that is not free is immature.

The press itself has a tremendous responsibility in maintaining its own freedom. It is honor bound to shun all distortion and falsification of evidence that might poison public opinion. Mistakes are permissible, but deliberate distortion is criminal. Free men are deeply grateful for the segment of the press that adheres to a high standard of honor and takes professional pride in not submitting to group pressures, and in not becoming merely the voice of propaganda. The press must not submit to either external or internal compulsion. It must not parade half truths for the whole. It is not free to falsify.

When it comes to the religious press, the state has no competence to determine its content. History records that dogmatic, authoritative imperialism coerces the subjects of state and church into acceptance of error. Truth has no parley with tyranny. Interference with free expression by an authoritative church or state creates uneasiness. Repression limits the courage of disclosure. Speaker and writer give a wider berth to the danger zone for fear of personal persecution. Opinions altered by external pressure cease to be free expressions.

State or church compulsion based on a regimented standard that is imperiously exclusive is an outrage against both the citizenry of the states and the voluntary believers of the churches. The subtle illusion of modern collectivism in its trend toward conformity and uniformity is its tendency to brand as intolerant and subversive those who are opposed to such intolerance. When totalitarian governments or tyrannical religions invoke what they deem corrective restraints in the freedom of expression, the tendency is to establish their own restrictive definitions, which in themselves constitute an abuse of freedom. The repression of the public expression of dissent and the oppression of conscientious dissenters leaves a feeble society and creates low morality.

The press must be faithful to its trust and not use its freedom to mold an oppressive social order that will betray the very freedom that gave it birth. Every individual has his own personal responsibility, for no man is morally free to relinquish his right to freedom. If one man yields such rights he weakens those rights for others.



COURTESY OF INTERTYPE CORP.

The trial of Peter Zenger, in 1735 for seditious libel, set a new landmark in the history of the freedom of the press.

Foundation of Our Liberties

By GODFREY TRYGGVE ANDERSON, Ph.D.

*President, College of Medical Evangelists
Los Angeles, California*

FREEDOM OF THE PRESS is one strand in the fabric of human liberty that has been slowly woven through the centuries. It has never extended to all men, nor does it yet today, and the stresses and strains of ideological conflicts and catastrophic wars have torn rents and raveled threads in this seamless robe of man's freedom. Even today its integrity is threatened, and we can keep our liberties only as we understand and value them, and are willing to fight for their preservation.

Long before the invention of the printing press there was a struggle over the freedom of the handwritten word. Power, both secular and ecclesiastical, has always been intolerant of opposition. When King Jehoiakim took the scroll of the prophet Jeremiah from the scribe's hands and burned it, bit by bit, in

a brazier, he merely set a precedent for the many book-burners who were to come after him.

Before the days of printing the church kept a tight control over the spoken word, and over handwritten manuscripts and books as well. When the presses began turning out books and pamphlets, the church and state authorities joined in efforts to suppress what they did not approve. To the distracted authorities intent on quenching the spreading flames of independent thought and belief, the ancient remedy was the first that came to mind—to punish the author and destroy his books. Tyndale was condemned by Cardinal Wolsey and was burned at the stake, and his translation of the Bible was, so far as possible, destroyed. Servetus, along with many others, perished in the flames with his books. And

when in 1632 the Star Chamber in England ordered William Prynne set in stocks with his ears cut off for publishing a book attacking the immorality of the theater, all available copies of his book were burned in a fire close to the pillory.

This method of control was not very effective, however, for too many books escaped the flames and were circulated secretly. It seemed far wiser to regulate the publication of books than to try to recall objectionable ones after they were printed. The authorities established a high commission to control all printing. This was a sort of ecclesiastical accessory to the Star Chamber, an English version of the Inquisition, with authority to deal with heresy and religious nonconformity. It could not, however, like the Inquisition, decree the death penalty, but was limited to imposing fines, prison terms, and church bans as punishment for dissenters.

To implement this control over printers and printing the high commission limited all printing to London and the university towns of Oxford and Cambridge. All books had to be licensed by the Archbishop of Canterbury and the Bishop of London, who had unlimited power to refuse licenses as they chose. Then the books were to be registered with the Stationers' Guild. A license was even required for pamphlets, and printers who violated the law were set in the pillory, whipped through London, and barred forever from their trade.

In spite of these restrictions and penalties many books and pamphlets were printed secretly and circulated clandestinely. When Charles I was deposed and executed, the Long Parliament continued control over printing, enacting a new law that provided

for the licensing of all printed matter by Parliament-appointed censors. It was the enactment of this law that spurred John Milton to publish—without a license—his small book, *Areopagitica*, one of the first and greatest of all defenses of freedom of the press. Writing with the eloquence of a poet, and with the indignation of a thinker who sees with anguish the destruction of vital ideas, he wrote:

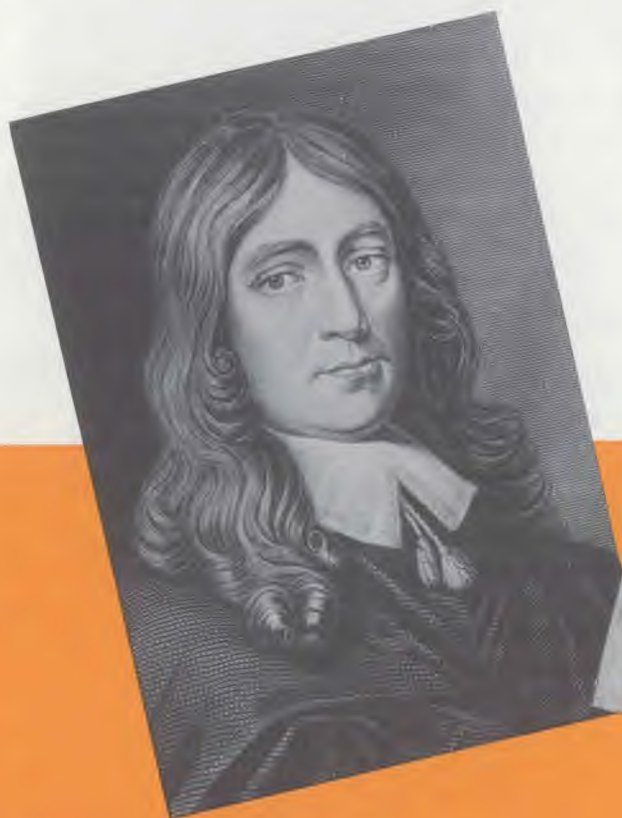
As good almost kill a man as kill a good book; who kills a man kills a reasonable creature, God's image; but he who destroys a good book kills reason itself; kills the image of God, as it were in the eye.¹

And to counter the argument that truth must be protected against error he affirmed:

And though all the winds of doctrine were let loose to play upon the earth, so Truth be in the field, we do injuriously by licensing and prohibiting to discount her strength. Who ever knew Truth put to the worse in a free and open encounter?²

What makes this little book the more remarkable is the fact that it was written during a civil war, when a part of England was held by the Royalists and a part by the forces of Parliament. In times of war tolerance is a scarce commodity. The argument that the country should be protected from propaganda by the enemy was a potent one, and one that has prevailed many times since that day. That Milton could present this magnificent defense of freedom of the press at such a time is proof of the quality of his spirit. That his plea should go unheeded for fifty years shows his era to have been typical of all times of stress and conflict.

Although censorship of books existed in England, the situation on the continent was infinitely worse.



John Milton published—without a license—his small book, "Areopagitica," one of the first and most remarkable defenses of the freedom of the press.

In France the law passed by Francis I, decreeing death for unauthorized printing, was in force for two and a half centuries, until the time of the French Revolution. In Spain and Italy the Inquisition kept a tight control on every expression of ideas, spoken, written, or printed. Milton, who had traveled on the Continent, wrote of the situation there:

I could recount what I have seen and heard in other countries, where this kind of inquisition tyrannises; . . . that was it which had damped the glory of Italian wits; that nothing had been there written now these many years but flattery and fustian. There it was that I found and visited the famous Galileo, grown old a prisoner to the Inquisition, for thinking in astronomy otherwise than the Franciscan and Dominican licensers thought.²

In 1695 the licensing law lapsed in England, and it was not renewed. Publishers and authors could now be tried and punished for seditious libel, but they could no longer be required to submit their writings in advance of publication to a government licenser. The ensuing freedom of the press proved a great trial to the sensitive authorities, who could not endure criticism or unfavorable publicity for their official conduct. Seeking new ways to curb the flood of uncensored publications, they devised the scheme of making publication too costly to be available to the average citizen. In 1711 Queen Anne persuaded Parliament to decree a stamp tax on every sheet of newspaper, printed advertisement, book, or pamphlet. During the period that this tax was effective more than seven hundred persons were prosecuted for violation of the law, and more than five hundred served sentences in prison.

Across the water, in Colonial America, the trial of Peter Zenger in 1735, for seditious libel, set a new landmark in the history of freedom of the press. Zenger was an immigrant who published the writings of others in his small printing shop. Since the only official newspaper in New York was a sheet dominated by the royal governor, Cosby, Peter Zenger used his facilities to publish an independent newspaper in which the highhanded and dishonest policies of the governor were exposed. Since Zenger's name was the only one associated with the paper, it was upon him that the ax fell when the governor could no longer endure the criticism the paper heaped upon him. The custom of that day allowed an executive to designate as libelous and seditious any criticism of his acts. In fact, the old legal tag, "The greater the truth, the greater the libel," was based on the assumption that truth was no excuse for criticism, and the truer an accusation was, the greater harm it could do. This case was to set a new precedent in law, namely, that truth is the justification for its publication.

Andrew Hamilton, a veteran counselor from Philadelphia, took over Zenger's defense and propounded the theory that freedom of the press is a



basic need of society. He showed that the people have a right to know what their government is doing, and that they have a right to protest when they are unjustly governed. He drew a sharp distinction between truth and falsity in reporting, and pleaded for the application of the word "false" in determining libel. Even Hamilton himself could not have foreseen what a profound influence his eloquence would have on the freedom of the press in the future.

After eight and a half months in prison, during which time the newspaper was issued regularly by Zenger's wife, the jury brought in a verdict of acquittal, and Zenger was free to resume his activities as a publisher. Posterity owes him a tremendous debt for his courageous fight to establish the freedom of the press. During those long months neither Zenger nor his wife divulged the name of the actual editor of their newspaper or the informants who furnished them with evidence of the governor's misconduct.

Having won the fight against censorship by means of libel suits, the American colonists were still faced by the restrictions of the Stamp Tax, operative in Great Britain. These taxes roused greater resistance on this side of the Atlantic than they did in the mother country. They were called "taxes on knowledge," and when in 1765 the stamps for newspapers arrived in America, they proved to be fuel that fed the flames of revolutionary activity.

In 1774 the Continental Congress sent a letter to the Canadians in an effort to enlist their support in the developing conflict with England. They called to the attention of their northern neighbors the rights for which the Colonies were struggling. Among these rights, "without which a people cannot be free and happy," was freedom of the press. The importance

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Build the News Upon



the Rock of Truth

By **TED BARRETT**

Dallas Morning News

WHEN OUR FOREFATHERS wrote the First Amendment to the Constitution, guaranteeing the freedom of the press, they doubtless had in mind the oft-quoted statement of John: "Ye shall know the truth, and the truth shall make you free." Our democratic form of government, dedicated to the preservation of individual liberty, can exist only with an informed citizenry.

The Constitutional provision that Congress shall make no laws abridging the freedom of the press is official recognition of the right of the people to know the facts.

The sovereign citizen is qualified to cast his ballot and participate in his government only if he knows all that is happening in his city, state, nation, and throughout the world.

Coexistence of a free press and a dictatorship is impossible. Tyrants can maintain themselves in office only by suppression of the free flow of information and use of the press for propaganda.

In setting the pattern for the Soviet state, Nikolai Lenin wrote: "Why should freedom of speech and freedom of the press be allowed? Why should a government which is doing what it believes to be right allow itself to be criticized? It would not allow opposition by lethal weapons. Ideas are much more fatal than guns." Surely that can be logical thinking only for a dictator who must maintain his power and authority not by the will of the people but by force.

Our Bill of Rights, guaranteeing free speech and a free press, does not specifically mention newspapers. It covers every form of the printed word, from the Bible to handbills. Yet in effect, this places a heavy obligation on newspapers for making information available to all because of their unique adaptability for the function. To fulfill this obligation, information must be presented truthfully and accurately. It must be published without slant or bias to suit the views or private purposes of any individual or group.

Recognition of this obligation is expressed in the words of the late G. B. Dealey who rose from office boy to publisher of the Dallas (Texas) *Morning News*. His statement, which expresses the policy of the newspaper, is engraved in letters of stone on the façade of the building: "Build the news upon the rock of truth and righteousness. Conduct it always upon the lines of fairness and integrity. Acknowledge the right of the people to get from the newspaper both sides of every important question."

Harry C. Withers, executive editor of the *Dallas News* points out that there is small possibility of revoking the freedom of the press by constitutional means. "The right of the people to know the facts," Mr. Withers said, "has been denied by much more dangerous methods. In many cases persons in high government positions as well as officials in small political subdivisions conceal or refuse to give essential information to the press. Newspapers and various publishers' associations carry on ceaseless and vigilant efforts to combat suppression of information."

We are reminded of George Washington's farewell address, in which he warned his countrymen to be on guard against those who would attempt to undermine those parts of the Constitution they cannot overthrow.

the façade of the Dallas "Morning News" building proclaims the responsibility of the press to present the news truthfully and accurately.

My Job:

Protecting America's Freedom

**By Warrant Officer
Theodore A. Erickson, CEC
United States Navy ***

(Freedoms Foundation Award)

EVERYONE KNOWS that America was founded on the principles of civil and religious liberty, with a government established for the express purpose of serving the people.

Our freedoms have been the motivating power behind our successful measures in freeing a large portion of the world's people, sending economic and military aid to those oppressed and sending missionaries to minister to their physical, mental and spiritual needs. By sharing our blessings with others we have become truly great as a nation under God, fulfilling Bible prophecy as to our country's role in world events.

As a citizen, I recognize my responsibilities in preserving our hard-won freedoms and, make no mistake, much effort is still required to combat forces within this country which would subvert our heritage and reduce our effectiveness as a force for good

NOTE: In a recent ceremony held at the U.S. Naval School, Civil Engineer Corps Officers, Port Hueneme, California, Warrant Officer Theodore A. Erickson, CEC, was presented with the George Washington Honor Medal for this essay. We are indebted to Mary L. Westermeyer, editor of the Publications Branch of the Naval School, for her comment here, and for obtaining release from Warrant Officer Erickson and from Freedoms Foundation for the publication of this essay in LIBERTY.

The medal is an award of the Freedoms Foundation at Valley Forge, Pennsylvania, which sponsors a national program designed to bring about a more acute awareness of our American heritage and appreciation of our way of life. Annually this organization holds an essay contest, the winner of which is given an honor medal.

Warrant Officer Erickson submitted the contest entry with the sole purpose of sounding a note of concern and alarm at the current trend of infringement on our religious liberty, asking God to arrange for its publication, if it met with His will. He is now serving his country as the maintenance control director of the Public Works Department, Naval Air Facility, Naha, Okinawa. It is heartening to know that freedom's bell is ringing in the hearts of men in our armed forces.—EDITORS.

in this world. Here at home, the newspapers warn us in every edition of the issues currently at stake. All true Americans join wholeheartedly in fighting obvious evils, such as communism, but there are other forces not as easily discernible, forces not inherently or intentionally evil, which, however misguided in a well-intentioned path, seek to overthrow such fundamental principles as separation of church and state and the inalienable right of men to work and worship on whichever day and in whatever way they choose.

My job in the armed forces is one of the highest callings of our times. As a member of one of the forces for good, it is my high privilege to serve at home and abroad as a "missionary," as it were, of peace and good will to all men. Our activities undertaken in the cause of universal man are manifold. I think not only of the material help we provide to all distressed people who call on our aid, but also of the military assistance which frees men's hearts from fear so that they too, in a more secure and favorable climate, may prosper as we have prospered; may win for themselves the freedoms we have won; and may assume the responsibility of uniting to help others in the cause of liberty, which we have assumed.

I am proud of my job as I am proud of my country, and feel a deep sense of gratitude to stand in the ranks of fellow Americans dedicated to the common cause of preserving, upholding and protecting the freedoms won by our forefathers at so great a cost, now placed in our hands, to carry on, under God.

U.S. NAVY PHOTO

Warrant Officer Theodore A. Erickson.



Maintaining A Free Press

By J. ARTHUR BUCKWALTER

Secretary, International Religious Liberty Association

FREEDOM OF EXPRESSION is essential to the development of human liberty. It includes both freedom of the press and freedom of speech. It embraces the various media of mass communication. The right to speak one's opinions and to publish one's views and to utilize the arts of persuasion to urge to public action is a basic democratic right of all free peoples. William Ernest Hocking has well observed that the fact "that all men ought to be free to say what they want to say leads us to argue by analogy that all men ought to be free to print what they want to print, within the same bounds of good citizenship and common decency."—*Freedom of the Press*, p. 80.

Although the press may lack the warmth and persuasive appeal of the human voice, it nonetheless extends its influence to a wider audience, and its message is of a more durable and permanent nature. Freedom of the press is most essential in these days when mass media are used to appeal to mass audiences. To repress the free expression of thought is to suppress creative thought itself. Neither church nor state has access to the thinking of individuals, but where external repression or oppression exists, the individual tends to abandon creative thought. Thinking is incomplete without expression. Whenever free expression is eliminated, society suffers, because it thrives upon the unhampered normal expression of its individuals.

For a state or a church to set a rigid norm by which the modern expression of its peoples should be judged and circumscribed is to eliminate the inventive creativeness of continued individual search for truth and good. Free competition is a much better background for the emergence of truth than is authoritative selection by some church or state. A

church or state, of course, has a right to clarify without coercion, and to persuade without persecution.

Freedom of speech and freedom of the press are moral rights that merge with the freedom of conscience. Ideas deserving a public hearing should receive a public hearing. Civilization itself progresses with the progress of ideas. To shackle opposing opinions is to stifle freedom of thought.

Freedom of the press is frequently abused by those who seek to arouse the vulgar into passionate demonstrations that are both illogical and prejudiced. However we may bemoan such tirades, suppression is not the answer. Neither religious faith nor democratic faith can be compelled. It is better to tolerate error than to discard freedom. "In order that the man who is right but is supposed to be wrong may continue to state his views," says Hocking, "the man who is wrong but thinks himself right must be allowed to do the same."—*Ibid.*, p. 106. Toleration does not mean indifference. No church or state, however, can afford to ignore John Milton's warning that if we attempt to prohibit at all "nothing is more likely to be prohibited than the truth itself." Men who fear truth seek to erect repressive barriers against it.

The press affects the thinking of entire populations. In any move toward autocracy, freedom of speech and of the press are among the first objects of assault. A free press is indispensable to freedom in the modern state. Freedom includes the free exercise of one's powers of thought and action without the restraint of control from a dominating state or an authoritative church. It is not only a negative freedom from such restraint but it is a positive freedom to act according to one's conscientious convictions. True freedom implies being free for some accomplishment. This means the freedom of action



A. DEVANEY

as well as of thought, provided that freedom does not infringe upon the equal freedoms of the other members of society.

Pressures from without and within threaten the freedom of the press. The inalienable rights of freedom in this changing world cannot be too frequently emphasized if we would prevent their infringement by those who would in some form or another repress and enslave their fellow men. Space permits only a brief glimpse of some of the factors that enter into the growing problem of maintaining the freedom of the press.

Bartering Freedom for Bread

In modern society there have been circumstances that have caused people to abandon the principles of freedom in favor of bread and butter. "In prewar Europe, popular acceptance of totalitarian regimes was motivated by no love of tyranny but largely by insecurity of work and bread coupled with the delusive hope of gaining these ingredients of freedom by bartering away its negative element, unfettered action."—*Ibid.*, p. 56. Too often modern man fails to recognize "that material provision gives men their existence as creatures; their freedom marks their existence as men."—*Ibid.*, p. 59.

Undoubtedly the modern press, through its various media of communication, has become the most efficient and rapid vehicle of global news service and of expression of opinion in world history. The virility of modern civilization depends upon keeping this influential medium free. The press must not succumb to a growing twentieth-century tendency for a general interest in security and prosperity to take precedence over individual liberty.

The freedom of the publisher to publish assumes that he will connect the minds of his readers with the various alternative currents of thought and fact

The last war was fought to save a free world. We must not surrender in peace time what so many died to save.

and feeling in the world today. As long as his comments are not biased by vested interests, he tends to give a more complete and fair coverage of these varied views. The press therefore has an obligation to promote the truth regarding public matters, thus furnishing an accurate basis for the understanding and comprehension of them. Governments should restrain all checks on the free flow of ideas. Liberty is too frequently taken advantage of by subversive interests who utilize its blessings to undermine the culture of freedom itself. The free press must remain alert to this danger. The freedom of the press is not the freedom to falsify or to misrepresent. It is not the freedom to sabotage freedom or the freedom to degrade society. Any segment of the press that turns its freedom to corrupting license or allows itself to become the tool of tyrannical or brutal propaganda betrays everything for which true freedom stands.

Compulsive Social Pressures

There are certain social pressures that have a tendency to limit the free exercise of thought and expression. These pressures are not confined to the minority of press agents who seek to disseminate antifreedom principles. There are limitations of freedom that come because of the pressure of powerful influences to limit information and restrict access to truth. Some legitimate pressures are inescapable, such as pressures of differing viewpoints on opinion, which are perfectly normal in a free society as long as the pressure is not against the free expression of opinion. The ordinary pressures that arise from the fact that men believe what they wish to believe and oppose what they disbelieve are perfectly acceptable and, indeed, desirable. Pressure against the free expression of opinion approaches coercion when it takes the nature of inflicting social harm on one's status in the community because of one's convictions. Coercion may take the form of certain inducements to conformity, and many of these degrees of coercive pressure may be wholly within the limits of the law.

It is the duty of the state to see that pressures do not rise to the coercive point. It is not freedom from opposition that is desired by the independent thinker but freedom from coercion. Moral pressures are desirable; legally coercive pressures are contemptible. A clear distinction must be made between legitimate and illegitimate pressures. It is a principle of free-

dom that protection from illegitimate pressures by governmental or nongovernmental interests is a legitimate concern of the law.

To attempt by bribery to secure conformity of expression is a subtle weapon against freedom. Freedom of speech and of the press should be free from all antifreedom penalties and inducements rising from corrupt social pressure with its impulse to reward conformity or punish dissent. There should be no punishment that adds extra suffering to the natural result of one's taking a course of action contrary to the commonly accepted teaching. Nor should there be any material or social benefits offered by way of bribery in order to persuade one to change his viewpoint beyond what his conscience permits. Hocking has well expressed the thought: "Expression that moves under the fear of deliberate penalty or in the hope of deliberate reward is to that extent unfree."—*Ibid.*, pp. 138, 139.

Social intolerance manifested by intimidation, coercive repression, or the use of bribery to purchase conformity of expression should be a crime against society. Freedom does not permit any man or organization to control the voice and pen of another or to subject another's mind to collective authority.

The survival of the independent free press dedicated to the proclamation of the true facts, in so far as it is possible to ascertain them, increasingly becomes a problem in this day and age when opinionated pressure groups have such tremendous influence. It takes real courage for editors to maintain the freedom of the press. Not only do they constantly face dangers from outside pressures but there are some dangers that arise within the press structure itself.

Prejudice

Probably the strongest pressure within the press itself is a prejudice or bias toward a foregone conclusion. Almost everyone is subject in a more or less degree to a biased mental constraint. Since the press, however, addresses its message to all the people in its community, it supposedly speaks for everyone, and

should present an objective viewpoint transcending special interests and power groups. Bias is a mental bondage. For the press it is a potent barrier to the achievement of objectivity. The subtle thing about it is that while one cherishes his particular bias he has a false sense of having perfect freedom. Many appear wholly unaware of their personal bias. Others rationalize their prejudices. Bias often develops from an "unthinking susceptibility to prevailing social winds."

It is a basic law of journalism that "the public cannot rely on any interested group for disinterested truth." It is the duty of the press to be alert to the farce of the one-sided propaganda of pressure groups, and to present both sides of an issue and the true facts of any given event or issue so far as it is possible to do so. A democracy needs variety in press opinions in order to avoid a conformity to organized pressure. Thus the government and the press must be kept separate, so that the press can freely discuss all sides of governmental issues. Neither should the public press become subservient to any religious organization.

Pressures that come from ownership and also from the clientele make it difficult for a press to be an impartial observer. When a press is enslaved by pressure groups, then "editorial judgment becomes the sustaining of a 'position'—propaganda. And our system of freedom, helpless against most forms of press lying, is still more helpless against this close neighbor of the lie, partisan propaganda."—*Ibid.*, p. 147.

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Man cannot afford to barter his freedom for bread
or for tyranny's delusive dreams of security.



TENTH ANNIVERSARY of Human Rights



Mrs. Eleanor Roosevelt holding a copy of the Universal Declaration of Human Rights.

UNITED NATIONS PHOTOS



Secretary Dag Hammarskjöld of the United Nations.

To guarantee to the children of the world a heritage of freedom is one of the universal objectives of the Declaration of Human Rights.



THE TENTH ANNIVERSARY of the adoption of the Universal Declaration of Human Rights was commemorated at a special meeting of the General Assembly last December the tenth.

In a statement issued for the occasion, Secretary-General Dag Hammarskjöld declared: "It is right to list among the finest achievements of the United Nations the drafting and adoption of this first world charter of human rights." Mr. Hammarskjöld added, however, "it is more important still that the Declara-

tion should remind us of the distance between its aspirations and the practice of our lives." He concluded by expressing the hope that the tenth anniversary would "help us to act with greater respect for the rights of others, and thus to build a firmer basis for world understanding and world peace."

Speakers at the Assembly's commemorative meeting included the President, Dr. Charles Malik of Lebanon, Mrs. Eleanor Roosevelt of the United States, who was Chairman of the UN Commission

on Human Rights when it drew up the Declaration, and R. S. S. Gunewardene of Ceylon, the Commission's present Chairman.

Messages were read from other former Chairmen—Rene Cassin of France and Felixberto M. Serano, Foreign Minister of the Philippines—and from Mahmoud Fawzi, Foreign Minister of the United Arab Republic, who, among other things, recalled the work of the late Mahmoud Azmi, also a former Chairman.

The Voice of Humanity

Dr. Malik described the Declaration as a "clear, powerful, ringing message," proclaimed by the United Nations "to every human being on the surface of the earth." "This is indeed a most significant thing," he declared. "Never has organized humanity spoken with one voice so emphatically on the nature of man."

Mrs. Roosevelt emphasized the importance "of

actually living and working in our countries for freedom and justice for each human being."

Mr. Gunewardene suggested that a UN conference of plenipotentiaries be held to complete drafting of the International Covenants on Human Rights, for final approval at a special session of the Assembly.

Annual Concert Held

In the evening, the annual Human Rights Day concert was held in the Assembly Hall, with the participation of the New York Philharmonic Orchestra, and Mme. Renata Tebaldi of the Metropolitan Opera Company.

Dr. Malik made an address in which he declared that the responsibility for human rights and fundamental freedoms lay not with the United Nations but "with our diverse nations, cultures and outlook on life." "If these fail, the United Nations can do nothing," he said.

—*United Nations Bulletin*, NL Vol. II/61



Human Rights and Peace

Dr. Charles Malik

President of the United Nations

"What is the use of peace and prosperity if the basic rights of man are violated? If these are violated peace itself will not last. Therefore, the basic condition of peace is precisely that human rights be understood, respected, observed. The ultimate end of the United Nations is not just any kind of peace, but peace based upon the observance of human rights.

"To the question, what are these rights? there can be only one answer: these rights are those proclaimed by the Universal Declaration of Human Rights. For this is the only existing document in this field that was elaborated and adopted, without a single dissenting vote, by the United Nations. Its authority therefore is unique. And in the future as in the past, it will keep on fermenting the minds of men, guiding their endeavors, setting forth before them what they must aim at if they want to be fully human."

Discrimination

in Religious Rights and Practices

Based on the United Nations Subcommission on Human Rights Draft Report
on Religious Discrimination Prepared by Special Rapporteur—Part 1

ARCOT KRISHNASWAMI

THE UNITED NATIONS ECONOMIC AND SOCIAL COUNCIL COMMISSION ON HUMAN RIGHTS has released a report of the Subcommission on Prevention of Discrimination and Protection of Minorities. This report is based on material from both governmental and nongovernmental sources. Excerpts are taken from the draft report entitled *Study of Discrimination in the Matter of Religious Rights and Practices*. The initial report was released on the 15th of November, 1957, and a supplement to the report on the 21st of October, 1958. The views of all the members of the Subcommission were taken into consideration in the preparation of the draft report.

The Secretary-General of the United Nations, in order to assist the Special Rapporteur in his work, invited governments and appropriate specialized agencies and competent nongovernmental organizations to supply information and to cooperate in the study. Information on the subject of discrimination in the matter of religious rights and practices was received from the governments of sixty-two different countries of the world. At least twenty-five nongovernmental organizations participated in supplying information.

The study is both objective and factual. As the

draft report indicates, "the study of discrimination in the matter of religious rights and practices requires not only a great deal of research but also an understanding of the emotions of the people concerned in different countries, of the manner in which religious rights and practices have evolved, and even of the attitudes of the various religious groups."¹ It is to be regretted that the draft did not include a global study of the problem in all countries and territories. This is due to a limitation placed upon the activities of the Commission of Human Rights at the twelfth session of the United Nations when the studies in the field of discrimination were restricted to "relate to States Members of the United Nations and of the specialized agencies."²

One unique feature of these studies is that at all stages they were pursued with the active cooperation of the governments involved. Each country's report was sent to the government concerned for comment and supplementary data before its release. A great deal of comprehensive and up-to-date information has been compiled, which can only be assembled through such a medium as the United Nations. The circumstances in each country and the trend of events in their historical backgrounds were taken

UNITED NATIONS

Arcot Krishnaswami and Richard Hiscocks, members of the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities, discuss a document while awaiting the opening of one of the Sub-Commission's meetings on human rights.



into account. The draft includes that information which indicates that discrimination, or at least a divergence of treatment, exists, but the draft observes: "this obviously is not the whole story. Seen out of context, this selected information may convey a distorted impression despite all the endeavors of the Special Rapporteur to be as objective as possible."³ Complete coverage is not yet attained.

Discrimination is further classified in two categories: (1) that which is residual, "a mere remnant of historical circumstances," and (2) that which is more particularly a "pattern of present-day discriminatory treatment."⁴ Significantly, the relationship of the numerical importance of the group subjected to discriminatory treatment in comparison with the total population of the area involved throws some light upon the reasons that led the country to adopt certain policies in regard to particular religious groups.⁵ Minority rights are live issues.

The charter of the United Nations, of course, emphasizes "not only the promotion of respect for human rights, but also the need for harmonizing the action of nations in the attainment of this common end."⁶

The Problem and Its Setting

"World-wide interest in ensuring the right to freedom of thought, conscience and religion is attributable to the realization that such freedom is basic."⁷ It should be observed that all the truly great religious teachers of history have emphasized the basic need for treating all peoples alike. Unfortunately, "while the original precepts are imbued with a sense of oneness of mankind, history probably records more instances of man's inhumanity to man than examples of good-neighborliness and the desire to satisfy the needs of the less fortunately placed."⁸

The problem of religious repression within the religious world centers largely upon the fact that "each religion generally considers that it is the sole repository of truth, and that therefore there is a duty to combat other religions or philosophies in the name of truth."⁹ Thus the oneness and brotherhood of mankind is often ignored by a religious attitude or disposition toward intolerance. "In certain periods of our history religious organizations have restricted human liberties unduly, curtailed freedom of thought, and slowed down the development of art and culture. In other periods the same attitude was adopted by the followers of certain philosophical teachings toward all religious beliefs rather than one particular religion."¹⁰

The report briefly referred to the "untold suffering" that in the past has been "inflicted upon humanity in the name of religion." History records that "wars were fought to impose the faith of the conqueror upon the conquered; minorities were mas-



A. DEVANEY

History records that "wars were fought to impose the faith of the conqueror upon the conquered." Objectives of the UN Sub-Commission include the elimination of discrimination on religious rights and practices.

sacred or expelled from their countries because they refused to follow the teachings of the dominant religion. Even when extreme measures of persecution were not applied, use was made of more subtle types of pressure in attempts to obtain conversions, ranging from a refusal to grant civil rights, the debarring of dissenters from the exercise of certain trades or professions, or the offering of material advantages, or even giving outright bribes."¹¹

Fortunately the world has moved away from much of this totalitarian injustice, but the fact remains that modern trends toward tyranny are most distressing. "Nonetheless, religious tolerance has not prevailed everywhere; equal treatment for all creeds as a matter of right rather than a matter of sufferance has not as yet been universally accepted. Further, our

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TO THE MEMORY OF in the Cause

Dr. Frank Herman Yost

In the death of Dr. Frank H. Yost the cause of religious freedom has lost a talented and able defender. During his years of service as clergyman, educator, editor, and ardent advocate of freedom he enjoyed the deep respect of his colleagues and friends everywhere.

Frank Herman Yost was born in Philadelphia, Pennsylvania, July 20, 1894, and after an unexpected and short illness he lost the struggle for life November 15, 1958, at the White Memorial Hospital, Los Angeles, California.

Upon completion of the theological course at Washington Missionary College, in Washington, D.C., he entered the ministry in 1924. He joined the faculty of Union College, in Lincoln, Nebraska, as Bible instructor in the autumn of 1933. From that institution he received his B.A. degree in 1933. His postgraduate work was done at the University of Nebraska, from which institution he received his M.A. degree in 1935 and his doctorate in 1943. It is coincidental that he received his secondary school diploma at the age of 29, his B.A. at 39, and his doctorate at 49.

While still connected with Union College, Dr. Yost taught in the Theological Seminary at Washington, D.C., during the summers of 1938 and 1939, joining the faculty of that school in 1940. He re-

mained with that institution until he was called to the International Religious Liberty Association, in which organization he served as editor of the *LIBERTY* magazine and associate secretary until he accepted a call to teach at La Sierra College, Arlington, California, in September of 1958.

Those who learned to know Dr. Yost held him in profound respect. Whether in conversation with him or listening to his presentation of a thesis, one was impressed with his comprehension of the point in question. He was loved by his students at every age level—secondary, collegiate, and post-graduate. Nowhere are the three dimensions of a man more obvious than in the classroom. His height and breadth are constantly exposed and the overtones of his depth continually heard. As author and editor he gave evidence of his thoroughness and his proficiency. His numerous contributions to religious periodicals included the *Review and Herald*, the *Youth's Instructor*, the *Ministry*, and *Christianity Today*. He contributed copy to the *Seventh-day Adventist Bible Commentary*, writing the manuscript for the book of Acts. He was the author of several monographs, such as *The Early Christian Sabbath* and *Let Freedom Ring*. With Dr. Alvin W. Johnson he was coauthor of the book *Separation of Church and State*. This volume has had a wide circulation in legal circles and has been cited on the floor of Congress.

As associate secretary of the International Religious Liberty Association Dr. Yost appeared before State legislative committees and subcommittees of Congress in his defense of religious freedom. As did the Protestant electors before the Diet of Spire, he contended for the right of the human conscience to be heard above the magistrate and that the voice of God's Word be recognized above the canons of the church. Not only were his voice and pen used in the defense of freedom but he served his country during World War I, participating actively in the Battle of the Argonne. He was honorably discharged in 1919 with the rank of regimental sergeant major.

Dr. Yost was a charter member of Americans United, also known as POAU. As recording secretary of that organization he was occasionally called to the lecture platform. His addresses were ably and fearlessly presented. He publicly defended the inalienable right of life, liberty, and the pursuit of

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Dr. Alvin Walter Johnson

As the esteemed leader of the International Religious Liberty Association from 1950 to 1958, Dr. Alvin W. Johnson endeared himself to lovers of freedom in all lands. It is with deep regret that we announce to the readers of *LIBERTY* that Alvin Walter Johnson, who was born at Harlan, Iowa, November 11, 1895, died at the St. Helena Sanitarium, Sanitarium, California, December 27, 1958.

A graduate of Emmanuel Missionary College, in Berrien Springs, Michigan, Dr. Johnson was compelled by an inner urge to qualify himself to efficiently serve the cause he loved and took advantage of every available opportunity to further his education. Following a year as a graduate student at the Washington Missionary College, he satisfactorily completed the prescribed requirements of the University of Michigan for a Master's degree. In 1925 he was awarded a traveling scholarship by this university and was thus given the privilege of visiting Europe for the first time. His scholastic attainments were recognized in 1933 when the University of Minnesota conferred upon him the degree of Ph.D. in the field of history and political science.

Dr. Johnson rendered invaluable service as an educator, both as a teacher and as an administrator. He served as a professor of history at Hutchinson Theological Seminary and as principal of Maplewood Academy, at Maple Plain, Minnesota. In 1932 he was called to the post of executive dean and head of the department of political science and economics at Union College, in Lincoln, Nebraska. Four years later he joined the faculty of Pacific Union College, Angwin, California, as head of the department of history and political science. He served this college in that capacity for seven years, and for the last five of those years he was also dean and business manager. In 1943 he was called to the presidency of his alma mater, Emmanuel Missionary College, and served as college president for a period of seven years.

In 1950 Dr. Johnson was appointed secretary of the International Religious Liberty Association, in



which capacity he served until June of 1958, when failing health forced him to retire. In this position he was in contact with prominent officials of many governments in all parts of the world. Dr. Johnson was to a high degree qualified by natural tact and a thorough and extensive preparation to serve effectively and convincingly the cause of religious liberty.

As a distinguished author his literary works include: *Legal Status of Church-State Relationships in the United States* (1932), *Program of Studies for the Secondary Schools of Nebraska From 1890-1935* (1935), *Calendar Reform* (1936), *The Unicameral Legislature* (1937), *Separation of Church and State* (1949). In the last-named volume he was coauthor with Dr. Frank H. Yost.

A public-spirited man, Dr. Johnson held membership in a number of learned societies. He was a member of the Executive Committee of the Religious Liberty Department of the National Council of Churches.

No words are adequate to express one's commendation for a life spent in noble, unselfish service. A deeper insight into the character of this distinguished leader is found in these select sentences from a tribute to Dr. Alvin W. Johnson by President R. W. Fowler of Pacific Union College:

"It has been my privilege to know Dr. Johnson for a period of twenty-nine years, and during those years of acquaintance I have learned to know him as a Christian gentleman, a wise counselor, and a true friend. . . . He commanded admiration and respect, and inspired confidence and affection.

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THE question the American people must now face is whether or not they wish to make decisions that are based upon this history [the historical development of the principle of the separation of church and state]. Shall we make decisions in conformity with this tradition of separation of church and state? Or shall we, for reasons of weight, depart from this tradition? If we decide to return to some form of "co-operation" between church and state . . . we must take responsibility for realizing that we are returning to some form of "an establishment of religion" and we must be prepared for the consequences. We must remember that efforts to maintain or restore establishments of religion in the past have stimulated divisive forces in the American community and have likewise created the risk of increasing state control over religion.

The American people must now consider carefully whether or not such a return would become a threat to genuine freedom of religion based upon equal rights of conscience, a threat which the founding fathers so clearly saw when they framed the First Amendment to the United States Constitution. They

saw that the best protection for religious freedom was to make questions of public policy a matter for common decision among people of all faiths without regard to religious sanctions or lack of them. They therefore took the fourth choice now before us . . . , the principle of separation of church and state. They decided that the government of the United States must rest upon the common decisions of the widest possible community. Only in this way could freedom of religion rest upon secure foundations; only in this way could "We the people" be fully free "to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity."

The American people are now being required to decide once again whether or not this historic principle of separation of church and state is an indispensable element in deciding questions of public policy especially as they apply to education. Wise judgments concerning public policy, now as in the past, should rest upon sound historical interpretations of the origin and meaning of our traditions.

THE QUESTION

Confronting the American People

By R. FREEMAN BUTTS

The use of public school buses for the transportation of parochial students is one of the hotly contested issues in modern church-state relationships.

A. DEVANEY



Duties of Public Authorities to

Eliminate Discrimination

232. A major share of the responsibility for translating into practice the principle of nondiscrimination in the matter of religious rights and practices falls on the shoulders of public authorities. The Universal Declaration of Human Rights has enjoined on them a dual duty—spelled out in particular in Articles 2, 7, 18 and 30. On the one hand, each public authority in its field of action has to refrain from committing acts of discrimination through the adoption and enforcement of constitutional provisions, statutory or administrative regulations, or through the making of administrative or judicial decisions. On the other hand, there is a positive duty to take all necessary measures to ensure to everyone equality before the law, equal protection of the law and equal protection against discrimination. Needless to point out that in this last matter the courts of law have a vital role to play.

233. The performance of this duty is seldom easy and may be extremely difficult. It may involve the repeal of legislative enactments or the revision of administrative regulations when they are likely to lead to discrimination. It may even involve the taking of preventive measures or the imposition of penalties on individuals or groups who infringe religious rights, or practices, or beliefs. The state of public opinion may be opposed to such action. There is a possibility that it might lead to social tensions or even to a disturbance of the peace in certain circumstances. All of these factors have to be taken into account. Nonetheless, public authorities are under a duty to strive towards the eradication of discrimination. In achieving this objective they should use every means at their disposal, particularly educa-

tional measures which may be expected to transform the social climate. Public authorities should not follow blindly the views prevailing in the society, but must assume leadership in order to achieve the goal of nondiscrimination. There is no escape from this duty.

Public authorities should not follow blindly the views of prevailing pressure interests in society. They must recognize that it is a duty of leadership to strive for the eradication of unfair discrimination against minority groups of their citizenry.

A. DEVANEY



The above paragraphs 232 and 233 are from the Supplement to the Draft Report of the Subcommittee of the United Nations Commission on Human Rights on Prevention of Discrimination and Protection of Minorities, dated October 31, 1958.

[Judge Daly is an attorney-at-law, a student of constitutional theory and history. He presents here a devout Roman Catholic layman's view of rendering to God and to Caesar. We welcome his personal view.—ED.]

FRIENDLY CONVERSATIONS on religion and government with persons not of my Catholic faith have impressed me with the widespread belief among Americans who are not Catholics that Catholic Americans do not deeply appreciate and cherish the American separation of church and state. They doubt the commitment of American Catholics to our first constitutional amendment forbidding laws respecting an establishment of religion or prohibiting its free exercise.

These brother Americans always surprise and gladden me. They surprise me by their violence in my defense; vehemently may they disagree with my judgment but more vehemently will they fight, even die, to protect me in my Catholicism! They gladden me as kindred spirits who have, more emphatically than I, expressed my Catholic conviction on the problem of God and Caesar.

Catholicism intends the universal and complete identification of every man with Christ. In civil government I cannot conceive a more complete or exact duplication of Christ's limitation of Caesar to the things that are Caesar's than the prohibition inscribed in the First Amendment against laws respecting an establishment of religion or forbidding the free exercise thereof. So meticulous is its exactitude against Caesar that Caesar cannot even compel the rendition to God of things that are God's, lest in so doing he encroach upon God's spiritual realm. Caesar's writs simply do not run to the things that are God's. They may guard the boundaries of God's spiritual domain but they cannot enter. What enactment other than the First Amendment could be so complete an imitation of Christ in His injunction "Render to Caesar the things that are Caesar's"?

I realize that many Americans who are not Catholic fear that if Catholic Americans became a majority, freedom of religion would be limited in America as it is limited, for example, in Spain. Ireland is also Catholic. But the criticism against Spain is not directed against Ireland. Catholic Americans will forever uphold the American tradition which so exactly imitates Christ's injunction as to the things of Caesar and the things of God.

The United States has a limited government. It is not coequal with the American nation; it is not coequal with American civil society. It is merely a tool or an implement. It is not our master. It has only a limited authority. The Ninth and Tenth Amendments to our Constitution stipulate that the enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people; and that powers not delegated to the

A Roman Catholic Speaks on

SEPARATION

United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people. The respective State constitutions are limitations against total power.

The separation of church and state in the United States of America is sought functionally. It may also be sought geographically. Although the Vatican State has union of church and state, it is also paradoxically a unique example of the geographical type of separation of church and state. The geographical type of separation cannot achieve the absolute, because the geographical unit, however small, must have some civil government. But neither can the functional American type of separation achieve the absolute, because church and state must, perforce, each exercise their functions with respect to persons who are both members of the one and citizens of the other.

The church and state are, in their respective spheres, complete societies. The purpose of the one is not of itself a means to the purpose of the other and the activity of either is not directly subject to the jurisdiction of the other. Each has within itself the means of realizing its purpose. While it is true that members and citizens of each are subject to the jurisdiction of the other, such concurrent jurisdiction does not destroy the separateness of each society. A truly religious man is a nobler patriot by reason of his religion and a true patriot is a more religious man by reason of his patriotism.

Senator John F. Kennedy of Massachusetts has just declared his belief in the American principle of the separation of church and state, contrary to the traditional Catholic teaching that the state is to be a servant of the church. Many observers believe the 1960 Democratic Convention will nominate a Catholic for President.

EWING GALLOWAY

OF CHURCH AND STATE

By JUDGE ANTHONY W. DALY



Freedom of the Press

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of this, they said, consists, "beside the advancement of truth, science, morality, and arts in general, in its diffusion of liberal sentiments on the administration of Government, its ready communication of thoughts between subjects, and its consequential promotion of union among them, whereby oppressive officers are shamed or intimidated, into more honorable and just modes of conducting affairs."⁴

When the States adopted constitutions for themselves, nine of the thirteen included guarantees of the freedom of the press. When after the Revolution the Federal Constitution was considered by the States, the omission of a bill of rights was a source of severe criticism. Among these criticisms the omission of a guarantee for freedom of the press was prominently mentioned. Therefore, it was to be expected that among the rights secured in the First Amendment to the Constitution was the freedom of the press.

It was not long before freedom to publish became an issue in the new government. In 1798, when John Adams was President, war with France seemed imminent. There were about 25,000 French refugees in the country, and many were suspected of espionage activities. Under the stress of war hysteria, and with the approval of President Adams, Congress enacted the Alien and Sedition Laws. The latter made it a crime, along with other things, to publish any "false, scandalous and malicious" writing against the Government, the President, or Congress. The penalty for conviction was a two-thousand-dollar fine and up to two years' imprisonment. During the period of terror that followed, a number of prominent newspapermen were arrested. Many were indicted, eleven were tried, and ten were found guilty and punished. Among these were Matthew Lyon and Anthony Haswell, Vermont editors, who suffered great cruelty and many indignities in prison, without being allowed the right of proving the truth of their assertions.

Those who approved these laws and the resulting convictions contended that our republic was so young and unstable that it could not successfully cope with criticism and opposition. But the more thoughtful men in our nation resented the implications in the law and deplored the harshness of its enforcement. James Madison said:

To the press alone, checkered as it is with abuses, the world is indebted for all the triumphs which have been gained by reason and humanity over error and oppression. To the same beneficent source the United States owe much of the lights which conducted them to the rank of a free

and independent nation and which have improved their political system into a shape so auspicious to their happiness.⁵

So unhappy were the people of the country with the administration of President Adams that he was defeated for re-election after one term. The new President, Thomas Jefferson, promptly remitted the fines that had been imposed on the newspapermen, gave them interest on the money, and pardoned those in prison. He based this action on the opinion that the Alien and Sedition Laws were unconstitutional. When Abigail Adams censured him for nullifying the work her husband had done during his administration, President Jefferson wrote to her:

I discharged every person under punishment or prosecution under the Sedition Law because I considered and now consider that law to be a nullity as absolute and palpable as if Congress had ordered us to fall down and worship a golden image; and that it was as much my duty to arrest its execution in every stage as it would have been to have rescued from the fiery furnace those who should have been cast into it for refusing to worship that image.⁶

Jefferson bent every effort to make effectual the ideal of freedom of the press that had been established at the trial of Peter Zenger. He said:

Were it left to me to decide whether we should have a government without newspapers or newspapers without a government, I should not hesitate a moment to prefer the latter.⁷

Then began an era of inflammatory diatribes against public officials. Even Jefferson, who had unfettered the press, was a prime target for their abuse. Yet he stood by his convictions, feeling that truth would win in the long run if it had a fair field and no favor.

Control of the press was later attempted by Andrew Jackson, when he felt that incendiary abolitionist literature might incite the slaves in the South to rebellion. He proposed that Congress enact a law prohibiting, under severe penalties, the circulation

Neutrality and not "cooperation" of church and state is definitely required if America is to avoid the double pitfalls of the established religions of earlier times or the attacks upon religious freedom of more recent times. Neutrality and not "cooperation" is required if America is to achieve genuine equality of religious conscience which is at the heart of our basic civil rights.

—R. Freeman Butts

through the mails in the Southern States of literature that might be inflammatory there. John C. Calhoun, the slaveowners' chief spokesman, opposed this law because he felt it invaded State rights in determining what was pertinent to their own security. He had no objection to post offices in the States themselves censoring and refusing to deliver this mail. His colleagues in Congress could not follow the distinction, and the law was not passed.

In this same era of abolitionist propaganda Elijah P. Lovejoy became the first martyr to freedom of the press in the United States. Publishing his paper in a divided community, Lovejoy was outspoken in favor of the abolition of slavery. Several of his presses were destroyed by mobs, and finally he was called before a community meeting that demanded the cessation of his activities as publisher. Lovejoy rejected their demands and declared that he would stand by his convictions, even to death. Four nights later a mob attacked the warehouse where his new printing press was stored, and in the melee Lovejoy was killed. Recently, American journalists have erected bronze markers at the place where the murder occurred, in commemoration of their fearless colleague of an earlier day.

During the Civil War President Lincoln was as bitterly attacked by the press of the country as had been his predecessors. For this he did not retaliate. However, very reluctantly, in cases involving military security he allowed the suppression for brief periods of some twenty newspapers. These occasions were so brief that the problem was never taken to the courts.

Following the Civil War, Congress enacted the first of a series of laws using its control of the mails to exclude from circulation publications that were considered fraudulent or immoral. These laws have been upheld by the Supreme Court in decisions *Ex parte Jackson* and *Public Clearing House v. Coyne*.⁸

From time to time State and national lawmakers viciously attacked by newspapers have forgotten the experience of President Adams and have advocated a more severe control of the press. At one such time, in 1883, Theodore Roosevelt, then in the New York State Assembly, replied:

If there is one thing we ought to be careful about, it is in regard to interfering with the liberty of the press. We have all of us at times suffered from the liberty of the press, but we have to take the good and the bad. I think we ought to hesitate very seriously before passing any law that will interfere with the broadest public utterance. I think it is a great deal better to err a little bit on the side of having too much discussion and having too virulent language used by the press, rather than to err on the side of having them not say what they ought to say, especially with reference to public men and measures.⁹

Yet, twenty-five years later, angered by attacks on himself as President, this same person tried to induce the Federal courts to punish his newspaper critics.



The issue of the use of control over the mails as an instrument of censorship arose again during the administration of Woodrow Wilson, who like others before him pleaded military necessity as justification for restricting freedom of the press. The Espionage Act of 1917 was followed by many State laws aimed at freedom of the press, but which jeopardized man's right to read and think independently. While the Federal Government's chief concern has been with seditious publications, the States' concern has been mainly with immoral and obscene publications. However, the States have not completely ignored the seditious material, as the case of *Gitlow v. New York* indicated.¹⁰ Before this case the constitutionality of State statutes punishing the publication of objectionable material was not reviewable in the Federal courts. After the *Gitlow* case the test of the constitutionality of State statutes to punish the publishers of seditious literature has been the same as for Federal statutes.

Speaking of this trend toward control of the press by the Federal Government, and by States as well, Charles Evans Hughes said in an address in 1920, when he was not a member of the Supreme Court:

We have seen the war powers, which are essential to the preservation of the nation in time of war, exercised broadly after the military exigency has passed and in conditions for which they were never intended, and we may well wonder, in view of the precedents now established, whether constitutional government as heretofore maintained in this re-

public could survive another great war even victoriously waged.¹¹

That question is most pertinent today in view of the developments during the years of World War II and since. The fear of conflicting ideologies has become so great in this country that the clamor for suppression of books, magazines, and newspapers that conceivably might be tainted with subversive doctrines has mounted steadily. In this tense atmosphere our heritage of liberties is placed in grave jeopardy.

We have seen how our country faced this dilemma under the leadership of Jefferson. Events proved the rightness of his stand for freedom of the press. As he predicted, our form of government has been "the world's best hope" and the "strongest government on earth." Can it continue to be so if we relax our vigilance in preserving the principle of freedom of the press?

Our freedoms are indivisible. If we lose one, if there is a rent in the seamless fabric that holds them, they will all escape, as sand drains from a bag that sustains even a single rent. Freedom of speech and the press are central to all liberties. The freedom to worship is bound up in the freedom to learn and the freedom to teach.

There is a danger that in our struggle against totalitarianism we will be tempted to use some of its weapons. Of what avail would it be to us if we escaped one set of chains only to find ourselves bound with others? In the preservation of liberties instinct alone is not a sufficient safeguard. Although our nation was born from the compulsion of our forefathers to be free and independent, it will take understanding and determination to keep intact the liberty they bought for us at such high cost.

Milton, writing in an era of war and fear and tension, gave us his own statement of faith, which we would do well to maintain as our ideal today. He said, "Give me the liberty to know, to utter, and to argue freely according to conscience, above all liberties."¹² The cornerstone of our liberty is the right to know and to speak freely. On this rests both our religious and our civil freedom.

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Dr. Frank H. Yost

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happiness for all Americans. He emphatically denounced the persistent efforts of those religious leaders who sought the right to tax all citizens for the support of any phase of church work. He was to have received this year the annual award from POAU for his outstanding work in the field of religious liberty. The deceased was a regular panel member of the Religious Town Hall of the Air, a nondenominational and unrehearsed television program.

The following tribute to Dr. Yost was given by Dr. Glenn L. Archer, Executive Director of Protestants and Other Americans United for Separation of Church and State: "Dr. Yost was a vigorous exponent of religious liberty. His influence reached far beyond his own denomination, and was shared and felt in Protestants and Other Americans United for Separation of Church and State, an organization which he helped to found and continued to direct until his death. I knew and loved Dr. Yost as my friend and leader. In conference he was wise and considerate; on the platform he was impressive and forceful; in the home he was gracious and kind. How well I remember his winsome smile that lighted many committee meetings and lifted my spirit. Withal, Dr. Yost was Christian in everything. From the day he left Johns Manville to the day of his death, he was a servant of God. Protestants and Other Americans United had cited him as the Religious Liberty Man of the Year Award for 1958. This honor was to have been conferred in St. Louis, February 9, 1959."

Dr. Alvin W. Johnson

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"As an educator he gave the strong years of his life to the improvement and upbuilding of denominational schools and colleges. He had the unique experience of serving as principal of the school from which he received his secondary diploma and as president of the college from which he received his B.A. degree. His kindly disposition, his understanding heart, and his keen business insight made him especially well adapted to the work of the school administrator, and the schools where he served in this capacity improved both financially and scholastically under his able administration.

"Dr. Johnson was a believer in people, in beauty, and in the light of lasting truth. Not a few students

remember the faith and confidence expressed in them through a noninterest-bearing loan advanced by him personally to aid them in reaching their educational objectives. He, because of unselfish motives, soon forgot the act of kindness, but his students who were thus aided will be eternally grateful for his confidence and generous help.

"During his service as world secretary of the International Religious Liberty Association Dr. Johnson was an ambassador of hope to those who found themselves in difficulty because of their religious convictions. He was a tireless worker in upholding the principles of liberty and freedom.

"The true measure of a man's character, his Christian fortitude and integrity, is best taken in times of adversity and suffering. Through the recent weeks and months of intense suffering, Dr. Johnson never lost his courage or his confidence in God, and he was continually thinking of the welfare of others. He, like us, could not understand all God's dealings, nevertheless he expressed to me on more than one occasion his unwavering trust and confidence in an all-wise and loving heavenly Father, and in the assurance that He doeth all things well."

DISCRIMINATION in Religious Rights and Practices

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world has witnessed, in the recent past, persecutions on a more colossal scale than ever before, based primarily on grounds other than religion but involving to some extent religious motives."¹²

Duty of an International Community

The Special Rapporteur, in his draft report, commendably calls the attention of the world to the duty of an international community "not only to eliminate discrimination in the matter of religious rights and practices but also to establish on firm foundations positive principles and standards of conduct which would preclude a hark back to religious wars and religious persecutions. In our time, which has witnessed astonishing discoveries in the realm of science—the penetration of the incomprehensible—there is all the more need for reaffirming our faith in fundamental human rights and in the dignity and worth of the human person."¹³ Certainly it is the duty of all lovers of freedom everywhere, in all countries of earth, to exert all their influence and power to work toward a greater measure of freedom and tolerance, and to check the subtle modern trends that would arrest the advance of freedom throughout the world.

Factors Affecting the Position of Religious Groups

"From a purely juridical point of view it would appear worth while to classify countries into three groups: (1) those which have an established or state religion; (2) those in which a number of religions are recognized; and (3) those which are based upon the principle of the separation of state from religion."¹⁴ The fact that a state has an established religion or religions is in itself an implication that there is a certain amount of inherent discrimination in consequence thereof, or at least inequality of treatment. However, in actual fact there are some countries where the existence of a state church is merely a hangover or survival of historical tradition. In such instances the state no longer legislates special favors for the established church, and the discriminatory element is more or less inoperative in so far as dissenter groups are concerned. For instance, in England the established church does not any longer imply "unmistakable superiority of the established over the non-established churches which marked the seventeenth and eighteenth centuries." The memorandum submitted by the government of the United Kingdom in the current study and quoted in the draft states, "No one suffers in conscience or in pocket from the few remaining privileges of the established churches."¹⁵ It is assumed in this memorandum from the British Government that the existence of the established churches in England and Scotland does not make inroads upon religious freedom or in practice discriminate against the principle of equality before law, and that the rights which these established churches realize are probably smaller than those of any other established churches in other parts of the world. In countries where there are concordats with the Roman Catholic Church, other faiths are excluded from the operation of those agreements.

Considerable differences are noted in those countries where a number of religions find recognition. In some instances two or more religions apparently have equal status. In other cases one religion enjoys a predominant influence. In some lands dissenting religions endure by mere sufferance. Although discrimination may not be a necessary consequence, in fact—in countries that have a state religion or established churches—the law has nevertheless set up the basis for that discrimination by so recognizing a certain religion, and the extent of discrimination resulting therefrom depends upon the popular concept of the government or the populace of the country. The range may vary all the way from no discrimination to extreme discrimination.

The draft report indicates that even in countries that recognize the principle of the separation of church and state there is considerable variance in

the practice of nondiscrimination. Even within this principle certain religious faiths or philosophies may enjoy a certain pre-eminence simply "because the law which applies to everyone reflects the rule of a dominant group."¹⁸ It is conceivable that a state, even when it maintains neutrality between various denominations, may, in the very granting of the equal rights of church organizations, be in full compliance with the opinions of certain religious groups and yet not in conformity with the practice of other groups.

Interpretation of the principle of the separation of church and state varies greatly in different countries. In some countries the separation implies that the state is prohibited both from intervening in the af-

In some countries a balance is arrived at between the various religious groups so that no particular group will assume a dominant position. Mutual toleration is the atmosphere in which these groups operate. "A classic example is that of Switzerland, where the Central Government maintains a balance conducive to toleration for all religions and churches even though individual cantons sometimes give preferential treatment either to the Roman Catholic Church or to certain Protestant denominations. Another example of such a delicate balance is offered by Lebanon, with regard to which it has been said that the 'country has no majority and is composed only of minorities.' It is therefore imperative, when one assesses the situation in a particular country, that full account should be taken of the composition of the population."¹⁹

In an appraisal of the status of religious liberty in the world of today, consideration must be given to the actual situation in each country and to the recent trends with respect to the status of religious freedom and the comparative importance of various religious groups within each country. The matter of the loyalty of the various religious groups toward the same, of course, comes into the picture, because the respective states do not turn a blind eye toward any minority or majority groups that may have as their aim the destruction of the state. On the other hand, every nation should avoid all conforming social cohesion pressures invoked by states or by majorities in order to "justify the worst tyrannies and persecution."²⁰

The problem in many lands has been the existence of "dominant Churches, with the concomitant exclusion of other confessions and beliefs" or at least their reduction to "a subordinate status." The modern world must ever be alert to the danger of reactivating these carry-over, discriminatory concepts from medieval times. It must be recognized that the principle underlying such philosophies is a principle of variable toleration rather than that of equal religious liberty under law.

(To be continued)

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⁶ *Ibid.*, par. 27.

⁷ *Ibid.*, p. 13, par. 29.

⁸ *Ibid.*, par. 31.

⁹ *Ibid.*

¹⁰ *Ibid.*

¹¹ *Ibid.*, p. 14, par. 32.

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¹³ *Ibid.*, par. 34.

¹⁴ *Ibid.*, p. 19, par. 42.

¹⁵ *Ibid.*, p. 20, par. 46.

¹⁶ *Ibid.*, p. 21, par. 50.

¹⁷ *Ibid.*, p. 22, par. 53.

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¹⁹ *Ibid.*, par. 54.

²⁰ *Ibid.*, p. 23, par. 57.



Legal Christianity is a solecism, a contradiction of terms. When Christianity asks the aid of government beyond mere *impartial protection*, it denies itself. Its laws are divine, not human. Its essential interests lie beyond the reach and range of human governments. United with government, religion never rises above the merest superstition; united with religion, government never rises above the merest despotism; and all history shows us that the more widely and completely they are separated, the better it is for both.

—Article 1, Sec. 7 of the Ohio Constitution



fairs of religious groups and from assisting them financially, directly or indirectly. In other instances the financial subsidization of all churches or religious groups is considered in harmony with the principles of noninterference in the exercise of the respective religious convictions. Only as a government is desirous of being as impartial as possible can it approximate equality of treatment to the various faiths that exist within the jurisdictional territory of the country.

The report further indicates that "the position which a religious minority enjoys in a country to a large extent depends upon the proportion of its adherents to the total population of the country or to the number of adherents of the dominant group. Where the minority is small and, in addition, does not exhibit a tendency to expand by attempting to convert members of a dominant group, usually tolerance is shown."¹⁷ On the other hand, in cases where the minority is large and tends to exert political influence and to gain new converts, the majority group may show impatience "frequently turning into intolerance."¹⁸

MAINTAINING A FREE PRESS

From page 13

Failure to Tell the Whole Truth

In many issues it is not the outright lie that plays the most important role in distorting truth but the failure of the press to tell the whole truth. There is much dissembling of issues. It is very difficult for the average reader to pick out among the slanted partisan utterances of a biased press the just judgments of a free press. "The press represents the sensory nerves of a nation, of a civilization; and if those nerves fail to dip into the areas of friction, failure, and suffering, their report must be wrong at one crucial point."—*Ibid.*, p. 148.

When miscellaneous part-truths appear in the press they stimulate bias and distortion. It is not difficult for a prejudiced or controlled press to represent the facts in such a way that their pressure group seems to be thinking and acting on the side of truth and right. Two great dangers to the freedom of the press are the conscious attempt to move men by distorting truth and the unconscious bias that fails to seek the whole truth in objectivity.

In the face of all these pressures from without and from within, the press is put on its honor. It must be willing to summon witnesses from the opposition and from neutral areas as well.

Monopoly

The trends toward monopoly in the modern world also have their effect upon the press. When many thinkers are welded into a single influential journalistic hierarchy, independent voices, as a result, are to some extent muffled. This subordination of individual views to the corporate view curtails freedom of expression. The community suffers from a loss of the "free flow of ideas." Individual expression becomes costly because of the personal sacrifice the individual incurs by way of loss of reputation as a dissenter from the commonly accepted view. His expression, of course, is not impossible, provided he is willing to accept the social consequences of his position.

One indispensable element to the preservation of freedom is "a sufficiently typical variety of editorial policies." This variety is not virtuous by reason of its number but in so far as it presents a representative character of the varied beliefs and interests of the people. The public press ceases to be free the moment its facilities are only available to powerful group interests—secular or religious. Editors must not yield to the temptation to arbitrarily exclude all

evidence that seems to contradict the power interests or the popular concepts the press may serve. The survival of freedom is based on the freedom of the individual sources of opinion, which should be unwarped by coercive pressures, monopolies, or legislation. No government, church, or monopoly group should be allowed to select for the people the facts upon which they must base their judgment.

Government's Duty to Protect Freedom of the Press

The state should recognize that any power capable of providing protection for freedom is also capable of infringing upon freedom. This temptation to infringe upon freedom is not solely one confronted by authoritarian states. A democracy is subject and vulnerable to the criticism and opinion of its peoples, and a democratic government may succumb to a temptation to exercise some measure of control over the ideas that enter into public debate by means of the press and the media of public communication.

To be a truly loyal and worthy citizen a man must serve his country and society with what he believes to be truth. Repressed service tends to corrupt individual life and is self-stultifying to a community. Public interest and the interest of the state itself require that the citizen's conscience be kept free. Only in an atmosphere of free expression can men reach their highest mental and spiritual capacity and offer their best service to their country as well as to their God. When conscience itself dictates the expression of opinion, the state has no right to repress that conscience as long as that opinion does not harm the equal rights of others within the confines of the jurisdiction of the state.

A free government is the first defense of a free press. It will exercise in behalf of that freedom proper sanctions against sabotage, blackmail, and repression. "The reality of press freedom, therefore, depends on the will of the people to set limits upon the capacity of government to interfere with, regulate, control, or suppress the voices of the press, or to manipulate the data on which public judgment is formed."—*Ibid.*, p. 104.

A brief résumé of even a few of the threats to the freedom of the press reveals the increasing importance of the deep moral responsibility of reporters and editors. It is the moral right of the public to receive unbiased news and it is the responsibility of the institution of the press to provide it. It is the moral right of the people to be rightly served by the press that provides the community of varying minds with its raw material for thought. If this news is provided in its fullness, with unbiased integrity, the community will be able to exercise its informed thinking to the best of its ability, and the press will have served its community admirably. Many people

are almost entirely dependent upon the press for their political thinking and their social practice. A free society must maintain both the right of editors and publishers to freely express themselves, and to advocate their viewpoints, and the right of the public to be served with substantial and honest factual truth as an adequate basis for their judgment.

The only acceptable social order in the free world is that in which the individual rights of men are respected. These rights include free thought, free conscience, free worship, free speech, free press, free assembly, and the freedom of the soul from all ecclesiastical or secular regimentation of religious thought and conviction. The individual's obligation

to truth is an obligation beyond the state. It is to the interest of the state to have citizens who are conscientious. A state that seeks conformity by tyrannical pressure ignores the consciences of its members and prepares its own demise. The oppression of dissent and the suppression of conscientious expression leave a feeble, uncreative, enslaved society. It is the duty of the modern state to respect the consciences of its citizens. Undeniably, civil and religious freedom have been the inspiration and hope of this matchless era of history. It is the glory of the democratic age of the Western world that men have been free to differ. Deprive men of that freedom and the free world will no longer be free.



as the editors see it

“Let Freedom Ring”

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble and to petition the Government for a redress of grievances.

A more forthright statement in defense of freedom is hard to find. In a country young in age, governed by men who reasoned beyond their years of experience, the early statesmen of America determined once and for all to secure freedom for their new land. With the encouragement of Thomas Jefferson and others, James Madison introduced the first ten amendments to the Constitution. One can almost hear Mr. Madison as he stood before the first session of Congress in 1789 and eloquently championed the rights of the individual in freedom of religion, freedom of the press, and freedom of speech. Almost 168 years have passed since the Bill of Rights became part of our national law, but time has not diminished the clear-cut ring of these men as they spoke for freedom.

“‘The clergy,’ says Jefferson, ‘entertained a very favorite hope of obtaining an establishment of a particular form of Christianity throughout the United States.’”—Quoted in *LIBERTY*, First Quarter, 1914, p. 13. Jefferson also added these words: “‘The returning good sense of our country threatens abortion to their hopes, and they believe that any portion

of power confided to me will be exerted in opposition to their schemes. And they believe rightly; for I have sworn upon the altar of God, eternal hostility against any form of tyranny over the mind of man.’”—*Ibid.*, par. 6.

One dominant feature of Americanism is the citizen's freedom to worship his Creator in the manner most acceptable to himself. Consequently, across this fair land are found many kinds and shades of religion. In an unofficial survey taken from biographical sketches in the *Congressional Directory*, from *Who's Who in America*, from newspaper articles, and in some instances from church sources it was found that members of the new 86th Congress represent 25 different religious beliefs. Some apparently have no religious affiliation. Many come from groups numerically in the minority. This is possible today because men of yesterday, with the courage of true statesmen, lifted their voices in defense of religious freedom. There was no question of the motives of these men as they prompted and encouraged the passing of the Bill of Rights. Thomas Jefferson states in brief but clear-cut language, “‘I am for freedom of religion, and against all maneuvers to bring about a legal ascendancy of one sect over another.’”—*Ibid.*, p. 14.

In a world confused with claims and counterclaims of power, Explorers, Mechtas, racial conflicts, nationalism, and religious intolerance we need great



statesmen with clear convictions on freedom—statesmen who will have the courage to lift their voices in defense of freedom, statesmen who will stand for the equal rights of all citizens in matters of conscience regardless of religious affiliation or lack of affiliation, statesmen who will keep America free.

W. MELVIN ADAMS

Democracy and the Free Press

A DICTATORIAL GOVERNMENT suppresses unwelcome truth and admits that it does so. The suppression of truth by a democratic government is a more subtle form of dictation because it also conceals the fact that it is being practiced. Distortion of truth by omission is a negative form of lying. A free state cannot endure without a free press—free from all forms of compulsion, external or internal.

An ideally free press must be a press free to all who have something worth saying to the public, and a selection of these voices must not be determined by compulsion or by repression. Immense power for growth and development is released by liberty. Self-government and a free press are inseparable. A free press is a necessity for an intelligent electorate. Sound defenses of individual liberty are as needed in a democracy as in an autocracy. Decision by a majority may take the nature of brute force equal to that of a dictatorship if the decisions are enforced upon the minority groups.

Stabilizing standards of truth must be assumed on a moral basis and not be legislated by church or state law. A unified purpose achieved in free discussion is commendable. But the subtle illusion of this mass-movement age is the trend toward conformity and uniformity, and the tendency to brand as intolerant those who oppose such intolerance. The bigotry of oppression falsely accuses the dissenter of being the bigot, regardless of the measure of his spirit of love for his fellow men.

The publicity of tyranny's propaganda is always emotionally deceptive. The press can be an agent of

this false propaganda once it becomes subservient to the interests of the tyranny. One of the greatest responsibilities of the press that is granted freedom, therefore, is ever to be faithful to its trust and not use its freedom to mold an oppressive social order that will betray the very freedom under which it was permitted so freely to operate.

J. A. B.

Responsibility of the Press

FREEDOM OF THE PRESS is not freedom from the responsibility for truthfulness and from impartiality in influencing human thought. The press should seek to be better than its public, to operate on a high level. It should not be motivated by financial gains to provide a content that the people are willing to pay for. In its zeal for circulation it must not go beyond the standards of honesty and impartiality without compromise. A journal that seeks to make everything comfortable and easy and innocuous, simply to please a multitude of people, is a dishonor to the ideal of the freedom of the press.

The ability of the press to be free from internal compulsions is measured by its ability to counterbalance its bias by adhering to veracity in its interpretation of facts as well as in its presentation of the totality of the facts. Inadequate or biased coverage is a betrayal of public trust. Half truths must not be represented as the whole. The press must assume responsibility for representing certain variant facets of opinion. It must remain private and free.

All sorts of distortions of facts and misleading interpretations of their meaning constantly threaten to smear the press that becomes a propaganda agency of selfish interests. There is also the temptation to falsify without directly lying, simply by omitting certain relevant facts. A skillfully biased selection of truth is a subtly effective lie.

There is no disposition for us to disagree with the right of the editor to advocate his views and to set forth his policies. This freedom must be maintained at all costs. He should, however, neither shun nor repress alternate views to his own position. To clarify the issues confronting modern man in global impact the press must weigh the various alternatives and their importance to life and thought. This does not mean that all voices should receive an equal hearing, but it does mean that the freedom of the press can be maintained only if no voice is suppressed or prevented from winning its own public. Only then can the free press remain a true witness to reality. The freedom of society's individual members is essential to the upbuilding of society. This freedom can only be maintained as long as a free press keeps the public intelligent regarding the issues confronting modern man and the alternate opinions regarding the issues. A free press is duty bound to maintain the principles of freedom.

J. A. B.

Prejudice and Discrimination

PREJUDICE AND DISCRIMINATION are evils practiced by both majority and minority groups. It is a fact, however, that as Dr. John W. Dykstra observes, "The largest group numerically is generally in position to convert its hostile feelings toward an out-group into a form of discriminatory behavior. But a minority cannot readily transform its antipathies into behavior contrary to the prevailing value system; therefore it is less likely to be regarded as a 'social problem.'"—*The Christian Century*, Sept. 17, 1958, p. 1048.

It is surprising how quickly bigotry can develop. It is also surprising how readily some groups can accuse others of bigotry simply because they seek by legitimate means to hold to principles they regard as precious.

J. A. B.

The State and Religious Freedom

THE PRESERVATION OF RELIGIOUS FREEDOM requires that the state should not be identified with any particular religion or religions. Freedom of conscience can only exist when the state recognizes the religious rights of all its citizens irrespective of their minority status. Inasmuch as it is not possible to find an agreed religious teaching among divergent denominations, the state cannot justly propagate any tenet of any religion to the exclusion of others, nor can the state rightly enforce the religious teachings of any church in its public schools.

Religious liberty is a source of strength to the state. The life of the smaller church fellowships has contributed tremendously to the basic principles of freedom that the free world enjoys. The state should recognize that responsibility to God is the only arbiter of Christian actions in so far as man's relations to his Deity are concerned. No human authority has a right to interfere. Moreover, the right of conscientious objection is a high privilege of an individual citizen.

J. A. B.



The Delicate Balance

ANOTHER CHAPTER in the long and bitter battle for freedom of the press is centering around Marie Torre. It began January 10, 1957, when an unfavorable comment about Judy Garland, made by Miss Torre, was quoted in the radio-television column of the New York *Herald Tribune*. Miss Torre gave as her source of information a Columbia Broadcasting official. Presently Miss Garland brought suit against Columbia. When Miss Torre refused to reveal the source of her information under oath, she was held in contempt of court. The matter was carried to the U.S. Court of Appeals and upheld. Later the U.S. Supreme Court refused to review the decision. After giving Miss Torre another chance and warning her that she could be held in contempt of court again if she refused to reveal the source of her information, Judge Ryan sentenced her to ten days in jail.

Around this incident the controversy has raged. Old and vital questions have been brought to the front again. Is freedom absolute? Or is it qualified? Judge Ryan said that "Freedom of the press . . . is not an absolute," and "must give place under the Constitution to a paramount public interest in the fair administration of justice." Long after this suit is forgotten, responsible men and others interested in the freedom of the press will be searching for that delicate balance so necessary between absolute freedom of the press and its abuse, and a controlled press and its repression. Absolute freedom is theoretical and can be granted only to one individual in an otherwise uninhabited world. The moment another individual is introduced, freedom must of necessity recognize the equal rights of the freedom to which that other person is equally entitled.

The Illinois Constitution, Article 2, Section 4, briefly states the law: "Every person may freely speak, write, and publish on all subjects, being responsible for the abuse of that liberty."—FREDRICK SEATON LIEBERT, quoted in *The Rights and Privileges of the Press*, p. 2.

Chief Justice Parker in *Commonwealth v. Blanding*, 3 Pick. 304, 313 (Mass., 1825), said: "The liberty of the press was to be unrestrained, but he who used it was to be responsible in case of its abuse; like the right to keep firearms, which does not protect him who uses them for annoyance or destruction."—*Ibid.*, p. 7.

Delicate balance calls for the freedom of all rights without their abuse. To play fast and loose with the principles of the Constitution and to maintain that the freedom of the press is absolute license would be to do an injustice to that great document. The saying, "Your freedom ends where my nose begins," is apropos. Every free man should respect the equal freedom of others.

W. M. A.



UNITED STATES

Dr. Currin V. Shields, of the University of California, in a recent symposium on church-state relationships called for a "more distinctive use of the democratic process" and a "less extensive use of the 'eliteist' decision-making process." Dr. Shields felt that in the democratic practice decisions are not the "raw will of the majority" but rather a "synthesis" or "a collective decision." Dr. Shields also voices opinion against prior censorship because "it's so easy to make mistakes regardless of the best intentions." The historical success that has attended the separation of church and state in America indicates that church groups flourish under the spirit of free separation. Under separation each church has to prove its merits and in the open market of persuasion influence the religious culture of the nation.

In reference to the tenth anniversary of the Declaration of Human Rights, Dr. Elfan Rees, of the Commission of the Churches on International Affairs and noted authority on refugee problems, asserted that the freedoms promised in the Declaration are the very ones these refugees are seeking. He commended the United Nations for declaring a World Refugee Year in 1959, calling attention to the fact that "no less than 40 million people have lost their homes in the last ten years." What these refugees are seeking, he affirmed, "is the promise or hope of freedom from fear, freedom to bring up children in the faith of their fathers."

CHINA

China's recent purge of Christian leaders who have been unjustly charged as "enemies of the state" by the Peiping regime reveals an antireligious coercive spirit that causes grave concern to lovers of freedom in all lands. A state that sentences a man to life imprisonment for the translation into the Chinese language of a book on the life of Christ can scarcely commend itself to the humanitarian people of the world who would adhere to the United

Nations Universal Declaration of Human Rights. It behooves a great people such as the Chinese, with their long history of culture and desire for freedom, to bring a great nation into line with the spirit of liberty and justice, and to grant to its peoples their inalienable rights of freedom of conscience.

EAST GERMANY

Bishop Otto Dibelius, a bishop of Berlin-Brandenburg, two thirds of whose parishes lie within the Communist-controlled German Peoples Republic, has entered strong protest against "the youth dedication ceremonies," with which he says the Communists have attempted to replace confirmation services.

FRANCE

The French committee for aid to conscientious objectors has submitted to General de Gaulle a draft bill that provides for conscientious objectors to undertake alternate service with the Service Civil International or similar groups of a humanitarian nature. The plan is for CO's to undertake rescue work or aid to "underdeveloped" countries. France has recently ordered the release of a conscientious objector who served ten years' imprisonment and all CO's who have served five years' or more imprisonment. Efforts to obviate the harsh treatment of CO's are to be commended.

GREAT BRITAIN

Sir Hartley Shawcross, in an address commemorating the tenth anniversary of the United Nations Declaration of Human Rights, defended the right of parents to send their children to religious schools rather than other schools. He held that parents who wished to bring up their children in schools that taught their particular faith ought not to be penalized

for it. He also held for the right of conscientious objection to military service and urged every individual to accept the Declaration of Human Rights, which "proclaims the faith of mankind in itself."

ITALY

A recent ruling of Italy's Constitutional Court grants non-Roman Catholic religious groups the right to open places of worship without prior government permission. In the opinion of the high court the "prior permission" clause demanded in a 22-year-old decree, issued during Italy's Fascist regime, violated one of the Articles of Italy's postwar Constitution, which acknowledges the right of all peoples to freely profess their faith in any form as individuals or as groups. The Constitution states that all peoples have a right to spread their beliefs and to practice them in private or public as long as their religious rites do not run counter to public morals.

JAPAN

The National Christian Council of Japan announced an attempt to persuade the Diet of Japan to recognize Sunday as a day for religious education. The Council, disturbed by the decision of the Japanese Ministry of Education to hold public school extracurricular activities, such as track meets, on Sundays, wants the churches to plan their extracurricular activities to keep the children occupied during their free time as a deterrent to mounting juvenile delinquency. The Council has presented the matter to the Christian Liaison Committee comprising representatives of the Roman Catholic, Eastern Orthodox, and Protestant churches, and before the Religious League of Japan.

WEST GERMANY

The West German Federal Court at Karlsruhe has upheld the constitutional right of Germans to decide their religion when they reach 14 years of age. The decision arose out of a case in which a Roman Catholic father had persistently refused to allow his minor daughter to marry a 25-year-old Protestant youth. The court held that while they respected the religious motives of the father, the religious rights of the daughter were more important, because the father's refusal was based on matters that the daughter herself had the right to decide.



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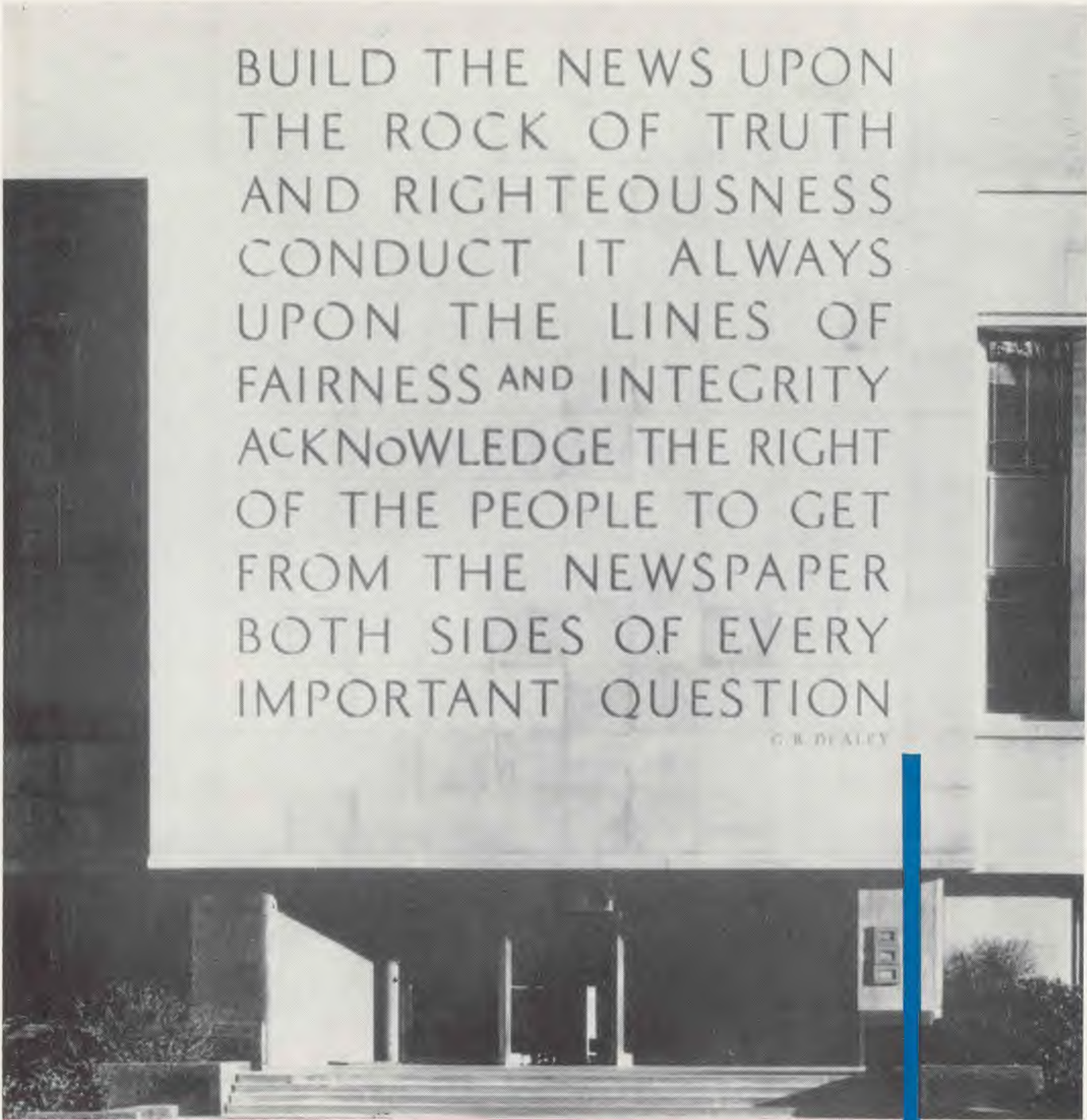


In Such an Hour as This

By JESSIE WILMORE MURTON

In such an hour as this, when tyranny
Had thought to stifle, with an arrogant hand,
The consciences of men, that dauntless band
Of our forefathers dared an unknown sea,
Uncharted shores, forswore nativity,
For freedom's sake. Here, in a hostile land,
They raised their altars; fearless, made their stand;
And trusted God, in their extremity.

He did not fail them! For He is a God
Of freedom; and would have His children free.
Today—this land, which they in exile trod,
Lifts high her shining towers from sea to sea;
And countless throats, from this beloved free sod,
Pour forth their hymns of thanks, for liberty!



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AND RIGHTEOUSNESS
CONDUCT IT ALWAYS
UPON THE LINES OF
FAIRNESS AND INTEGRITY
ACKNOWLEDGE THE RIGHT
OF THE PEOPLE TO GET
FROM THE NEWSPAPER
BOTH SIDES OF EVERY
IMPORTANT QUESTION

G. B. DEALEY

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