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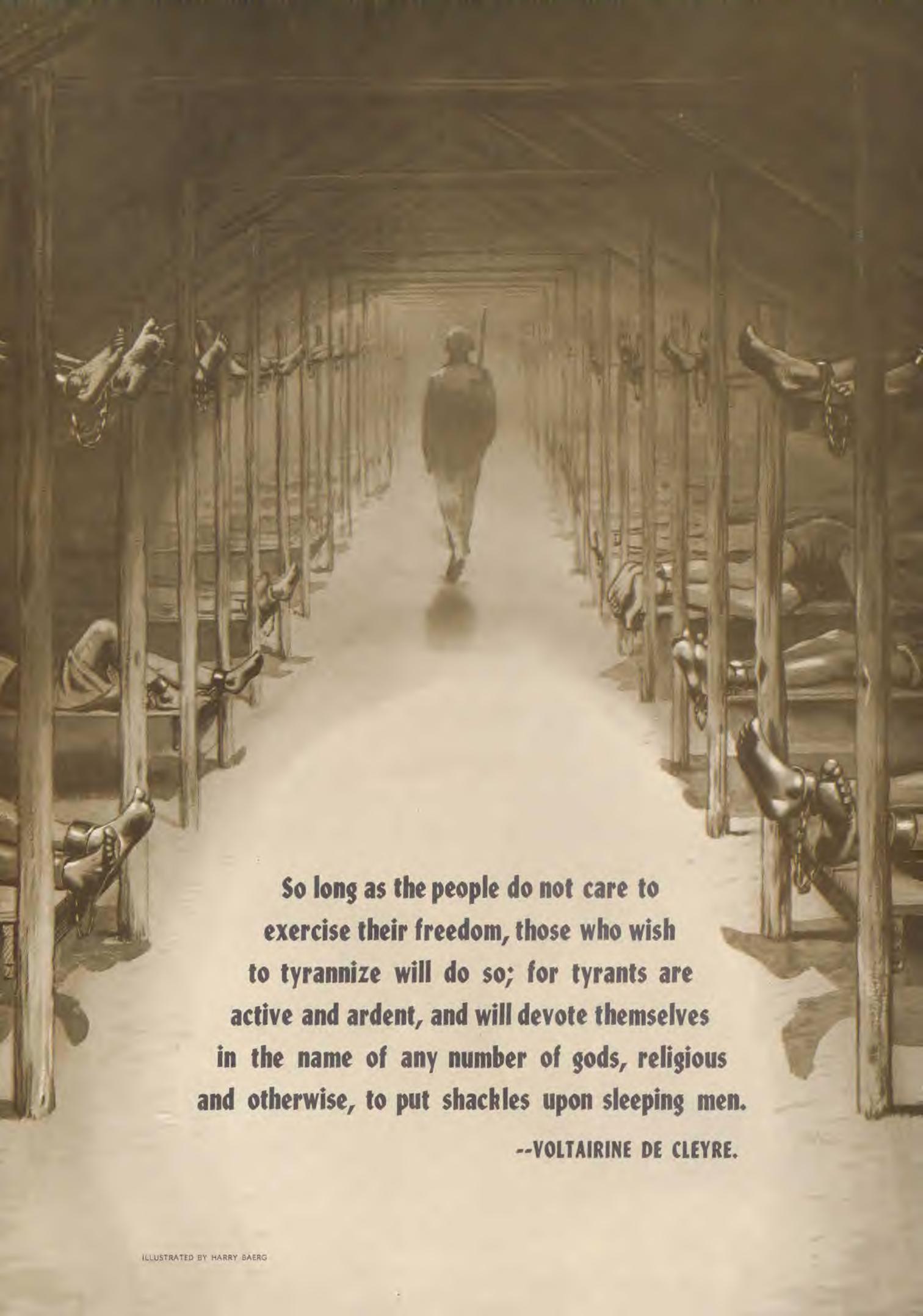
LIBERTY

VOL. 57, NO. 6

A MAGAZINE OF RELIGIOUS FREEDOM



Does God Approve the Use of Civil Power to Enforce His Will?—See page 12.



So long as the people do not care to exercise their freedom, those who wish to tyrannize will do so; for tyrants are active and ardent, and will devote themselves in the name of any number of gods, religious and otherwise, to put shackles upon sleeping men.

--VOLTAIRINE DE CLEYRE.

25 cents
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LIBERTY

Washington
D.C.

A MAGAZINE OF RELIGIOUS FREEDOM

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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 to 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.

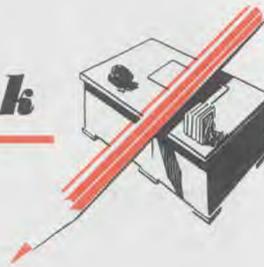
We believe that these liberties are embraced in the golden rule, which teaches that a man should do to others as he would have others do to him.

THE INTERNATIONAL RELIGIOUS LIBERTY ASSOCIATION was organized in 1888 by the General Conference of Seventh-day Adventists. Including in its ranks champions of freedom of many religious persuasions, the Association is dedicated to preservation of religious liberty, as is indicated in the Declaration above. The Association advocates no political or economic theories. General secretary, Marvin E. Loewen; associate secretaries, W. Melvin Adams, Roland R. Hegstad.

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For the past few months LIBERTY research specialist Kenneth Hopp, B.S., LL.B., LL.M., has spent his Sundays searching. For the editor of LIBERTY—verify, verify, verify, he always says—wrote in his column (November-December, 1961) that sneezing on Sunday is a statutory offense in West Virginia.

Source of the information was a usually reliable fellow; other transgressions he has contributed checked out. The editor did write for validation, but the letter was mailed late—all the secretary's fault, of course—and the copy deadline passed (the production manager is a *bear!*), and you know how stuffy subscribers can get over blank pages. The truth is—let's rush over the next clause, please—the editor failed to verify, verify, verify. Verily. But when Claude M. Morgan, attorney at law in Huntington, West Virginia, wrote asking the editor to cite his authority, the editor tried hard. That's why Mr. Hopp has been doing research. (His report follows.)

Things are going to get even more difficult for LIBERTY researchers. Currently under investigation:

There is a law in South Dakota making it illegal for a woman over fifty to speak to a man over twenty outdoors.

In Kentucky a ruling says: "No female shall appear in a bathing suit on any highway within this State unless she is escorted by at least two officers or unless she be armed with a club." Later it was amended: "The provisions of this statute shall not apply to females weighing less than 90 pounds nor exceeding 200 pounds; nor shall it apply to female horses." Honest!

A girl in Dyersburg, Tennessee, may not legally telephone a man and ask him for a date.

You cannot wear suspenders in Nogales, Arizona.

In the town of Foster, Rhode Island, there is a law that permits retribution against a dentist who pulls the wrong tooth. He shall have a corresponding tooth extracted by the village blacksmith.

In Rumford, Maine, you mustn't bite your landlord.

In Florida you can get hauled in for taking a bath in a bathtub without wearing a bathing suit of some kind.

In Brooklyn, New York, no donkey can sleep in a bathtub, with or without a bathing suit.

In Chicago you are breaking the law if you take a French poodle to the opera—even if it's a French opera.

In Dadeville, Alabama, you may not legally sleep during church services.

There's a law in Pittsburgh that restrains you from sleeping in the refrigerator.

You may not stand at the bottom of Pacific Street in Bremerton, Washington, and whittle.

In Idaho the legislature passed a law that makes it illegal for a man to present his girl with a box of candy that weighs less than fifty pounds.

Yes, "That's What the Law Says!" according to Nancy Sandrof in the Worcester (Massachusetts) *Sunday Telegram*, November 19, 1961.

As for us, we're not sure. But we will be soon; Mr. Morgan is on Nancy's trail. You see, Nancy also said that in Roderfield, West Virginia, only babies may ride in baby carriages. And you mustn't sneeze on a West Virginia train, Sunday or no Sunday!

Which is where we came in.

ROLAND R. HEGSTAD

TO SNEEZE OR NOT TO SNEEZE— THAT IS THE QUESTION

KENNETH H. HOPP

WHEN the editor asked me to investigate whether sneezing on Sunday is a statutory offense in West Virginia, I paced the floor for a few minutes—this can be impressive if properly done—turning over in my mind the different possibilities. The editor's informant might not have been using the term "statutory" properly. He might have included a violation of some city ordinance in the term. I suggested that the editor write the informant to obtain all the information he had, to see if it might mean something to my more experienced eye.

(This delaying tactic is something a lawyer often utilizes. If he doesn't have an answer that is both prompt and reasonably accurate, he probes until he comes across information the client doesn't readily have. Then he asks the client to get it. This gives the lawyer time to take a quick look at the books. An air of omniscience *must* be maintained.)

Conceivably someone in the attorney general's office had heard of such a case. Write and find out.

Phrasing my letter carefully, to uphold the dignity of a proud profession—not an easy task in this instance—I asked the attorney general of the State of West Virginia if he or anyone in his office had ever heard of anyone being convicted for the heinous offense of sneezing on Sunday. If so, please furnish all the particulars.

The matter was handled with the utmost delicacy in the attorney general's office. I received no answer.

Research requires imagination. To illustrate, what some might consider to be a sneeze, others might call a cough, or vice versa. I put both words on a list. Forbearing to follow up with the expressions "snort" and "splutter," I remembered that sneezes and coughs were means of spreading diseases. "Diseases" and "communicable diseases" went down on my list. These would be the responsibility of specific officers, so I added "health," "health officer," and "department of health." Taking another slant on the matter, I listed "Sunday," "Sabbath," and "Lord's day" for investigation.

But suppose an imaginative justice of the peace had applied a "disturbing the peace" law to a hearty sneeze that had awakened him during a sermon? "Disturbing the peace" went on the list.

Armed with the list and grim determination, I invaded the extensive precincts of the law section of the Library of Congress. I turned first to the West Virginia Code, with its supplements. No results. Climbing two flights of stairs, I looked at the West Virginia Reports. The digest to these reports includes as well the reports of the Supreme Court of Appeals of Virginia. Once again, no results. Citizens of Virginia will be pleased to know that no decision of its highest court has declared sneezing on Sunday to be a criminal offense. Michie's *Virginia and West Virginia Jurisprudence* was similarly barren. Now for the session laws, the volumes in which the efforts of successive legislatures are published.

Beginning with a fresh volume of the 1961 legislation I worked my way steadily backward. Although my attention was primarily on the subjects I had listed, I found other interesting tidbits. During World War II the State senate passed a resolution extending its best wishes to its clerk on the occasion of his entry into the armed forces. During the depression several cities and counties were given special borrowing power to enable them to meet their bills. The labor shortage during World War I was met by a law making it an offense not to be gainfully employed.

The books got older, dustier, and more dilapidated. Fortunately, they also got thinner. Mention of automobiles was replaced by mention of horses and mules. At



A. DEVANEY

Is sneezing on Sunday a statutory offense in West Virginia?

last I reached the time of the Civil War and found certain references to that dread conflict. The last volume was about the acts of the legislature of *Virginia*, not West Virginia, and among other things, gave consent to the erection of a new State in the western counties. As this act was dated at a time when Virginia was far from willing to do anything of the sort, I suspect that it was adopted by a rump session of representatives of those western counties who wanted no part of the Confederate States of America.

But in all this vast material there was not one mention of a law that made it unlawful to sneeze on Sunday, or any other day, in West Virginia.

In the meantime the reply from our informant proved something less than helpful. The information came from an article in a magazine of limited circulation, name not certain, inadequately indexed. Feeling that it was most unlikely that the author had turned up anything I had missed, I pursued the matter no further.

Those of our readers who live in West Virginia, who have been restraining themselves since the November-December issue of 1961, can relax now. It *is* legal to sneeze in West Virginia on Sunday. ★★★



"I Paul, a prisoner for the Lord's sake," he wrote to the churches from a dungeon, "entreat you to live up to your calling. Find your strength in the Lord." He did. Five times he received thirty-nine strokes—but let him tell it: "Three times I have been beaten with rods; once I was stoned; three times I have been shipwrecked, and for twenty-four hours I was adrift on the open sea. I have been constantly on the road; I have met dangers from rivers, dangers from robbers, dangers from my fellow-countrymen, dangers from foreigners, dangers in towns, dangers in the country, dangers at sea, dangers from false friends. I have toiled and drudged, I have often gone without sleep; hungry and thirsty, I have often gone fasting; and I have suffered from cold and exposure." So we see him, once the persecutor, now the persecuted, in a dungeon writing epistles to the churches that emphasize, not incidentally, that God does not approve the use of civil power to enforce His will.*

* *The New English Bible*, New Testament. © The Delegates of the Oxford University Press and the Syndics of the Cambridge University Press 1961.

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LETTERS

LIBERTY FOR BIRTHDAY PRESENT

DEAR SIR:

For a birthday (seventy-fifth) present for my very dear mother I should like a subscription of LIBERTY for one year. I was not aware that she was not feeling able to order her favorite magazines, and this is one.

I haven't read your magazine for years until just recently—maybe this is a selfish motive, so I can read it secondly.—MRS. HELEN WEINBERG, *Los Angeles, California*.

LOOK AND JUDGE

DEAR SIR:

I ran across a copy of your magazine in a doctor's office. I was tremendously impressed by the "Letters to the Editors" page; I liked your ability to let people look and judge for themselves. It is notable that with a high order of truth (as your magazine seems to foster in its articles) letters containing great criticisms usually indicate a level of uncertainty. . . . Very interesting reading.—FRANK C. METCALF, *Sebastopol, California*.

THE BILL OF RIGHTS

DEAR SIR:

Dean Russell's article entitled "The Bill of Rights," which appeared in the July-August, 1962, issue of LIBERTY magazine, is in my opinion one of the finest treatises on the subject that has been written in this generation. The substance of this article should be effectively communicated to every American citizen, that he may use his eyes to see the dangers inherent in a socialized, centralized, paternalistic government before he needs them for weeping over his passive forfeiture of his natural rights and human liberties.

I should very much appreciate the permission of the author and of the Review and Herald Publishing Association to utilize this material in every possible manner to effectively bring this important message to the members of my profession and to the citizens of my community.—ALFRED W. DIBB, *Huntington Park, California*.

PETER ZENGER

GENTLEMEN:

I was overjoyed to see your articles on John Peter Zenger and freedom of the press. I was intensely interested in the first article in your magazine, "Extra! Read All About It!" and wondered whether I might have permission to reproduce it in a promotional advertisement that would appear in this newspaper [*The Free Press*].

I always enjoy reading LIBERTY, but this particular edition is one I shall keep in my files, along with one or two others that already rest there.

May I congratulate you on the publication of "St. Paul and the First Amendment." It was excellent.—ROBIN TIBBETS, *Colorado Springs, Colorado*.

LIBERTY OR SLAVERY

SIR:

Your high-sounding [Declaration of Principles] looks good on the surface, but it hides a very basic fallacy.

You affirm, on the one hand, a belief in God and in the religious principles upon which this country was founded. On the other hand, in practice, you completely close out the Creator from American life. All that the Constitution prohibits is the establishment of a state religion. Practically every American will agree upon this.

Your magazine, however, contains a blind spot that you seem entirely unable to look around. You would banish religion completely from the American schools. . . .

Your magazine's credo that no child in the public schools should be taught in those schools anything about the Creator and the Creator's rule for the living of human life and the resultant absence of such teachings in the American public schools is responsible almost entirely for the condition of American life today and the juvenile delinquency and disrespect for all authority, which is prevalent in our time. . . .

Although your magazine seems to indicate that it supports religion, the practical effect of the fallacy upon which your magazine seems to be founded is the creation of a nonreligious society—a society of materialists, agnostics, or atheists. The natural result is the development of socialism and Communism among the American people instead of the patriotic and religious society under which this nation was founded at its start and enjoyed its greatest development.

Not only do you keep God out of the mind of the children in the public schools and the young generation but you would even deny the church-affiliated schools the right to the cost of secular textbooks . . . and those appurtenances to education that have nothing whatever to do with the teaching of religion. Thereby, although your magazine seems on the surface to support religion, in fact and in truth, it covertly and cleverly does away with religion and discriminates against those who would be educated in the tradition of their forefathers and who would have inculcated in them, but for you and others like you, the basic principles of the love of God and of country and of their fellow human beings. This you do although professing belief in the golden rule, which in turn is derived from belief in God whose essence is love and on which basis the golden rule comes forth. . . .

Your magazine should really be entitled "Slavery" for this is the program set up by your magazine. It is taking from the younger generation of America the only liberty they might ever have, their faith and belief in their Creator and adherence to His laws and the belief in the fact that this country was dedicated to Him and in Him this country trusts.

When you would take out of all education the knowledge of the Divine Being and when you would endeavor by indirection to close the schools where these principles are taught you are doing an enormously great disservice both to your God and your country.

I respectfully urge that some enlightened and inspired member of the magazine staff will, with the aid of the Divine Spirit, reverse this dangerous and unwise program and that your magazine so changed will merit its title LIBERTY and will truly advance the principles of patriotism and religion in this country, which our nation needs now as never before.—M. B. REDDINGTON, *Indianapolis 4, Indiana*.

{Do the editors of LIBERTY really close out the Creator from American life? And take away from our youth their faith and belief in their Creator? Far from it. We contend for a more vital Christian witness. We believe that the

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DONALD F.
HAYNES

Let George Do It? **Let's NOT!**

GEORGE is a good fellow, no doubt, and we can't, nor do we want to, nor could we if we wanted to, get along without him. But there are some things George simply can't do, for all his talents and faithfulness.

George cannot cast our vote.

Every election year a sizable—altogether too sizable—fraction of the adult population of the United States lets George do it at the polls. And the result is, it isn't done at all, or it isn't done as well as it might be done if we did it ourselves.

Inept or crooked men get into office, and they tend to stay there as we let George do it in the voting booth.

In a way, we don't have the right to fail to exercise the vote for which we may be qualified. Yes, it belongs

to us. And it is our own business whether we vote or not. No one will deny these facts. But there is another fact that should also be considered. The vote belongs also to the oncoming generation of Americans. If we fail to use it, or if we misuse it, we are betraying them and defrauding them of part of their natural freeborn American birthright—the kind of America we could have, and we should have, turned over to them, and didn't, simply because we let George do it.

The Christian's vote also belongs to God. It is one of those things he does to the glory of God. So there is an element of defrauding God in this business of letting George do our voting.

George is a good fellow, as I said, and we can't get along without him. But on election day, let's not let George do it! Let's do it ourselves! ★★★



If we are to guard vigilantly our heritage of freedom, we must know first how it was obtained.

For Thanksgiving meditation—

LEST WE FORGET

MERLIN L. NEFF, Ph.D.

A chapter from *Our Heritage of Faith* *

IF YOU could give your children one gift that they would treasure through life, what would it be? Money? Fame? Success? Education? No, the greatest gift that a generation can give to its sons and daughters is freedom. This is our inheritance, won by bloodshed and battle, and preserved for us by sacrifice, sweat, and tears.

In this nation, spreading from the rocky coast of Maine to the warm sands of Southern California, there is freedom of speech, freedom of assembly, and freedom of worship. The leaders of our commonwealth desire every citizen to have freedom from fear and freedom from want. However, the job of preserving American democracy rests upon each one of us; we cannot shift the responsibility to our neighbors and friends. James Bryce declared, "No government demands so much from the citizens as democracy, and none gives so much back."

*Copyright, 1962, by Pacific Press Publishing Association, Mountain View, California. "Lest We Forget" appears in volume 1, as a portion of chapter two and is titled "Faith and Freedom."

If we are to guard vigilantly our heritage of freedom, we must know first how it was obtained. The story begins with the colonists who came to the New World in the seventeenth century. They had no security in warm houses, stable government, or wealth; but a living faith in God and a burning hope for the future sustained them in the bitter struggle for survival. It was this inner strength that helped them build a nation. . . .

Captain John Smith, intrepid in danger and courageous under hardship, described some of the problems of the Jamestown Colony of Virginia in these words: "As yet we had no houses to cover us, our tents were rotten, and our cabins worse than nought." Sometimes the settlers built crude huts, and again they burrowed into the earth to make shelters against the severe cold. Disaster hovered near, for insufficient food, poor water, and hostile Indians made life miserable. Two and a half years after the landing in Virginia, the population had dropped from 500 to 60. It was only by the narrowest margin that the colony survived. In spite of their trouble and the greedy materialism of many in the group, Captain Smith asserted that it was their first duty to "preach, baptize into the Christian religion, and by the propagation of the gospel to recover out of the arms of the devil a number of poor and miserable souls wrapped up unto death in almost invincible ignorance."

THE BUSINESS OF CONQUERING the wilderness demanded iron will, physical endurance, and unwavering faith. The pioneers built rude cabins in the forest, cut down trees to get farm land, risked savage attack from Indians, faced hunger and starvation, and still dreamed of a secure future. And at their side stood the wife and mother, ready to suffer loneliness, privation, and possibly death on the bleak frontier. "We are apt to think of the men who bore these hardships as stout and tough," declared President C. W. Eliot, of Harvard University. "But what of the tenderer women? Generations of them cooked, carried water, washed and made clothes, bore children in lonely peril, and tried to bring them up safely through all sorts of physical exposure without medical or surgical help, lived themselves in terror of savages, in terror of the wilderness, and under the burden of a sad and cruel creed, and sank at last into nameless graves, without any vision of the grateful days when millions of their descendants should rise up and call them blessed."

Some of the colonists came to America to escape the tyranny of their rulers. Seeking absolute power, James I of England objected to the Separatists, a group of sincere Christians who desired to worship God as they chose. Before the Hampton Court Conference he said, "I will make them conform, or I will harry them out of the land." Some of the sturdy souls from the congregation of English Separatists at the village of Scrooby went to Holland with their pastor, John Robinson. Here they lived at peace for twelve years; but, as they hoped to



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JOHN STEEL, ARTIST

← The first Thanksgiving Day in America was celebrated by the Pilgrims in the midst of hunger, dread, disease, and hostile savages.

→ Brought to trial for his devotion to religious liberty, Roger Williams was convicted and sentenced to expulsion from the colony.

keep their children free from other cultural, social, and religious influences, they looked toward a new refuge across the bleak Atlantic. They were the first group, united in purpose, to sail to the New World to find a new way of life. Others before them had come to exploit the wealth of the land or to seek a short route to the fabulous East.

The Pilgrims Sail for America

AFTER TWO UNSUCCESSFUL STARTS, on September 6, 1620, some one hundred Pilgrims, many with deep religious fervor, set sail in the "Mayflower." It was a perilous voyage in an old ship, and one of the realistic passengers wrote back to a friend in England, saying, "If ever we make a plantation, God works a 'mirakle.'" . . .

When the "Mayflower," after a treacherous voyage of sixty-seven days, anchored off the New England coast on a wintry November day, the colonists went ashore to face a savage wilderness and the cruelty of the elements. Before they landed, however, they had prepared and signed an important document, the Mayflower Compact, which has been hailed as a charter of freedom. By the Mayflower Compact the settlers formed a "civil body politic," each signer pledging to submit to the will of the majority. It was not a statement of independence, but an instrument to preserve order. However, in its day it was a remarkable document, a milestone on the road to democracy. The Pilgrims began to build the first house in the colony on Christmas Day, but the severe blizzards discouraged their efforts. The delay in getting warm and adequate shelter brought on an epidemic of sickness that caused the strongest soul to quake. . . . "What could now sustain them," Governor William Bradford wrote, "but the Spirit of God and His grace?" . . .

No wonder it became the custom in early New England to place five grains of corn by each plate at the time of the Thanksgiving feast to remind the later generations of the Pilgrim Fathers' first winter, when food was so scarce that five grains of corn were all that could be doled out to each person. There were days during that bleak winter when only seven persons in the settlement were healthy enough to care for the sick and dying, and by spring almost half of the original group lay in the graveyard on the hill. . . .

Blazing Trails in a New Land

WHEN THE "MIRAKLE" had been accomplished and the colony established, Governor William Bradford summed up the adventures of the colonists in these words: "Thus out of small beginnings greater things have been produced by His hand that made all things of nothing, . . . and as one small candle may light a thousand, so the light here kindled hath shone unto many; yet, in some sort to our whole nation." Today we

The Magnet of Religious Liberty

One of the strongest magnets to draw men from the Old World to America was religious liberty. Samuel Gorton, a Colonial fighter for freedom, described this impelling power in these words, "I yearned for a country where I could be free to worship God according to what the Bible taught me, as God enabled me to understand it. I left my native country to enjoy liberty of conscience in respect to faith toward God, and for no other end."

see the fulfillment of these prophetic words in "our whole nation" stretching across a continent, and in the moral and spiritual influence of "one small candle" of faith and freedom whose light shines around the world!

The pioneers who built America would be amazed to see the anxiety and mental conflicts that haunt their great-grandchildren of today. How could our forefathers cross oceans in flimsy sailing boats, trek over deserts simmering in torturous heat, fight Indians, disease, and hunger,—and through it all keep a firm optimism? Because they had faith in God, faith in their fellow men, and faith in a new country. They built homes, churches, and schools in America because they were certain that life had purpose, and they believed that God would help them reach their goal. . . .

Freedom springs from two sources—man's trust in God and his faith in his fellow men. Democracy springs from faith; tyranny rests on suspicion. Unfortunately many of the seventeenth-century colonists did not have faith in their neighbors who had different religious views. When an intolerant attitude was linked with political power it brought persecution. Many devout men were willing to make sacrifices for their convictions; they were ready to suffer for the right to speak and to worship as their conscience guided them. The most notable example was Roger Williams, who, with his wife Mary, arrived in Boston harbor on the good ship "Lyon" in 1631. They were warmly welcomed, since he was known as a sincere minister of the gospel. Only twenty-eight years of age, Williams had already determined in his heart that he would stand for freedom in matters of religion.

Shortly after settling in the city, Williams was informed by a delegation from the Boston church that he had been "unanimously chosen" to be the minister of their congregation. The former pastor had recently returned to England and this church of the "first families" of Massachusetts was ready to offer the young minister the honor of being their pastor. They were astounded, however, when Roger Williams did not quickly accept the offer. Instead, they heard this brash clergyman say that he could not be pastor of a church that had not separated from the Church of England. Furthermore, he called for a complete separation of church and state, for only thus could there be a pure church. Williams had broken with state churches; he had sought liberty of conscience and freedom of worship in America, and here he would fight to attain it.

He was called to be pastor of the Salem church, but the Puritan leaders were afraid of his teachings, and he took refuge with the Pilgrims at Plymouth Plantation. Here he resided for two years, earning his living by farming and trading with the Indians; he took the gospel to the red men and lived at times with them in their huts. Roger Williams was called back to Salem as pastor of the church, but again the General Court questioned his views because he denounced the church-state relations

and the lack of religious freedom in the colony. The Puritans of the Massachusetts Bay Colony were determined to force all men to believe as the new state decreed. Although these selfsame Puritans had left England because of persecution, they were, ironically enough, ready to employ the same severe methods upon their brethren in the New World when they had the upper hand. Williams dreamed of a day when men should be "emancipated from the thralldom of priestcraft, from the blindness of bigotry, from the cruelties of intolerance."

Brought to trial before the governor and magistrates of the General Court because of his views, Roger Williams was convicted and sentenced to banishment. The governor read the words: "Mr. Williams shall depart out of this jurisdiction within six weeks next ensuing." He shall not "return any more without license from the Court."

Freedom Is Born in Suffering

TROUBLED IN MIND AND SICK in body, the man went home to his wife. How could he leave her now, as she was soon to give birth to their second child? The Court left Williams alone, but warned him not to preach or "draw others to his opinion." When a baby

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JOHN STEEL, ARTIST



TWO WOMEN VISITED a professor of theology at Thessalonica University to explain their understanding of Bible passages. The professor locked his visitors in his office and called the police. The women were sentenced to four months in prison for teaching doctrines not accepted by the Orthodox Church!

In Colombia and Spain a concordat with the Vatican effectively subverts religious liberty and forces public schools to teach the dogmas of the Roman Catholic Church.

In the United States a bill that would write a Christian amendment into the Constitution has gained the backing of several Congressmen. Sunday laws that prohibit "desecration of the Sabbath" are forced upon citizens.

Civil interference with conscience is, of course, not a monopoly of Christian governments. In the Sudan the Moslem holy day, Friday, has been substituted for Sunday as the official weekly holiday. A Roman Catholic priest who wrote a circular protesting the government's action has been sentenced to a twelve-year prison term. The Burmese Government recently made Buddhism the state religion and passed laws that forced citizens to observe Buddhist religious observances (a new government has even more recently rescinded the laws).

These incidents have one thing in common: in one way or another the state has become involved—or in the case of the Christian amendment, is being solicited to become involved—in support of the cause of the church.

THE INVOLVEMENT RAISES certain questions—which I shall formulate in terms common to Christian traditions and answer as one who believes that the Bible is the Word of God. Did God give the state the responsibility of regulating man's relationship to God? Should religion be legislated by civil codes? Is worship a matter of individual conscience? Will God accept obedience forced by law? Is He satisfied with outward conformity where inward piety is lacking?

Supporters of religious legislation justify their position in various ways. "The question has been raised," says the *Catholic Encyclopedia*, "whether it be lawful for the Church, not merely to sentence a delinquent to physical penalties, but itself to inflict these penalties. As to this, it is sufficient to note that the right of the Church to invoke the aid of the civil power to execute her sentences is expressly asserted by Boniface VIII in the Bull 'Unam Sanctam.'"¹

A resolution of the Lord's Day Alliance, a Protestant organization, gives this reason for their pushing Sunday legislation: "Mindful of the fact that the Creator of Life has so directed our ways for the best interests of man and for the glory of God, we are mindful that the observance of the Sabbath Day is the command of God." On this basis church members are urged to "give

Does God Approve the Use of Civil Power to Enforce His Will?

ROLAND R. HEGSTAD

encouragement to the enactment of such legislation as will protect the Lord's Day from commercialism."

The Alliance calls objections of clergymen and other Christian leaders to religious legislation "real cause for alarm."

"There is a small number of ministers and other Christian leaders who . . . feel that we do not have the right to impose our day of worship upon another," writes the editor of the *Lord's Day Leader*, voice of the Alliance. "They state that the observance of worship is a matter of conscience and should be left to our conscience. This group within the Church, even though it is small, gives real cause for alarm. . . ."

IT IS MY CONVICTION, on the contrary, that backers, not opposers, of religious legislation give "real cause for alarm." They give cause for alarm not only because of

¹ R. H. Joyce, "Pope," *The Catholic Encyclopedia*, vol. 12, p. 266.

the sorry record of persecution written by men attempting to conscript citizens for the kingdom of heaven by legislated religion but also because of the ignorance of basic principles of the kingdom revealed by their activity. Those mindful that "the Creator of Life has so directed our ways for the best interests of man and for the glory of God" should remember, first, that *the Creator made man just as free to disobey His precepts as to keep them.*

Man was not created a robot, his mind an electrical circuit wired to respond to ciphers in a prepunched card. He was made a creature of will, able to obey or disobey by exercise of his choice. The capacity to rebel as well as to love was made his. He who by civil law denies man his choice to disobey God's will—or what he thinks is God's will—denies man a right given him by his Creator! Denies him, moreover, exercise of a faculty built into his very being—his will.

When civil government forces conformity to God's will, does God accept the forced allegiance? No! The religious zealot can "get on" a man, dig in legal spurs, and ride him to the altar, but when he gets him there he will find that God will accept neither the man ridden nor the rider. For both fail to bring to the altar that which is indispensable for acceptance—loving obedience that is the consequence of free choice.

GOD IS LOVE and will accept only that obedience that springs from love. Adam was not created able to say only, "I love you I love you I love you I love." He could say also, "I hate you I hate you I hate you I hate." Love

can be appreciated only where the capacity to be unloving exists. The capacity of man both to hate and to love is itself strong argument that the nature of God precludes acceptance of forced allegiance.

Further support for this conclusion is found in the scriptural account of Adam and the Fall. Adam was told that he could eat of every tree in the Garden except one. Access to the forbidden tree was not denied him; no prefabricated mental block inhibited his appetite. Rather the tree stood as a test of voluntary allegiance and love. He could obey or disobey. So long as he exercised his choice not to eat of its fruit, so long as love for God produced voluntary obedience, his worship was acceptable. Allegiance forced by either church or state is unacceptable to God.

THE FUTILITY OF FORCED allegiance is demonstrated also by the nature of the law of God. This law, a transcript of God's character, witnesses that outward conformity is worthless, for it touches not only the outward acts of man, as do human laws, but also man's motives and desires, which human laws cannot do. Explaining the penetrating dimensions of the law, Christ said to those giving lip service to its letter: "Ye have heard that it was said by them of old time, Thou shalt not kill; and whosoever shall kill shall be in danger of the judgment; but I say unto you, That whosoever is angry with his brother without a cause shall be in danger of the judgment. . . ."

"Ye have heard that it was said by them of old time, Thou shalt not commit adultery: but I say unto you,

Adam and Eve were created with the capacity either to obey or disobey God.

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HARRY ANDERSON, ARTIST



That whosoever looketh on a woman to lust after her hath committed adultery with her already in his heart."

The scribes and Pharisees were noted for outward piety unmatched by inward charity. Men saw their pious looks and fine dress. Christ looked into their blighted interiors and pronounced them "whited sepulchres, . . . full of dead men's bones." "Except your righteousness shall exceed the righteousness of the scribes and Pharisees [have an inward dimension], ye shall in no case enter into the kingdom of heaven," He warned.

What else but outward conformity can state-enforced morality produce? It cannot change hearts; all it can do is change acts; and it is out of the heart that worship acceptable to God must come.

After having made man free to sin, that the internal principle of love might work itself out in acts of righteousness unhindered by force—after having made man thus, has God given to any human authority the right to take away that freedom? He has commanded all men everywhere to worship Him and to obey His precepts, but has He ever authorized any man or set of men to *compel others to worship Him*? Has He commanded men to observe the outward conventions of worship without the inward compulsion of love? Quite the contrary; He has described such outward show as "sounding brass, or a tinkling cymbal."

Human legislation can never produce acceptable obedience to the law of God, for the law of God touches belief and motive while civil law can only regulate acts. The very nature of the law of God bears testimony to the futility of forced allegiance.

When Peter drew his sword, the Lord told him to put it up, "for all they that take the sword shall perish with the sword."

STANDARD PUBLISHING COMPANY



Further evidence against God's acceptance of legislated religion is found in the meaning of Calvary. Calvary might be described as the testing ground of the universe. There Lucifer's initial accusation against God was framed as a hypothesis—God's law is unjust and He Himself selfish—and submitted to experimentation. To demonstrate the eternal righteousness and perpetuity of His law, God paid the penalty for its transgression. There at ground zero, when the countdown of the ages had reached its end, the Son of God allowed wicked men to trigger the cruel device we call Calvary. To interrupt the chain reaction of sin, to stop its deadly radiation, He gave His life.

The deadly fallout of sin had written death on every nerve, every tissue, every cell of our bodies. "As by one man sin entered into the world, and death by sin; and so death passed upon all men" (Rom. 5:12). Sin had built up in intensity until it became a critical mass at Calvary. But the Son of God threw His own body across the fury of its chain reaction and forever broke its power.

Until Calvary, some in God's creation were confused by Satan's claims, by his attacks on the government of God and the constitution of heaven. Law was a restriction on liberty—law must be abolished. Everyone should be free to live as he pleased. But at Calvary the destructive power of even an atom of sin—transgression of the law (1 John 3:4)—was forever demonstrated. The immutability of the law was settled. There it was shown that with its existence is bound up the happiness of all the beings He has created. There the Son of God paid man's penalty—"God was in Christ, reconciling the world unto himself."

Having compared the wages of sin and obedience, death and life, the claims of God and the claims of Lucifer, having seen at Calvary the magnitude of God's love contrasted with the malignancy of Lucifer's hate, millions have given, and yet give, the product of free wills freely exercised—the voluntary allegiance of love that alone can delight the heart of God.

Calvary is a scribe in the hand of the Holy Spirit, tracing the principles of God's law upon the conscience and producing obedience that is the consequence of internal principle. Without this inward scribing, efforts to keep the law are useless. No human legislation can produce it, for human laws touch only the actions of man as distinguished from belief; and as we have noted, God will accept acts of righteousness only when they spring from inward principle.

To force men by civil law to serve God is, then, to rob Calvary of its beauty, of its meaning, of its power. Of its beauty: "God so loved the world, that he gave his only begotten Son"; of its meaning: "Whosoever believeth in him should not perish, but have everlasting life"; of its power: "And I, if I be lifted up . . .," said Christ, "will draw all men unto me." To force men by civil law to serve God is to tear down the cross,

symbol of God's justice and mercy, and raise in its place the carnal legalism of man's bigotry and intolerance.

IN THE MINISTRY AND TEACHINGS of Christ are found final arguments against legislated religion, most significant of which is His enunciation on the respective spheres of church and state: "Render therefore unto Caesar the things which are Caesar's and unto God the things that are God's." His spiritual kingdom has a sphere; civil government has a sphere. Rulers are "ordained of God" and are to be obeyed *in their sphere*; that is, when their legislation is confined to the legitimate concerns of civil government. Should their legislation contravene the commands of God, then, "We ought to obey God rather than men" (Acts 5:29).

Christ taught that all men are brothers, sons of one Father, and therefore equal before the law—equal in civil rights. Rulers are servants of their fellow citizens, chosen under God to protect their fellow men in the enjoyment of their rights—one of which is to disobey the law of God if they desire and, ultimately, to suffer the consequences. The civil power of arbitrary force is to compel men who will not be righteous to be at least civil, that men may live together in peace and quietness.

The church, on the other hand, has the mission of changing wicked men by its witness of love into righteous men who reflect the character of Christ. The state compels men to refrain from crime—stealing, murder, perjury, adultery—for only when laws against such are obeyed can men live together in peace and harmony. Men who defy these laws are, in civilized societies, confined or executed. The church by the "sword of the Spirit," the "compulsion" of love, causes men to refrain from sin, brings them into harmony with the very spirit of God's law—Thou shalt not covet (which precedes stealing), thou shalt not hate (which precedes murder), thou shalt not look upon a woman lustfully (which precedes adultery)—in essence, makes them able to "love thy neighbour as thyself."

It is evident that the freedom Christ brings is not freedom *from* His law, but from its *penalty*; not license to *transgress* it, but freedom to *keep* it. True freedom is to live in harmony with God's will as expressed in His law. Fittingly, that law is called a law of liberty, for obedience to it means liberty from sin, guilt, death. The psalmist could sing: "I will walk at liberty: for I seek thy precepts" (Ps. 119:45). It is the work of the church to make men free in a sense the state cannot.

Nowhere does Christ teach that the state is given responsibility for regulating man's relationship to God. The state shares with the church the responsibility of regulating man's relationship to man. The Ten Commandments themselves are divided into two tables, as if to emphasize the demarcation: the first four regulate man's relationship to his Creator (thou shalt not worship other gods, blaspheme, make graven images, break

focus on freedom

Admission of Catholic, Free Church Leaders to House of Lords Urged

Oxford, England.—Admission of Roman Catholic bishops and Free Church leaders to the House of Lords to ensure that the Christianity recognized by the state is not "the Christianity of one denomination only" has been urged by the Reverend David Edwards, managing director and editor of the Student Christian Movement Press.

His plea was made in an address before the annual conference of the Modern Churchmen's Union, a liberal Anglican group. It brought a prompt but friendly protest from the *Church Times*, an Anglo-Catholic publication, which insisted that the Church of England "is not merely a denomination" but the Established Church with a historic role to maintain.

The Archbishops of Canterbury and York and 24 other Anglican bishops hold seats in the House of Lords.

However, Mr. Edwards said that "while some bishops of the Church of England should continue to sit . . . they should be joined by some other Roman Catholic bishops and by representatives of the Church of Scotland and the English Free Churches."

He stressed that "though the Church of England remained the largest religious force in England, the Roman Catholic Church and the Free Churches, in the active support which they received, almost rivaled and together outstripped it."

Another suggestion advanced by Mr. Edwards was that the British Council of Churches "be built up as the normal means of expressing our Christian concern for the problems of our society." He said this should be done by a number of "high-grade appointments" to strengthen the Council's international and social responsibility departments.

Mr. Edwards stressed that "all Christians should be equally entitled to seek to consecrate public life and the precedence of Anglicans should result not from legal privilege, but from the people's instinctive recognition of past and present work."

He said that his suggestions might involve "a measure of disendowment of the Church of England," but in that case, it should "accept New Testament poverty with New Testament meekness." It would be entirely possible, he added, for the Church of England to be related to the state yet free of any legal control in matters of doctrine, worship, and government, and discipline, as in the case of the Scottish Establishment.



To legislate religion is to rob Calvary of its beauty, meaning, and power as the symbol of voluntary love.

the Sabbath); the last six regulate man's relationship to his fellow man (thou shalt honor thy father and mother, thou shalt not kill, steal, lie). Roger Williams, among others, recognized this distinction between the two tables and urged it as reason for separation of church and state in America. It was his contemporaries who, lacking his insight, wrote civil laws concerning Sabbathbreaking, blasphemy, and other "sins," some of which are still retained on our civil statute books.

Christ taught that the tares (the wicked) are to grow with the wheat (the righteous) until the harvest (the judgment). Then God will send His angels to gather out the tares and burn them. The work of separation is not entrusted to man. The reason for denying man this work is evident: man, who cannot see the heart, would by arbitrary force uproot the wheat also.

In particular, Christ taught that His kingdom could

not be advanced by force. When Peter sought to defend his Master by the sword, Jesus pointed to His Father as the Christian's only source of power. "Put up again thy sword into his place: for all they that take the sword [in religious matters] shall perish with the sword."

Arraigned before Pilate, Christ pointed out that the nature of His kingdom made recourse to force impossible. He said, "My kingdom is not of this world: if my kingdom were of this world, then would my servants fight." Every civil law has the power of the sword behind it. If the state has the right to make a law, it has the right to enforce it. Here Christ taught plainly that even in defense of His life, His disciples could not use force.

In denying the church the use of the power of the sword, Jesus, in effect, forbade the church to ask for laws enforcing religious beliefs and practices. Paul understood this when he said, "The weapons of our warfare are not carnal, but mighty through God to the pulling down of strong holds." If Christians are still followers of Christ and if the church is still an organization of Christians, then surely it is time for the church to review her arsenal and discard a few unauthorized weapons picked up off the wrong stockpile sometime during the centuries!

WHY DID GOD NOT SEEK the use of civil power to enforce His law? The answer is plain: For the same reason He did not force obedience to His law by creating man incapable of transgression. Forced obedience is worthless; only the service of love can be accepted by a God of love. Compulsion by civil government could no more please Him than compulsion by spiritual government. By what logic could we conclude that God would accept obedience forced by civil government when He would not accept obedience forced by His own?

SINCE GOD MADE MAN just as free to disobey His precepts as to keep them, since the law of God cannot be satisfied by outward conformity, and since outward conformity is all civil legislation can produce, I believe Christians can best advance the kingdom of God by seeking to write its principles on the hearts of men rather than in the legal code of the state. To legislate religion is to denegate the character of God, reduce His law to the dimension of the letter, rob Calvary of its beauty, meaning, and power as the symbol of voluntary love, and contravene the clear and explicit teaching of the Son of God.

The early church, strong only in the power of God, triumphed grandly even over the opposing forces of false religions upheld by the state. Only when she allied herself with the state, seeking its aid, did she deny her Lord, lose her power, and darken the world into a night of a thousand years.

★★★

Among the freedoms guaranteed in the United States Constitution is the right of each individual to worship God in whatever manner he or she may choose. Indeed, even the right not to worship at all is equally protected. Religious freedom, such as we enjoy, is one of the hallmarks of a free society. Along with other guarantees contained in our Constitution it must be preserved and protected with vigilance and determination.



ALBERT GORE
Senator from Tennessee



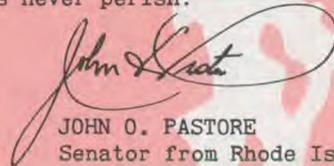
United States

SENATORS SPEAK OUT

for Religious Liberty



Religious liberty is the key to our character as a nation. I represent Rhode Island, the treasure home of tolerance as exemplified by Roger Williams—and eternalized in the thought from Tacitus inscribed in the great marble dome of the Rhode Island State House—"Rare felicity of the times when it is permitted to think as you like and say what you think." May these freedoms never perish.

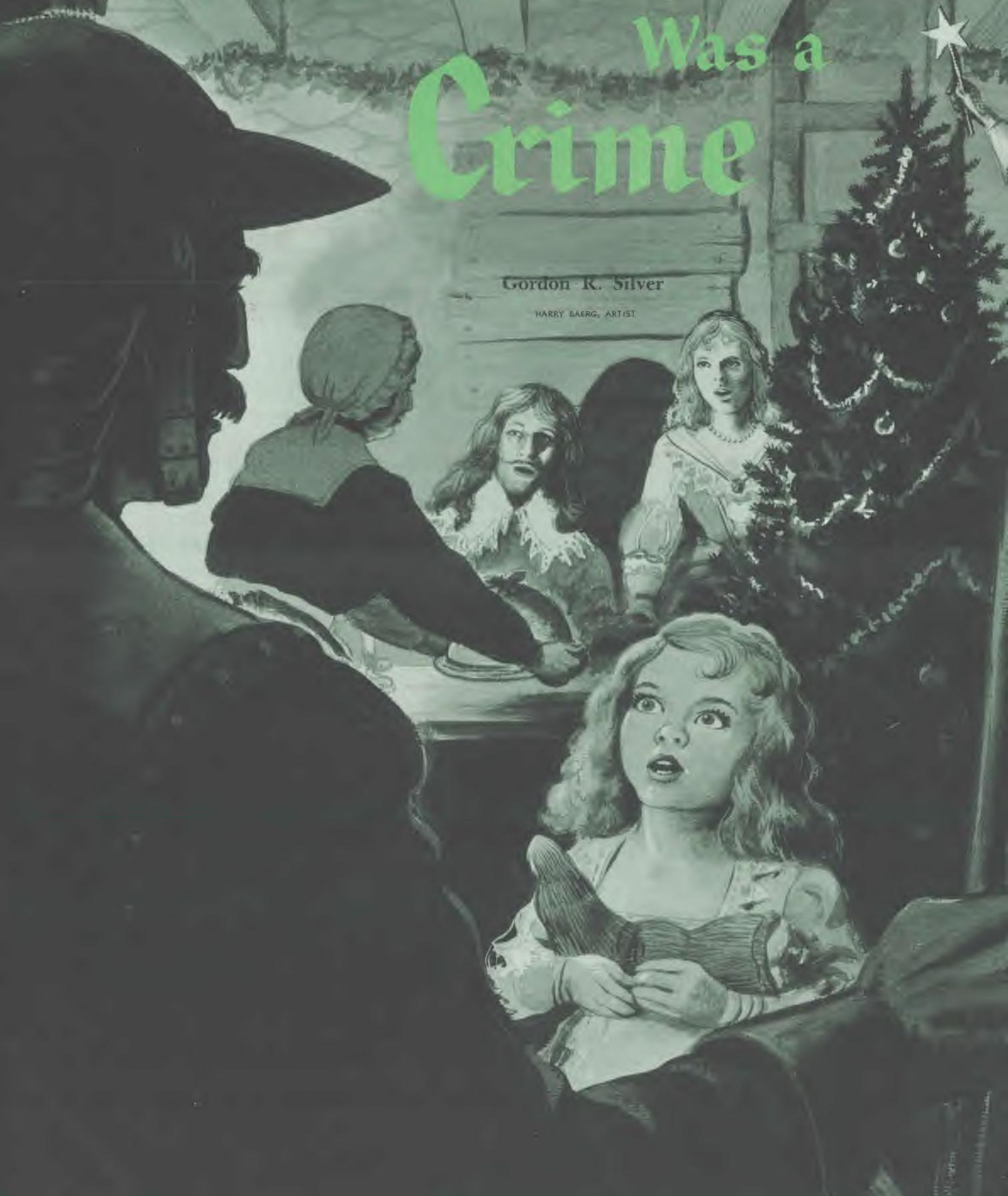


JOHN O. PASTORE
Senator from Rhode Island

When Christmas Was a Crime

Gordon R. Silver

HARRY BAERG, ARTIST



No crosses allowed—no carols, no candles, no gifts!

IT MAY sound incredible, but it is true. The celebration of Christmas, a little more than 300 years ago, was looked upon as a heinous, horrible crime. The happiest holiday of the Christian calendar was actually termed a work of the devil!

This was in Olde England, in the year 1647. The country was seething with unrest. Times were excruciatingly hard and people were scared of their very shadows. Employment was at a low ebb and exorbitant taxes, poor crops and hungry stomachs served but to accent the general discontent. To add to her other troubles, England was in the midst of civil war, with King Charles I and a Puritan Parliament contesting for authority.

During this period, Charles had fruitlessly sought alliances, only to antagonize everybody, until England was torn apart.

The Roundhead army, under Oliver Cromwell, determined that Charles should regain his power only as a figurehead, if at all. In his efforts to regain the crown, Charles and his Royalist friends had waged a futile fight.

In the seven years of their high-handed running of things, the Puritan Parliament had enacted weird and dreaded laws to harass a stunned people. In succession, they sought to suppress every pleasure known to man. They succeeded, too—even to the closing of all theaters, puppet shows and animal races. Boating for pleasure was forbidden and so were all strolling minstrels and players.

In 1644, Parliament had numbed the populace by forbidding the observance of Christmas in churches. Now it was preparing to rear its head and strike again. And so dawned December, 1647—cold, bitter, miserable—and gloom settled over all England. For the Parliament, a few months before, had decided to do away with Christmas everywhere.

Government print shops had been working overtime, making terse announcements. "Hear ye!" read a placard in London Square, "Ye Parliament Fathers have this daye decreed that the Popish holiday known as Christmas shall be celebrated no longer. All wayfarers take heed!"

Beneath—in smaller letters—all were forbidden to light candles, burn Yule logs, accept or give gifts, make mince pies or plum puddings, attend services of any kind, decorate homes or do anything gay. No laughter, music or festivity of any sort was permitted—and Christmas was banned completely. Anyone caught honoring the day would be severely punished.

The populace, grim with rage, openly declared

this was the utmost in stupidity, climaxing the shameful things this Parliament had done. The Royalist press backed them up and came forth loud in its discontent. The Roundhead printers praised the law as very satisfactory. A few daring Royalists had courage enough to print and distribute small pamphlets asking: "Is it a crime to honor Christ on His birthday? If we *must* do away with Christmas, why not do away with England as well?"

Parliament retaliated by jailing many Royalist writers and proclaiming another "bann"—all crucifixes and even plain crosses would be destroyed if found, and any representation of cherubs and angels (a particular Puritan abomination) would also be summarily destroyed.

So it came about that there was little merriment in Merrie Olde England on Christmas morn, 1647. Throughout the land, where Christmas had been looked forward to for centuries with joy and reverence, there was now the deepest gloom and despair.

This was but the beginning. For many years, Christmas was completely "expelled" from England. Charles II tried to revive it to some extent, but Parliament continued to say "Nay!" The Conventicle Act of 1664 rendered illegal religious meetings of five or more persons over the age of 16. A fine of five pounds was imposed for first breach of the law, after that exile to a colonial land.

Many were the devices to escape the stern laws. Many men of God held services in damp cellars and hidden barns. Some households fitted out small rooms for holding makeshift services for themselves and neighbors, and special cupboards and cabinets were made to fit in front of the door when the secret room was not in use. Yes, Christmas was celebrated in England in 1647, but only by very daring souls.

And so passed into the annals of time the darkest December 25th in English history.

In 1667, disorder in Parliament gave Charles II a chance to put into effect a lukewarm policy of some religious tolerance. In 1672 he issued a Declaration of Indulgence in which he granted freedom of private worship to Catholics and freedom of public worship to Protestants. Due to Puritan pressure, this was later canceled.

However, England gradually rediscovered Christmas. Toward the close of the seventeenth century it was made again both a church ceremonial and a home festival. And the people finally realized that nothing could really destroy Christmas—ever.

The Theological Basis for

WINTHROP S. HUDSON

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SEPARATION of church and state has been achieved in most lands only in the face of vigorous ecclesiastical opposition, but this was not true in the United States. In the United States religious freedom, for the most part, was not imposed upon unwilling churches. The larger portion of the American churches did not have independence from the state thrust upon them; they claimed independence for themselves. And they claimed it for good theological reasons.

This is a difficult point for many people to understand. Nathaniel Ward of Ipswich, a century earlier, had found it puzzling, for he believed that a person who "is willing to tolerate any religion . . . either doubts his own or is not sincere in it." Furthermore, it seemed clear to him that anyone who "is willing to tolerate any unsound opinion that his own may be tolerated, though never so sound, will for a need hang God's Bible at the Devil's girdle."¹

There is much to be said for Ward's point of view. Tolerance is often the product of indifference. People are tolerant in those areas in which they have no strong convictions. And religious indifference did contribute to the achievement of religious freedom in America. Benjamin Franklin supported the cause of religious freedom, we may suppose, largely for this reason. A few weeks before his death Franklin responded to an inquiry by President Stiles of Yale concerning his religious faith in this fashion:

As to Jesus of Nazareth . . . I have some doubts as to his Divinity, tho' it is a question I do not dogmatize upon, having never studied it, and think it needless to busy myself with it now, when I expect soon an opportunity of knowing the truth with less trouble. I see no harm, however, in its being believed, if that belief has the good consequences . . . of making his doctrines more respected and better observed.²

We can understand Franklin's attitude. We can understand why he was willing to grant the widest latitude of belief to all men. The puzzling question is why many who were not religiously indifferent were equally ardent in the struggle for religious freedom. The answer to this puzzling question is to be found in some of the basic af-

firmations of the Protestant Reformation and in the peculiar religious history of England and the American colonies.

ERNST TROELTSCH HAS SUGGESTED that the Protestant Reformation, with its profound skepticism of the claims of men and institutions to infallibility, was carried to its logical conclusion by the left-wing Independents (Congregationalists and Baptists) of the Puritan Revolution (1642-1649), for it was then that the great attack was leveled against the concept of a state church. And it was in the United States that the convictions hammered out by the Independent party found their most complete constitutional expression in the adoption of the First Amendment. Elsewhere Protestants had been led to deny the logic of their fundamental assumptions in an effort to preserve the medieval heritage of a state church. In both England and the United States, Protestants were forced by the pressure of events to re-examine the presuppositions upon which their fathers-in-the-faith had proceeded, and they discovered that their "fathers"—in an effort to preserve an imposed religious uniformity—had been involved in a practice which contradicted their fundamental postulates.

The problem which forced this re-examination first appeared in its most acute form in England during the 1640's, and it was in England during these years that the basic theoretical structure for religious freedom was fully elaborated and transmitted through a continuing immigration to the American colonies. Thus the religious freedom which confronted the American churches as a necessity following the winning of independence had long before been transformed, for most of the churches, into a matter of principle. Had it not been so transformed, the necessity might well have been resolved in some other way.

THE DEVELOPING INSISTENCE among English-speaking Protestants upon religious freedom as a basic feature of the divine plan in the life of the world can

¹ From *A Journal of Church and State*, Vol. III, No. 2, November, 1961.

Religious Freedom*



MONKMEYER PRESS PHOTO SERVICE

be approached from several theological convictions. Perhaps the most fruitful approach is to begin with the conviction that Christ alone is the Lord of the church. It is to Christ alone that the church must yield obedience; and to yield obedience to him, the church must be free—free to determine its own life, to define the basis of its membership, to speak God's word of judgment, to sound God's summons to repentance, and to endeavor to shape the life of the total community to its understanding of God's will. In other words, the church must be free to strive, however imperfectly, to be Christ's church. To subject the church to the control and direction of the state, said Roger Williams in a tract which became a major manifesto of the Puritan Revolution,

would be "to pull God and Christ and Spirit out of heaven, and subject them unto natural, sinful, inconstant men, and so consequently to Satan himself, by whom all peoples naturally are guided."³ Samuel Richardson, Baptist preacher and London merchant, put it even more vividly when he declared that a monopoly in religion is as bad as a monopoly in the cloth trade, for to have a monopoly in religion is to have the divine will measured out at the whim and caprice of sinful men who are apt to trim and tailor it to fit their own interests.

THE CHURCH MUST BE FREE, but it must also be limited in power. This was a second conviction which led in the direction of religious freedom. It was freely acknowledged that all men are in bondage to sin and thus subject to the temptation to exalt themselves in rebellion against God. It was for this reason that the leaders of the Independent party insisted that the church must be limited in power. Human nature being what it is, all unchecked power could lead only to a defiance of God. John Cotton stated the point in these words:

Let all the world learn to give mortal man no greater power than they are content they shall use, for use it they will. . . . It is necessary . . . that all power that is on earth be limited, church power or other. . . . It is counted a matter of danger to the state to limit prerogatives, but it is a further danger not to have them limited.⁴

As Cotton implied, the limitation of power is necessary in every area of life, and he proposed to limit the power of the church by denying it political power and by dispersing ecclesiastical power among individual congregations. He did not, however, strike to the heart of the problem, which was the assumption of power by the state to foster and protect religion, after having been informed of its duty by the church. But it was apparent to others that this would not do.

A THIRD CONVICTION which led men to recognize the necessity for religious freedom was the common Protestant conviction that no mortal man and no human institution can be regarded as infallible. John Goodwin put it plainly in 1653 when he said that "our best

Protestant divines" have always held that "even General Councils may err in matters of faith" and that "there is no infallible judge on earth of controversies incident to the Christian religion."⁵

Not even the self-disclosure of God in Scripture, John Calvin had insisted, could be regarded as self-explanatory. The understanding of divine truth is dependent upon the gift of the Holy Spirit, and no one can be absolutely certain of possessing the Spirit. Most of the Reformed *Confessions* had contained some acknowledgment that in their earthly existence Christians know at best "only in part" and must be ready to welcome any new truth that should be made known to them from God's Word. The Scottish *Confession* of 1560 is typical when it states: "If any man will note in this our confession any article or sentence repugnant to God's holy Word," and we "do promise unto him satisfaction from the mouth of God, that is from his holy Scriptures, or else reformation of that which he shall prove amiss." The Particular Baptist *Confession* of 1646 phrased it in this fashion: "We confess that we know but in part and that we are ignorant of many things which we desire and seek to know; and if any shall do us that friendly part to show us from the Word of God that we see not, we shall have cause to be thankful to God and to them."

An element of humility and tentativeness must always be present among Protestants who take this fundamental postulate seriously. This tentativeness was made explicit by Thomas Hooker in a tract which he contributed to the struggle in England during the 1640's. "We doubt not what we practice," he said, "but it's beyond all doubt that all men are liars, and we are in the number of these poor feeble men; either we do or may err, though we do not know it; what we have learned we do profess, and profess still to live that we may learn."⁶ At about the same time, Roger Williams was in England asking this pertinent question of the contending parties: "Since you both profess [in your *Confession of Faith*] to want more light, and that a great light is yet to be expected. . . . we query: How can you [so] profess and [yet] swear to persecute all others as schismatics, heretics, etc. that believe they see a further light?"⁷

In the light of the contradiction posed by Williams, it is not surprising that there was an increasing insistence during the 1640's that the only way God's will could be disclosed and confirmed was through unfettered discussion. One Puritan leader asked: "How can truth appear but by argumentation?"⁸ Another wrote: "We have a proverb that they that find must as well seek where a thing is not as where it is. . . . And this liberty of free disquisition is as great a means to keep the truth as to find it. The running water keeps pure and clear when the standing pool corrupts."⁹ From this fact, John Goodwin drew the conclusion that Christians must "give leave to the wind to blow where it listeth and give liberty to the Spirit of God to do with his own what he pleaseth, and must not confine him . . . to traffic only with councils

and synods" which do and may err.¹⁰ God is no respecter of persons, it was affirmed. Light might break forth from "the meanest of the brethren." Truth might be perceived by any man. Every man, therefore, must be free to be convinced and in turn to convince.

A FINAL CONVICTION which led directly to the notion of religious freedom was the Protestant insistence that all men are summoned to a personally apprehended faith. No implicit faith, no proxy religion, would do. They must believe for themselves. For this reason alone, if no other, there must be no coercion; and membership in any outward, visible, institutional church must be wholly voluntary. If the divine initiative is to be safeguarded, the church can be constituted in no other way. Only by an outwardly uncoerced act of free men could God bring his church into being and only thus can it be perpetuated.

From all these perspectives, it was wrong for the civil power to be utilized to compel a man "to this or that judgment or opinion of faith" or to coerce him into "this or that practice in religion." A person could only be "persuaded, induced by exhortation, example, or such means, and that's all." Quite typical of this point of view, which became dominant in the American colonies, was Oliver Cromwell's response to a complaint by a group of divines concerning the damage that was being done by unlicensed preaching. He told the complaining preachers that they had the remedy at hand, since they had equal freedom to preach. Nor was this reliance upon the power of persuasion alone regarded as a frail reed upon which to depend.

For more than a generation prior to the Puritan Revolution, the Puritan preachers had been largely cut off from state support and had been forced to adopt the extra-legal experiment of becoming "lecturers." With their livelihood dependent upon their ability to secure voluntary contributions from the people, they were wholly dependent upon their powers of persuasion. If they wished to survive, they had "to find means to stir imaginations, wring the hearts of sinners, win souls to the Lord, in other words make themselves heard and felt."¹¹ And so successful had these Puritan preachers been, with no other resources than that of persuasion, that within two generations they had been able to transform the whole moral and spiritual climate of England. The measure of their success is amply evidenced by the tributes of their opponents. Thomas Fuller quaintly observed: "What won them most repute was their minister's painful preaching in populous places"; while John Selden commented wryly: "The lecturers are friars, and they stole the people's hearts away from the clergy and also took away their money."

THE FUNDAMENTAL INTENTION of all these men was that the commonwealth should be shaped to fit the design of the church rather than the reverse. They

sought a holy commonwealth, but they were ecclesiastical architects first and political architects second. The ecclesiastical structure preceded and determined the political structure. The latter must be ordered that the church may be free and voluntary and at the same time limited in power. "It is better," said John Cotton, "that the commonwealth be fashioned to the setting forth of God's house, which is his church, than accommodate the church to the civil state,"¹² and with this statement every participant in the Puritan struggle would have agreed. Important as were political issues, they yielded always to the prior consideration of Christian obedience. Far removed as we are from the days of constitution making, we are accustomed to think of the status of the church in the United States as being determined by the political order within which it exists, the more so because we no longer think of politics in theological terms. But we should not make the mistake of reading our attitude back to a former time by suggesting that the separation of church and state was simply the product of an unhappy compromise made necessary by the existence of religious diversity. We ought to remember that there are good theological supports for the freedom we presently enjoy. And we also ought to remember that the diversity was allowed to develop in the first place because our forefathers found it impossible to take active measures to suppress dissent without a lurking sense of guilt as their involved casuistry makes clearly apparent.

Their concern was to be obedient Christians, and Sidrach Simpson summed up the basic implications of this concern when he insisted that this made it necessary for people to be free to profess and practice as they were led to believe. The thing that had hindered obedience more than anything else, he asserted, "has been the desire of uniformity. . . . Uniformity is to be desired, but it never was in any church. Nor will it be in this life, for God gives graces diversely." Since "Christ hath sons of diverse sizes," he said, allowance must be made for this fact. "If you cannot endure the children at the table or the cry of little ones amongst you, if complaints and differences of tender consciences who cannot do as you do cannot be borne [within your own church fellowship], allow them yet to be together in some nursery."¹³



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1887

Seventy-five years ago

ONEROUS OVERHEAD.—Still-smoldering fires of religious intolerance broke into flame recently when, as *Time* reported, Wesley Ezell, 38, of Owensboro, Kentucky, "was fined \$2 and \$11.50 court costs under an old law forbidding 'willfully and wrongfully working on the Christian Sabbath.'"

1912

Fifty years ago

WAS IST LOS?—A Pennsylvania coal company has issued orders to remove all persons working in their mines who are unable to speak the English language. This is because serious accidents frequently occur through the inability of the workmen to understand English orders.

1927

Thirty-five years ago

PLAGUE PREDICTED.—"We find organizations among religious denominations that for generations have preached the complete separation of church and state, that have denied the right of any church to meddle with politics and legislation—we find these organizations plunging into politics up to the neck, and trying not only to influence economic legislation but to manage our foreign affairs. They are creating a precedent that will come back to plague them."—*Signs of the Times*, March 22, 1927.

1926

Thirty-six years ago

GOLDEN AGE.—The year 1926 saw more gold pile up in the United States than has even been seen before in all the world's history. The total income of the people reached \$89,682,000,000, which is a per capita of \$770. No other nation in the world has ever approximated this figure.

1952

Ten years ago

VOICE OF AMERICA.—The Voice of America is attempting to picture the United States as a religious nation with religious foundations, Roger Lyons, the Voice's director of religious programming, said in New York. According to Mr. Lyons the Voice of America handles the subject of religion in two ways: first, "by emphasizing the vital civil right of freedom of religion" and second, "by reflecting the importance of the spiritual factors of American life."

Background for the Vatican council. Fifth in a series.

The Fateful Moment

For hundreds of years a "civil war" raged within the Roman Catholic Church. The climax came on July 18, 1870.

V. NORSKOV OLSEN

President, Newbold College, England

HE IS Lucifer, anathema, anathema!' Others: 'He is another Luther, let him be cast out!' And all cried out, 'Come down, come down.' But he kept on saying: 'I protest, I protest,' and came down."¹ These dramatic words were shouted, not at a Protestant, but at Catholic Bishop Strossmayer during a session of the 1870 Vatican council. The bishop was protesting that statement in the Syllabus of Errors that ascribes to Protestantism all the errors of rationalism, pantheism, and atheism.

This scene was characteristic of many during the council, especially when the dogma of infallibility was debated. The dogma was strenuously opposed by many of the most illustrious and learned scholars and prelates of the Roman Catholic Church, but no weight of learning or character could avail against the determination of the Jesuits, that "aggressive and insolent faction," as even Cardinal Newman called them, to force the dogma upon the church.

The Vatican council was in no sense universal. It was a council of the Roman Catholic Church alone, and it was not truly representative even of that section of Christendom, for the council was packed with Italians and others whose votes the pope could depend upon. Of the 541 representatives from Europe, Italy was represented by 276, or eleven more than the rest of Europe. The little kingdom of Naples had sixty-five representatives compared with only forty-one from Catholic

Spain. From Germany came fourteen, while the little island of Sardinia was represented by twenty-five. George Salmon in his work *The Infallibility of the Church*, which *The Catholic Encyclopedia* has called the cleverest—it may be added, "unanswerable"—modern attack on the Roman Catholic position, comments:

There was no fair representation of bishops. In the first place, the assembly included some three hundred titular bishops—bishops not presiding over any real sees, but holding mere titles of honour given them by the Pope, or else missionary bishops deriving their titles from places where there were few or no Christian congregations. . . . The twelve millions of Roman Catholics in Germany proper were represented at the Council by fourteen bishops; the seven hundred thousand inhabitants of the Papal States by sixty-two; three bishops of the minority—Cologne, Paris, and Cambay—represented five million; and these might be outvoted by any four of the seventy Neapolitan and Sicilian bishops."²

The verbal vote was taken on July 13, 1870. Four hundred fifty-one voted in the affirmative, sixty-two accepted the principle but did not agree to details, eighty-eight voted against, and Cardinal Newman states that more than seventy-six abstained from voting. There was no unanimous agreement on the vital dogma of infallibility. The numerical strength of those in opposition is great in the light of the unequal representation.

Two days later Darboy, the archbishop of Paris, led a deputation to the pope. It is said that Bishop Ketteler

of Mainz threw himself on his knees at the pope's feet and with tears in his eyes begged: "Good Father, save us, and save the Church of God!"³ But it was all in vain. The day before the final vote fifty-six bishops wrote to the pope confirming their opposition, stating that they would stay away at the final session, and "sixty additional members of the opposition departed from Rome."⁴

The fateful moment arrived on July 18, 1870. In spite of all opposition the dogma of infallibility was passed with only two votes against it. Some of the most outstanding prelates, theologians, and historians among the Roman Catholics had been in opposition. Most of those men, who had given the soundest theological and most authentic historical proofs against the dogma of infallibility, later submitted.

Johann Ignaz von Döllinger, the most learned German Roman Catholic of his day, predicted that if the doctrine of infallibility was decreed "it would present an incalculably weak point to the separated Churches—the Graeco-Russian and the Protestant. So far as can be foreseen, the whole controversy, as it has hitherto been carried on against the Catholic doctrine and Church, would concentrate itself more and more on this one doctrine."⁵

Many of the most outstanding men of the Roman Catholic Church had been in opposition to the dogma, but Döllinger was among the few who did not submit later on and thus did not sacrifice his honesty and intellect to the autocracy of the Papacy. Said he: "As Christian, as theologian, as historian, as citizen, I cannot accept this doctrine."⁶

Thinking of those who later submitted to the autocracy of the Papacy, and thus sacrificed their honesty and intellect, the German historian Philip Schaff wrote: "This submission is an instructive lesson of the fearful spiritual despotism of the Papacy, which overrules the stubborn facts of history and the sacred claims of individual conscience. For the facts so clearly and forcibly brought out before and during the Council by such men as Kenrich, Hefele, Ranscher, Maret, Schwarzenberg, and Dupanloup, have not changed, and can never be undone. On the one hand we find the results of a life-long, conscientious, and thorough study of the most learned divines of the Roman Church, on the other ignorance, prejudice, perversion, and defiance of Scripture and tradition; on the one hand we have history shaping theology, on the other theology ignoring or changing history; on the one hand the just exercise of reason, on the other blind submission, which destroys reason and conscience."⁷

The tragic submission of most of those who had opposed the doctrine of infallibility brings a caution to the present-day dialog between Protestants and Roman Catholics. In recent discussions both Protestants and Roman Catholics have expressed hope that those views of religious liberty and church-state relationship that

may be styled the unofficial Roman Catholic views may become the official view. But few on either side, in the light of the 1870 Vatican council, entertain serious hopes of dramatic changes in the Roman Church's attitude toward involvement in affairs of state and the right of an individual to practice and promulgate religious convictions. The dialog will be the subject of another article.

From Boniface VIII

It now will be profitable and necessary to consider the "Revolution" of 1870 in the light of the papal struggle for supremacy from Pope Boniface VIII (1294-1303) to the time of the Reformation. The developments during these years should be of the greatest interest for those Roman Catholics who hold the unofficial Roman Catholic views of religious liberty and church-state relationships.

Boniface VIII had been as one just about to place the crowning tower on a great edifice, only to find the walls of the vast structure crashing beneath him. His pontificate marked the highest medieval claim for papal supremacy, but also the beginning of a series of reactions against the universal jurisdiction of the pope. These reactions arose both in the church and the states of Western Europe, and to a very large degree these reactions developed into the Reformation of the sixteenth century.

The tragic history of the Papacy after the pontificate of Boniface VIII testifies to the fact that the papal claim for universal supremacy always became its Achilles' heel. During the short periods when the papal ideal seemed to triumph and the popes actually exercised universal supremacy, they always committed the future to a policy that seemed destined to sweep away the Papacy. The mingling of temporal supremacy with spiritual supremacy inevitably prejudiced the spiritual authority. To this may be added that the popes in their temporal rulership, generally speaking, did not show evidence of superiority to that of the secular rulers. The same principle may be applied to the Protestant pulpit in the United States when the minister preaches as if he knew better how to run the state than the President or the Secretary of State.

The effects of the collapse of papal supremacy at the close of Pope Boniface VIII's pontificate were apparent. In 1305 the archbishop of Bordeaux was chosen as pope and took the name of Clement V. Clement never crossed the Alps, and in 1309 he moved the papal court from Rome to Avignon, a city along the river Rhone. Here the papal court remained until 1377. This period has been called the Babylonish captivity of the Papacy, because the period nearly equaled the seventy years of exile which the Jews had in Babylon. In 1378 began the papal schism which lasted until 1417. During these years there were two series of popes, one at Rome and the other at Avignon, each duly elected, but each with

cardinals under reciprocal excommunication. One part of Europe adhered to Rome, the other to Avignon. In 1409 cardinals from the two papal courts met at the Council of Pisa to elect a new pope instead of the two rival popes. The new pope took the name Alexander V, and set up court at Bologna. Neither of the two other popes would resign, thus there were now three duly elected popes, each with his own papal court and cardinals. The European nations were divided in allegiance among the three papal courts, where each of the rival popes was proclaiming eternal condemnation over his rivals. The whole of Christendom was really under ban, since each of the popes excommunicated the other two and their followers. This situation lasted until the Council of Constance, 1414-1418. Indeed, the papal claim for universal supremacy always became its Achilles' heel. The Babylonian captivity and the Great Schism made null the idea of a living infallible guide or the doctrine of the incarnated Peter in each pope.

Supporters and Opponents

The papal apologists and opponents can be divided into four groups." The first group are "those who stood forth as champions of the sweeping claims of the medieval Pope as a general proposition, but who were personally hostile to Boniface VIII." Second, "those unqualified supporters of Boniface VIII in his adherence to the position taken by Gregory VII and Innocent III and also in his course of action." Third, may be mentioned "the oligarchical party, who sought to change the Papal constitution by placing sovereign power in the college of cardinals." Finally, "the conciliar-episcopal party, who defended the supremacy of a general council over the Pope and sought to increase the prerogatives and powers of the bishops." Flick says: "A study of the arguments advanced by these four parties shows that they may be reduced to two general factions, namely, the supporters of the Papal theory, and the opponents of the fundamental Papal claims, who sought to locate the sovereignty of the Church in some other ecclesiastical body and not in the state."⁹

The "civil war" that was fought at the Vatican council was a decisive battle in that larger "war" that had gone on for several centuries between the papalist party and the conciliarists. The latter sought to transform the Papacy from an absolute monarchy or totalitarian system into a constitutional monarchy or a system, where the power was not seated in one person but in a group of men, as for example, the bishops and cardinals. For the conciliarists the highest authority would then be a general council composed of delegates duly elected and rightly representative of the whole Christendom. The work of the Conciliar Movement is the most important aspect of ecclesiastical history of the fifteenth century.

The idea of a general council as the best means of bringing to an end the papal schism won more and

more favor. A council was called to meet in Pisa in 1409. The council failed in regard to the purpose for which it is was called—instead of two popes there were now three. But the council was unique in the fact that it was the first time a council had been called by the cardinals.

Another council was called by Emperor Sigismund to meet at Constance in A.D. 1414, and he "solemnly invited all Prelates, Princes, Lords, and Doctors of Christendom to attend."¹⁰

This council dismissed the three and elected a new pope, Martin V.

Early during the council the following decree was enacted:

"This holy Council of Constance . . . declares, first that it is lawfully assembled in the Holy Spirit, that it constitutes a General Council, representing the Catholic Church, and that therefore it has its authority immediately from Christ; and that all men, of every rank and condition, including the Pope himself, is bound to obey it in matters concerning the Faith, the abolition of the schism, and the reformation of the Church of God in its head and its members. Secondly it declares that anyone, of any rank and condition, who shall contumaciously refuse to obey the orders, decrees, statutes or instructions, made or to be made by this holy Council, or by any other lawfully assembled general council . . . shall, unless he comes to a right frame of mind, be subjected to fitting penance and punished appropriately; and, if need be, recourse shall be had to the other sanctions of the law."¹¹

This decree and the decisions made and the judgments passed, carry the "evidence that it was the mind of the council that not only this particular Council of Constance but the General Council as such is the pope's superior."¹² Accordingly, "The proceedings at Constance are a full and comprehensive rebuttal of the Vatican Decrees that the Pope is placed over the universal Church, that there is no superior authority, and that it is unlawful to appeal from his judgments to an Oecumenical Council as to a higher authority."¹³

The Council at Constance had healed the schism. It had been a victory for the Conciliar Movement, but it should now be noticed how the pope and the papalist party sought to undo the conciliar idea of the Council of Constance.

The Battle Lost

The reform that Pope Martin V had promised to carry out he did not pay attention to. Under great pressure and very much against his will he was compelled to call a council to meet at Basel in 1431. Martin V died that year and his successor was Eugene IV. "His pontificate was chiefly occupied with the attempt to assert the supremacy of the papacy against the conciliar theory." The Council at Basel "was turned into a constitutional battle over papal absolutism and conciliar supremacy. This battle was fought with the pen as well as in debate."¹⁴

To page 28

as the editors see it



DIGNITY OF THE HUMAN BEING IS BASIS FOR MANY FREEDOMS

THE FOUNDING FATHERS of this nation had a passionate belief in the dignity and worth of the individual.

It was upon this belief that they built.

And it was to insure against the undermining of this firm foundation that they embedded certain freedoms of the people in the Bill of Rights.

Hard by the first stake—the right to worship God in one's own way—they drove into the bedrock of America:

The right of free speech and freedom of the press. . . .

The right of the people to assemble peaceably. . . .

The right to petition the government for redress of grievances. . . .

THESE ARE HEADY FREEDOMS, indeed. But the proper recognition and use of them is essential, if representative government is to be more than a lofty, but empty, ideal.

It is a measure of their confidence, as well as their faith, in the dignity and worth of the individual, that the Founding Fathers proclaimed these rights . . . these freedoms.

For there is a fine line beyond which the exercise of such personal freedoms can become a license.

The genius of the Constitution and the Bill of Rights is that, in their fundamental statements and in subsequent interpretations, there are defining clauses that keep this whole structure of freedom in balance.

Freedom of speech isn't abridged, for example, by the prohibition of a blasphemous, libelous or indecent public address, injurious to public morals or private reputations.

"Freedom of the press," the Supreme Court has held, "may protect criticism and agitation for modification or repeal of laws, but it does not extend to protection of him who counsels and encourages the violation of the law as it exists."

Peaceable assembly, obviously, is no sanction of mob rule.

No, the Founding Fathers sought no licenses. They sought to insure the freedom and dignity of newly freed men and their posterity by:

THE RIGHT TO STAND STRAIGHT and speak . . . to read freely and fully, with confidence in an unhobbled press. . . .

To gather with others sharing a common concern . . . to petition without reprisals or the sneer of official contempt.

Let us remember and rededicate ourselves to these manly goals.—NEWELL JONES and JACK TUCKER. One in a series of editorials on the Bill of Rights, in *The Evening Tribune*, San Diego, California.

THE BIG SWITCH

ONE of the most interesting and significant aspects of the 6 to 1 decision of the United States Supreme Court declaring unconstitutional the Board of Regents public school prayer in New York State received scant attention in the press. This was the switch of Justice Douglas from the position he took in the *Everson* bus case in 1947. A glance at the record of the *Everson* case shows that Justice Douglas was one of the five in the famous 5 to 4 decision. The Court held that it did not violate the First Amendment if public funds were used to assist in providing transportation to Roman Catholic schools.

In the New York public school prayer case decided in June, Justice Douglas indicates that he has changed his mind since *Everson*. In his concurring opinion Justice Douglas cites Justice Rutledge's dissent in the *Everson* case as having given the correct interpretation of the First Amendment. A passage of the Rutledge dissent which he quotes describes public aid for bus transportation to church schools as unconstitutional for two reasons: "Public money devoted to payment of religious costs, . . . brings the quest for more. It brings too the struggle of sect against sect for the larger share or for any."

Justice Douglas indicates that the Court took the wrong turn in *Everson* and that "our system at the federal and state levels is presently honeycombed with [government financial aid to religion]." He then adds: "I think it is an unconstitutional undertaking whatever form it takes."

Many attorneys agree that what is thus overt in the Douglas concurrence is implicit in Justice Black's majority opinion, for he too was among the five in the *Everson* majority. There is ample indication that he also has changed his mind about the whole question of transportation to church schools at public expense in its relation to the First Amendment.

In all likelihood, what has changed the justices'

thinking on this subject is the swift succession of demands for one form of public subsidy after another for church schools. Perhaps the high Court feels that it unwittingly opened a Pandora's box in the Everson case and would now like to close it again. Many regard Justice Douglas' remarks as an invitation to bring another church bus case before the Court.

C. STANLEY LOWELL

FREETHINKERS ON WRONG TRACK

THE FREETHINKERS OF AMERICA are up in adjectives—their president has threatened court action unless New York railroads discontinue the use of special cars on commuter trains for religious services or discussions of religion.

In a letter to the New York Central and Long Island railroads, Joseph Lewis, president of the Freethinkers, charged that the innovation was a "flagrant violation of the rights of the passengers to travel on your trains without undue disturbance and annoyance."

Two incidents sparked the protests: observance of the Feast of Purim by a group of Jewish commuters and a discussion of religion and application of Christian principles to the business world by the men's club of a Protestant church. Both the service and the discussion were held in special cars attached to the rear of the trains and reserved for the participants.

Just why "these sectarian services" held in special cars should be "an obnoxious invasion of . . . privacy" is difficult to understand. Any Freethinker disturbed must have had his ear to the keyhole. And people who put their ears to keyholes are likely to catch cold. And colds contribute to confused thinking. . . . It all adds up.

R. R. H.

IRISH FIREMAN STANDS FOR CONSCIENCE

THOMAS MCCABE, an auxiliary fireman in the Northern Ireland Fire Service, is a Presbyterian who believes that Sunday should be kept strictly. When lifesaving courses were scheduled for Sunday, Mr. McCabe refused to attend. Despite threats of disciplinary action, he steadfastly maintained that religious principle made his participation impossible.

A few weeks ago the Fire Service announced that Mr. McCabe will now be allowed to take a weekday course in lifesaving, rather than attend the Sunday class.

The example of Ireland's conscientious fireman adds emphasis to a point made by Representative John C. Webb, of Virginia, who introduced a bill into the current session of his State's legislature to abolish Sunday laws. Said Mr. Webb, "The conscience of man is not subject to legislation. If . . . people truly desire to respect the Sabbath, it is only necessary that they find within themselves the will to do so."

Seventh-day Sabbathkeepers, thousands of whom have been fired or forced to quit jobs for reasons of con-

science, who go to their services on the busiest day of the week without stopping before or after in the department stores, drugstores, grocery stores, discount houses, ball parks, could well add their testimony to the examples of both Mr. McCabe and Mr. Webb: A Sabbath law written in the statute books of the State can never substitute for the law of God written in the heart.

R. R. H.

The Fateful Moment

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Pope Eugene issued three bulls against the council, but the emperor, Western Christendom, and most of the cardinals were against him and he was compelled to yield to their demands and revoke the bulls.

Philip Schaff makes the following comment: "No revocation of a former decree could have been made more explicit. The Latin vocabulary was strained for words. Catholic historians refrain from making an argument against the plain meaning of the bull, which is fatal to the dogma of papal inerrancy and acknowledges the superiority of general councils."¹⁵

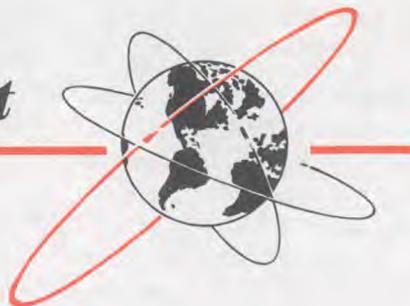
In spite of the pope's "submission," the "civil war" continued inside the church. Its minority together with the pope transferred the council to Florence in 1439. Here the prestige of the pope was increased by a temporary unification of the Greek church with the Western church. The Eastern church was pressed by the Turks and thus needed all the help they could receive, but it was in vain. Constantinople was captured by the Turks in 1453. In the meantime, in Basel the majority deposed Eugene and chose a new pope, but he laid down his pontificate. Eugene won, and denounced the decrees of Constance and Basel. Thus all hope was gone "of transforming the papacy into a constitutional monarchy or of effecting needed reform through conciliar action."¹⁶

But hope was to rise again in the person of Martin Luther and others who challenged the Roman Church to restudy its catholicity. ★★★

(To be continued)

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- ¹¹ Henry Bettenson, ed., *Documents of the Christian Church* (London: Oxford University Press, 1943), pp. 192, 193.
- ¹² Philip Hughes, *A History of the Church* (New York: Sheed and Ward, Inc., 1934), vol. 3, pp. 298, 299.
- ¹³ William Shan Kerr, *A Handbook of the Papacy* (New York: Philosophical Library, Inc.), p. 261.
- ¹⁴ Philip Schaff, *History of the Christian Church* (Grand Rapids, Mich.: 1957), vol. 5, pp. 169, 170.
- ¹⁵ Schaff, *op. cit.*, p. 172.
- ¹⁶ Williston Walker, *A History of the Christian Church* (New York: Charles Scribner's Sons, 1959), p. 279.



UNITED STATES

Increasing Religious Tensions Claimed in Hebrew Congregations' Report

New York.—Religious tensions are on the rise in American communities and religious bigotry is still widespread and deeply embedded in the American framework, according to a study released by the Union of American Hebrew Congregations.

Written by Rabbi Eugene J. Lipman of Washington, D.C., and Albert Vorspan, a Jewish layman, the study deals with interreligious relations in 10 U.S. cities and has been published in book form by the UAHC, representative body of some 640 Reform synagogues with some 1,000,000 members in this country, Canada, Panama, and the Dutch West Indies. Title of the book is *A Tale of Ten Cities*.

Issues of church-state separation represent the most explosive source of interreligious discord in each of the communities studied, the authors said, particularly over the question of public funds for sectarian institutions.

Prayer Ruling Spurring "Shared Time" Education

Minneapolis, Minnesota.—An official of the American Lutheran Church has predicted that the United States Supreme Court ruling in the New York Regents school prayer case will lead to growing support for "shared time" education.

Dr. Carl F. Reuss, ALC director of research and social action, explained he meant "not released-time nor dismissed time, but division of the pupil's day into time for the public school and time for the church school."

"We perhaps will demand prime time during which churches have opportunity to teach their own young people the things truly needful," Dr. Reuss wrote in an article in *The Lutheran Standard*, ALC organ.

Civil Control of Military Chaplains Is Recommended

Chicago.—A former Navy chaplain has proposed that the military chaplaincy be transferred to civilian control in order to combat what he described as a

growing tendency for chaplains to think of themselves more as military men than as clergymen.

Rabbi Martin Siegel suggested this solution in an article published in *The Christian Century*. Rabbi Siegel, who also has been a member of the National Jewish Welfare Board's commission on Jewish chaplaincy, left the chaplaincy in June to become the rabbi of Woodsdale Temple in Wheeling, West Virginia.

"With the emergence of a permanent military establishment, the military aspects of the chaplaincy have begun to take precedence over the religious," Rabbi Siegel charged.

A chaplain, the rabbi continued, "sooner or later begins to think of himself in terms of his relative rank rather than his religious vocation. . . . He will not do anything that might hurt his chances for promotion."

"And his desire for security and advancement tends to undercut his value to the men he is supposed to minister to," Rabbi Siegel said. "If a man has been wronged, he will often turn to the chaplain for help. But often the chaplain, fearful of risk, turns away."

When a chaplain thinks of himself primarily as a military man, his effectiveness is limited in counseling with the bulk of military men who are not professionals, the rabbi said.

School Board Endorses "Custom" of Reciting Lord's Prayer

Milford, Connecticut.—Does the custom of reciting the Lord's Prayer in a public school classroom violate the recent Supreme Court decision banning governmentally composed prayers in the schools? A majority of the Milford Board of Education thinks it doesn't and has given its approval to continue the practice of the recitation of the prayer at the beginning of each school day.

After a hearing attended by 375 persons, the board voted—5 to 4—to retain what was termed the "custom" of saying the Lord's Prayer. The board's decision was made on a petition submitted by five Milford residents to halt recitation of the prayer.

According to the board's majority decision, the practice of having the Lord's Prayer said as part of the opening exercises "is not a board policy. This is a custom."

Court Rules Church May Not Withdraw From American Baptist Convention

Wichita, Kansas.—The Kansas Supreme Court has ruled that the First Baptist Church of Wichita may not be withdrawn from the American Baptist Convention and related groups, even though a majority of the congregation voted for such an action.

Reversing a decision of a State district court, the supreme court declared that "not even in an autonomous Baptist church may the denomination of the church be changed by a mere majority vote."

Two years ago the congregation, then the largest in the denomination, voted 739 to 294 to withdraw from the American Baptist Convention (ABC), the Kansas Baptist Convention, and the Wichita Association of Baptist Churches to protest the denomination's affiliation with the National Council of Churches.

A minority group, loyal to the ABC, asked for an injunction from the district court to prevent the other faction from using the church property, which is valued at about \$2.5 million.

District Judge Howard C. Kline had ruled that the church had a right to withdraw support of the ABC and end its affiliation with that body by a majority vote of the congregation. This decision was reversed by the higher court.

Jewish Leader Says Non-Catholics Have Stake in Encyclical's Success

Pittsburgh, Pennsylvania.—Non-Catholic citizens of the Western world, "in particular Protestants and Jews," have a fundamental stake, "both moral and spiritual," in seeing that the principles of morality embodied in *Mater et Magistra* are translated into social reality, a prominent Jewish spokesman commented in Pittsburgh.

The observation in connection with Pope John XXIII's encyclical was made by Rabbi Marc H. Tanenbaum of New York City, director of Interreligious Affairs of the American Jewish Committee at the sixth annual convention of the National Catholic Social Action Conference.

Rabbi Tanenbaum said that "Western civilization and the Judaeo-Christian heritage will rise or fall to the degree to which men of faith succeed in making real in the daily lives of millions of uncommitted men and women in Asia, Africa, and Latin America the principles of charity, respect for the sacred dignity of the individual, and the human solidarity and brotherhood which Pope John so vigorously reaffirmed."

"In the tradition of Biblical ethics and of prophetic morality," he continued, "His Holiness has promulgated a social doctrine of decentism which finds the center of gravity of society in the worth and dignity of the human being, the inviolability of his person, and inseparable from these the primordial society of the family.

"His condemnation of national egoism and national

mistrust which have frustrated international solidarity, as well as his eloquent plea for a true hierarchy of values in which the spiritual and moral welfare of peoples of undeveloped countries are at stake, represent a point of view of the greatest importance."

Rabbi Tanenbaum maintained that "the social philosophy enunciated in this encyclical in relation to these and other great problems of our time provides a common ground on which all who share the heritage of the Bible and the prophets can join hands for a program of removing inequalities, for social reconstruction for the benefit of the suffering, the diseased, the hungry; for the humanization of the daily lives of men and women, and for the preservation of human liberty in freedom and justice."

He concluded by stating that "like-minded Christians and Jews would do well to enter into a covenant based on the ideals of this encyclical which would commit them to accepting a special responsibility to demonstrate to the world in practice as in preaching their belief in God's demand for justice and righteousness for all His children."

No Sectarian Bias in Presidential Appointments Says POAU Study

Washington, D.C.—President John F. Kennedy has shown no sectarian bias in the appointments he has made to Federal office during the first year of his administration, a survey has disclosed.

The study was released by Dr. C. Stanley Lowell, editor of *Church and State Review*, a monthly publication of Protestants and Other Americans United for Separation of Church and State (POAU).

The survey, which covered 1,000 appointments to top Federal offices and judicial nominations, indicated that 80 per cent of the President's nominees are of Protestant faith, 15 per cent Roman Catholic, and 5 per cent Jewish.

While it has been well known that the President's Cabinet included only one Catholic member (his brother, Attorney General Robert F. Kennedy), rumors have from time to time circulated that "sectarianism" had been shown in appointments to other less-prominent Federal posts, Dr. Lowell said.

Such rumors are absolutely without foundation, the POAU leader declared.

At the same time, the study put to rest other rumors that the President had shown undue favoritism to Protestants or Jews, Dr. Lowell claimed.

Mr. Kennedy has made 120 nominations to the Federal bench, including 73 new judgeships created by Congress, the study showed. Of these, 80 per cent have been Protestants, 17 per cent Roman Catholics, and three per cent Jewish. His first appointment to the U.S. Supreme Court, newly confirmed Justice Byron White, is an Episcopalian.

The POAU publication said, however, that it did find "certain areas of apprehension" in connection with

alleged sectarian favoritism in Federal appointments, particularly in the State Department and the new "Alliance for Progress" program.

The POAU report said: "It is in the area of foreign policy that the greatest danger of sectarian bias is encountered. Complaints of sectarian orientation are frequent in regard to members of the State Department.

"There are accusations that devout adherents of the Roman Catholic faith are too quick to shape the foreign policy of the United States to Vatican causes in the interest of a united front against Communism."

The report singled out for criticism "certain features of the Alliance for Progress" in Latin America.

ENGLAND

"Rank Atheism Disregards Truth"

London.—Back in the British capital from a four-day visit to Moscow as the guest of Patriarch Alexei, head of the Russian Orthodox Church, Dr. Arthur Michael Ramsey, Archbishop of Canterbury, said his close contact with the "rank atheism" of Russia had been an ordeal.

He confessed he had a feeling of horror, chiefly because "rank atheism disregards truth."

"No Theological Barrier" Seen to Catholic Membership in WCC

Oxford, England.—An Anglican ecumenical leader has asserted that there is "no theological barrier" to the Roman Catholic Church joining the World Council of Churches.

However, the Reverend David M. Paton, secretary of the Council for Ecumenical Cooperation of the Church of England Assembly, added that such a move was "practically impossible and undesirable" at present.

The Catholic Church and the World Council "have an intense interest in each other," Mr. Paton said, "and a rapprochement is no longer being thought of in terms of an anti-Communist crusade." Nevertheless, he stressed, such a rapprochement would have to be preceded by "a long period of getting to know one another."

FRANCE

Role of WCC Vatican Council Observers Defined

Paris.—The Executive Committee of the World Council of Churches has stressed that WCC delegate-observers will be at the Vatican Council only to become better acquainted with developments in the Catholic Church, not to act as spokesmen for the WCC.

"There is no question of any negotiations nor will the observers have any authority to speak officially for the council," says the committee report to the policy-making Central Committee.

INDIA

Catholic Gains in India Shown in New Directory

New Delhi.—Roman Catholics in India now number 6,282,409, as compared with 5,172,420 in 1956 and 5,717,600 in 1959, according to the 1962 *Catholic Directory* for India. It shows an 18 per cent gain in the Catholic population over the 1956 total.

ISRAEL

Israeli Committee Opposes "World Calendar" Plan

Jerusalem.—A "Committee to Combat the World Calendar Proposal" has been formed under the auspices of Israel's Chief Rabbinate in cooperation with other Jewish groups here and abroad.

A statement by the Council of the Chief Rabbinate said that proposals for a World Calendar by "international institutions" were opposed by the Chief Rabbinate on the grounds that a World Calendar would cause the observance of the Jewish Sabbath to fluctuate.

RUSSIA

Catholics' Speed in Building Church Amazes and Irritates Russian Paper

Moscow.—The Soviet newspaper *Izvestia* has criticized government authorities in Vilna, Lithuania, for allowing the construction of a Roman Catholic church in a new suburb there.

The paper complained that the new church "offends the feelings of atheists."

It also expressed astonishment at the speed with which material and funds for the building were collected by the Catholic congregation. The church was ready before schools, shops, or laundries were built in the suburb, the paper noted.

Vilna was a Polish town before World War II and is now part of the Lithuanian Republic of the U.S.S.R.

SPAIN

Priest Charged With Public Attack on Spanish Government

San Sebastian.—A Roman Catholic priest has been charged with publicly attacking the Spanish Government at what is believed to be the first trial of its kind since the signing of the Vatican-Spain concordat in 1953.

Appearing before a civil court, Father Jose Ulacia, parish priest at Tolosa in the staunchly Basque province of Guipuzcoa, was accused of preaching a sermon in which he denounced alleged restrictions on freedom of speech.

The priest was commenting on charges brought last year against seven Basque Nationalists accused of attempting to derail a train near San Sebastian on which ex-servicemen who fought on the Franco side in the civil war were riding.

He was quoted as saying from the pulpit that while he strongly disapproved of such acts on the part of fellow Basques, he sympathized with their feelings, since they lived in a country where there was no freedom of speech.

The prosecuting counsel asked the court for a sentence of one month's imprisonment and a fine equivalent to \$33.

Under Article 16 of the concordat, members of the clergy may be brought before a civil tribunal on "criminal charges" if the Ordinary of the diocese so permits.

Lest We Forget

From page 11

girl arrived in the home, the dauntless couple named her Freeborn, their hope of the future!

In the bitterly cold winter of 1635-36, the young clergyman slipped away from Salem and from the soldiers who were seeking to capture him and return him to Boston, plunged through snowdrifts, and made his way across swift rivers, until he arrived at Narragansett Bay. Because he had been friendly with the Indians, they now welcomed him and gave him shelter and clothing. Williams became the founder of the colony of Rhode Island, the first settlement in America with a republican form of government and full religious liberty. Williams's humble home in Providence became a "shelter for persons distressed for conscience."

Thus the cornerstone of religious freedom was laid in the New World while Europe was still in turmoil under the rule of despots. George Bancroft, historian, says, "At a time when Germany was desolated by the implacable wars of religion; when even Holland could not pacify vengeful sects; when France was still to go through the fearful struggle with bigotry; when England was gasping under the despotism of intolerance; . . . Roger Williams asserted the great doctrine of intellectual liberty, and made it the cornerstone of a political constitution." Along with Williams's devotion to religious liberty was his belief in democracy. He was against every form of despotic and totalitarian rule; he stood for a commonwealth where all men would be equal before God and the law.

SEVERAL OF THE COLONIES were established primarily as a haven for the persecuted. Maryland was created as a home in the New World for Roman Catholics who were being persecuted in England and other countries of Europe. Cecilus Calvert, Lord Baltimore,

founder of Maryland, was unusually liberal and generous in his views. In April, 1649, "An Act Concerning Religion" was adopted, by which all Christians, regardless of denomination, should be allowed full privileges in the colony if they believed in the Trinity. The serious flaw in the act was that it barred persons of non-Christian religions from settling in Maryland, and persecuted those who might blaspheme against God or who spoke reproachfully of the Virgin Mary.

Pennsylvania was the third colony to grant a large measure of religious freedom to its people, and it became the destination for Quakers and quietists from many nations. . . . The original framework of government as outlined by Penn, and later strengthened by the state constitution, made Pennsylvania the most liberal colony, next to Rhode Island, in guaranteeing freedom. It was here that the Friends, or Quakers, who were flogged, branded, and beaten in Europe, and barred from other New World settlements, could at last find a refuge. In Pennsylvania the settlers were granted freedom of worship if they believed in "one Almighty God."

As the nation grew, its citizens developed a new view of freedom—the freedom for man to get ahead in the world as fast as his strength and his brain would permit, with scarcely any laws or government to hinder him. It was an exhilarating freedom which was manifest in the New England town meeting, and the spirit moved westward with the advancing frontier. Democracy developed in hamlet and farmhouse, and on the fighting frontier of all the colonies.

Our American concept of liberty is not a mere statement on paper; it is as deep and abiding as life itself. All races, creeds, and classes were promised glorious opportunities in a New World, where men would be able to stand up and say, "Thank God, I am free!"

If we forget our heritage, we become like the shabby wayfarer described by Ray Stannard Baker. As he walked through a city park, Dr. Baker stopped to talk with a derelict in society who had a chip on his shoulder and declared the world owed him a living. During the conversation, Dr. Baker turned toward the public library where the statues and names of several great Americans were chiseled in stone. "How do you feel when you see those names?" asked Dr. Baker.

"I don't feel anything," answered the shabby down-and-outer.

"I feel like taking off my hat when I think what those Americans of previous generations have done for me," replied Dr. Baker. "I feel as though I were a deeply indebted man."

An American is a shabby citizen if he forgets the sacrifices and struggles of those who laid the foundations of our civilization.

"Judge of the nations, spare us yet,
Lest we forget—lest we forget!"



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Letters

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only hope for America lies in our youth rediscovering the dimensions of Christian experience called conversion and obedience. We do not believe that the vitiated pabulum that is being peddled as religion from many pulpits—nor limp-lipped prayers directed by the state—can ever satisfy a God who demands worship in "spirit and in truth."

As to the attitude of the editors on religion in public schools, Mr. Reddington evidently missed the editorial in the January-February LIBERTY titled "Is LIBERTY Magazine Secularist?" No article in LIBERTY during the tenure of the present editors has decried prayers in public schools that are not directed and written by the state, Bible reading that is not *required* by the state, school-bus transportation, or free school lunches for parochial schools.

As to the meaning of the Establishment of Religion clause, we accept the Supreme Court's interpretation, which sees in it far more than a prohibition of a state religion:

"The 'establishment of religion' clause of the First Amendment means at least this: Neither a state nor the Federal Government can set up a church. Neither can pass laws which aid one religion, aid all religions, or prefer one religion over another. . . . No tax amount, large or small, can be levied to support any religious activities or institutions, whatever they may be called, or whatever form they may adopt to teach or practice religion."—*Everson v. Board of Education*, 330 U.S. 1.

Let those who desire further evidence of the editors' concern that American youth know their heritage and that our Christian witness be vital read "Lest We Forget" (p. 9) by Merlin Neff, and "Does God Approve the Use of Civil Power to Enforce His Will?" (p. 12) by the editor.

And for a truly basic fallacy or blind spot, we would suggest consideration of the thinking that American parents can worship Mammon, ignore the Ten Commandments, replace the rod with a psychiatrist's couch, and blame the public schools for "the juvenile delinquency and disrespect for all authority which is prevalent in our time." Let those concerned for America and the Christian heritage invite God back into their homes and establish again an altar of prayer before which parent and youth can kneel together.—ED.]



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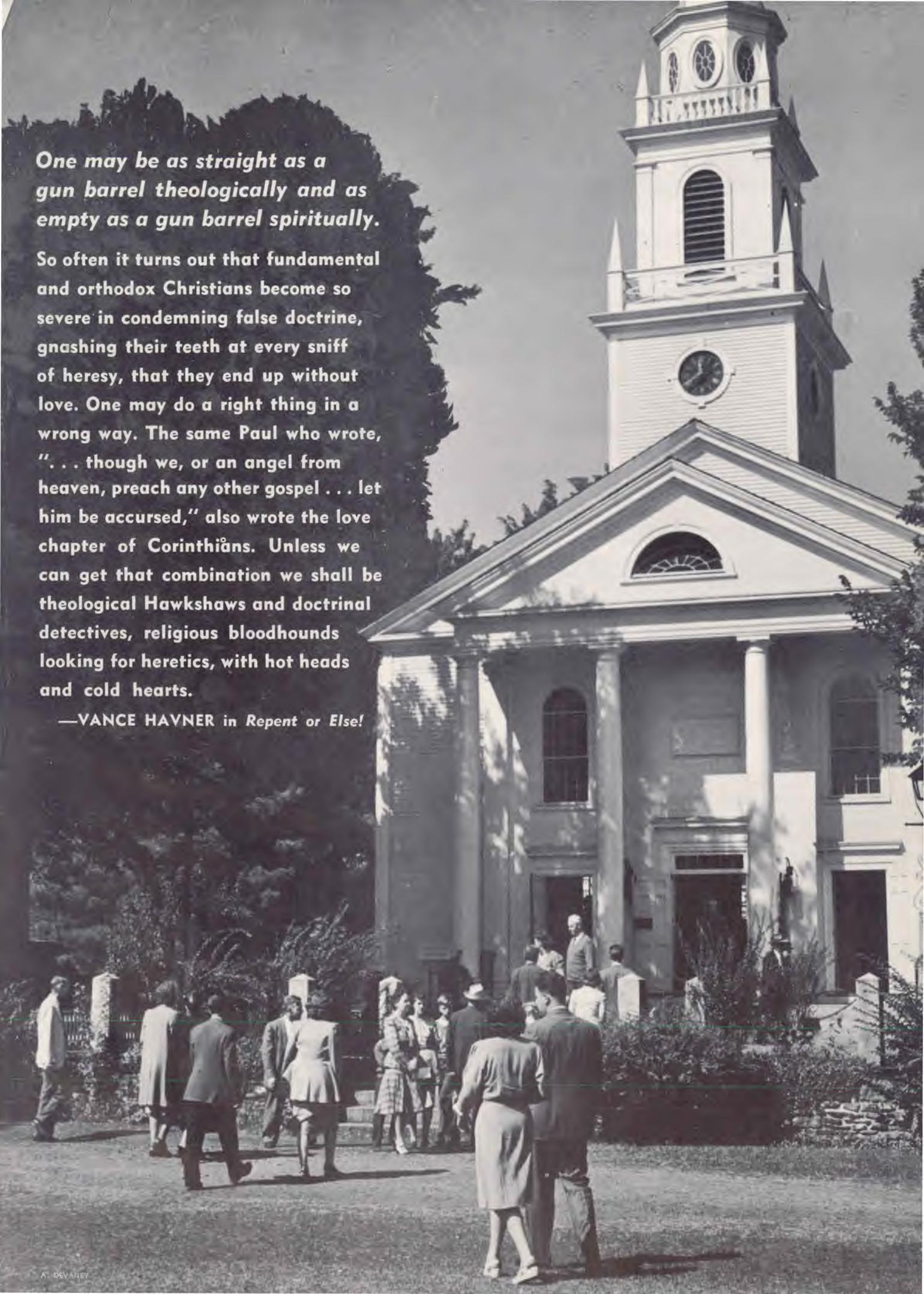
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One may be as straight as a gun barrel theologically and as empty as a gun barrel spiritually.

So often it turns out that fundamental and orthodox Christians become so severe in condemning false doctrine, gnashing their teeth at every sniff of heresy, that they end up without love. One may do a right thing in a wrong way. The same Paul who wrote, "... though we, or an angel from heaven, preach any other gospel . . . let him be accursed," also wrote the love chapter of Corinthians. Unless we can get that combination we shall be theological Hawkshaws and doctrinal detectives, religious bloodhounds looking for heretics, with hot heads and cold hearts.

—VANCE HAYNER in *Repent or Else!*





WORLD WIDE PHOTOS

Liberty:
A Matter of
the Heart

“Liberty lies in the hearts of men and women; when it dies there, no constitution, no law, no court can save it; no constitution, no law, no court can even do much to help it. While it lies there it needs no constitution, no law, no court to save it.”

—LEARNED HAND, *Federal Judge of New York for more than 50 years.*