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LIBERTY

A MAGAZINE OF RELIGIOUS FREEDOM



**Courage on the
Plain of Dura**

By WILLIAM A. FAGAL



PERSECUTION

Curses always recoil on the head of him who imprecates them. If you put a chain around the neck of a slave, the other end fastens itself around your own. . . . Every opinion reacts on him who utters it. . . . You cannot do wrong without suffering wrong. . . . The exclusionist in religion does not see that he shuts the door of heaven on himself, in striving to shut out others. . . .

The history of persecution is a history of endeavors to cheat nature, to make water run up hill, to twist a rope of sand. It makes no difference whether the actors be many or one, a tyrant or a mob. A mob is a society of bodies voluntarily bereaving themselves of reason and traversing its work. The mob is man voluntarily descending to the nature of the beast. Its fit hour of activity is night. Its actions are insane like its whole constitution. It persecutes a principle; it would whip a right: it would tar and feather justice, by inflicting fire and outrage upon the houses and persons of those who have these. . . .

The martyr cannot be dishonored. Every lash inflicted is a tongue of fame; every prison a more illustrious abode; every burned book or house enlightens the world; every suppressed or expunged word reverberates through the earth from side to side.—Ralph Waldo Emerson, *Essay III*, pp. 58-80.

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ASSOCIATION OF AMERICA****Declaration of Principles**

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 rights 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.

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LIBERTY

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A MAGAZINE OF RELIGIOUS FREEDOM

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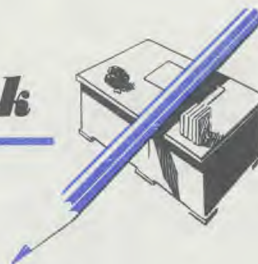
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from the editor's desk



RUMOR has it," says the winner of the \$500 Mr. Freedom Award, "that when all the manuscripts were in, someone suggested that the simplest way to decide on one would be to put them all into a large box, then blindfold the judges, and



R. W. Engstrom

shake the box. And that is how mine came up first," decided Reuben Engstrom, pastor of a Mountain View, California, church. (To dispel the rumors, the manuscripts were not shaken; the judges were!)

"After that," concluded Mr. Engstrom, "the judges thought their procedure to be not very scientific, so they read the rest of the manuscripts carefully, and that is how Richard Utt came up next!"

Richard H. Utt, who won the \$350 second Mr. Freedom Award, is book editor of the Pacific Press Publishing Association in Mountain View. He is also a member of Mr. Engstrom's church. With hundreds of manuscripts submitted from India, England, Uruguay, Australia, Norway, and most of the States, how did the top two prizes land in Mountain View, a small community 35 miles down the peninsula from San Francisco?

"Neither Richard nor I knew that the other was writing for the contest," says Mr. Engstrom. "I did, once, have the idea of asking Richard to read and criticize my manuscript before I sent it in, but gave it instead to another friend."

"In retrospect, I would have been delighted to criticize his manuscript," confesses Richard ruefully.

"Might even have helped him to a second place finish—or maybe I could have accomplished the same by asking him to criticize mine."

Richard had another concern: His brother, Walter C. Utt, a professor at Pacific Union College, Angwin, California, won the ninth Mr. Freedom Award, in addition to selling two manuscripts to *Liberty*. "Wouldn't it be a good idea," asked Richard, "to stress



W. C. Utt

that the judging was done anonymously? Otherwise readers may conclude that the Utt family owns 55 per cent of the stock of the magazine."

Noel C. Stevenson, attorney of Wasco, California, found 1963 a good year for writers. Besides winning two Mr. Freedom Awards, he coauthored an article in the April *Reader's Digest*—"The Strange Wedding of Widow Ward."



N. C. Stevenson

"I am pleased to learn that a housewife in far off Uruguay placed number five," he wrote. "I can sincerely say that I am glad she was higher on the list than I am. . . . Most of all, I hope the contest accomplishes the main objective of promoting freedom. Certainly that objective is more important than the winners, the

awards, and the money."

Winner reactions varied from "I still think there must be some mistake" to "the judges were an extraordinarily intelligent, discriminating group of people." (They were. They included a college academic dean, a college professor of journalism, two editors, a research specialist, two vice-presidents of the General Conference of Seventh-day Adventists, representatives of the Religious Liberty Association of America.) Told that the judges had very little hair left after seeking to divide prizes among twenty manuscripts of high merit, award winner Gaylord Briley wrote: "If refunding my prize money to Mr. Freedom would help the judges recover some of the hair they lost while passing judgment on the manuscripts, I would be tempted to send it in. But buying wigs would be putting too much money into overhead."

"I've taken part in all sorts of cooky contests and crossword puzzle contests in my long life, and nary a one of them have I ever won," wrote Ruth Gordon Short, eighth award winner. "This exceptional experience makes it seem that something has gone wrong with either you or me." Author of half a dozen books (*Meet Martin Luther*, *Stories of the Reformation in England and Scotland*, *Stories of the Reformation in the Netherlands*, etc.), Mrs. Short might better have questioned the perspicacity of the cooky-and-crossword judges.

One contestant's wife, who had awarded her husband's manuscript first place before the judges viewed it with unwifely objectivity, sent along her thanks "for the mink coat, even if it is made of rabbit fur."



Ruth G. Short

A cursory check of the prize winners shows that at least six have authored one or more books; all but two or three have written for either the secular or the religious press, four have Doctor's degrees, nine are clergymen, five teach on the collegiate level, three are attorneys, three are housewives. (One housewife, Goldie M. Down, wrote of a trip behind the Iron Curtain, mailed her manuscript from Calcutta, where she works as a missionary, said her award caught up with her in Cooranbong, N.S.W., Australia, which turned out to be her homeland.)

The prize-winning "The Plight of the Plain People," by frequent contributor William L. Roper, was the lead article in the March-April *Liberty*; Raymond S. Moore's sixth-place "Should Church-related Schools Expect Government Financial Help?" appears on page 11.

ROLAND R. HEGSTAD



Mr. Freedom Awards

Reuben W. Engstrom, clergyman, Mountain View, California—First prize, \$500: "When We Have the Best, Why Change?"

Richard H. Utt, book editor, Pacific Press Publishing Association—Second prize, \$350: "Don't Damn That Dissenter"

Frederic Mitchell, Assistant Professor of Education, Arizona State University, Tempe, Arizona—Third prize, \$300: "Church-State Conflict in Early Indian Education"

Lewis R. Walton, free-lance writer, Arlington, California—Fourth prize, \$200: "Crisis in Riverside"

Mrs. Dorothy Aitken, housewife, Montevideo, Uruguay, South America—Fifth prize, \$150: "This Is the House That Love Built"

Raymond S. Moore, president, Southwestern Union College—Sixth prize, \$100: "Federal Aid or Parochial Fade"

Noel C. Stevenson, former district attorney, practicing lawyer, Wasco, California—Seventh prize, \$100: "San Francisco's Sunday Law Squabble"

Mrs. Ruth Gordon Short, free-lance writer—Eighth prize, \$100: "The Prince and the Iron Pen"

Walter C. Utt, Professor of History, Pacific Union College, Angwin, California—Ninth prize, \$100: "Toleration Is a Nasty Word"

Roberta J. Moore, Associate Professor of Journalism, Walla Walla College, College Place, Washington—Tenth prize, \$100: "The Evil Hand in Salem"

Winners of Awards 11 to 20 (\$50), listed alphabetically: Gaylord Briley, "To the Commissar of Religion"; Herbert E. Douglass, "The Best Thing That Ever Happened to the State of Connecticut"; Mrs. Goldie M. Down, "Thank God for Freedom"; M. F. Ferry, "Thirty-One for Freedom"; Floyd W. McBurney, Jr., "Equality for Whom?"; James T. Perona, "Freedom From Religious Intolerance"; William L. Roper, "The Plight of the Plain People"; Kenneth W. Sollitt, "What to Do With Freedom"; Noel C. Stevenson, "The Gold Rush Sunday Law"; Leo R. Van Dolson, "The Hope of History."

"Dear Sir"

LINCOLN QUOTATIONS UNDER FIRE

SHERMAN D. WAKEFIELD

New York, New York

I wish to protest your use of two purported quotations from Abraham Lincoln in your issue of January-February, 1964. The quotation on the cover, "This great book . . . is the best gift God has given to man," has some, but shaky, evidence of authenticity. The Bible presentation to Lincoln by the colored people of Baltimore occurred on September 7, 1864. The following day the Washington *Daily Morning Chronicle* reported the occasion and quoted at length the presentation speech of Rev. S. W. Chase. However, the paper did not publish any reply by the President of the United States. Probably the President's reply was not taken down by reporters, but about a week later the unsubstantiated "reply" was published in the paper to fill the gaping void. From this your quotation was taken. There is no real evidence that this was what Lincoln said.

The other purported Lincoln quotation, on page 6, was not written to Newton Bateman or to anyone else. It is from a purported conversation between Lincoln and Bateman, and was published in J. G. Holland's *Life of Lincoln* (1865). For many years it was a source of controversy initiated by Lincoln's law partner, William H. Herndon, who confronted Bateman personally. Bateman made a sort of retraction and did not later refer to it in his annual lectures on Lincoln. As Rev. William E. Barton wrote in his *The Soul of Abraham Lincoln*, "Lincoln certainly did not say: 'I know I am right because I know that liberty is right, for Christ teaches it, and Christ is God.' . . . The fact that Bateman felt compelled to omit it altogether from that oft-repeated lecture on Lincoln is a sufficient reason why no one else should ever use it."

NORWEGIAN CONSTITUTION HAS BIRTHDAY

LEIF KR. TOBIASSEN

Berrien Springs, Michigan

It might interest you that on May 17, 1964, there will be celebrations in Norway because the Norwegian constitution will be 150 years old. It was formed in 1814, mainly under the influence of the American and French revolutions, and it provided for most of the rights that were incorporated in the First (and other) Amendment(s) and in the French Declaration of the Rights of Man. Though religious freedom was not explicitly guaranteed in the text of the 1814 constitution, freedom of speech, of press, et cetera, made religious freedom generally inevitable. The 1814 constitution included, however, a discriminatory ban on monkish orders, especially the Jesuit Order, and Jews. The ban against Jews was canceled in 1851 by way of a constitutional amendment; the ban against monkish orders remained until 1897. The discriminatory constitutional clause banning explicitly the Jesuit Order was not abolished until recently. . . . There is a bill pending to introduce a clause in the constitution declaring general religious freedom. (Continued on next page)

A TAXING PROBLEM

H. O. KNIGHT

Dayton, Ohio

In answer to Mrs. Charlotte T. McCarthy (*LIBERTY*, vol. 59, no. 1) we all, Ma'am, have some cause for complaint. My wife and I, not by choice, are childless. Do we complain about paying school taxes? Certainly not! We pay them gladly, thinking they help strengthen the country and its people. . . .

The taxpayers of the USA provide free public schools, including transportation, to all students who approach us and ask for it. I should say, we *gladly* provide this! If I wish to send my children to a private school or educate them at home, I pay the cost of this, in addition to my school taxes. If someone says I must send my children to a private school, as canon law directs Roman Catholic parents to do, that matter is to be resolved between him and me, not between all other taxpayers and me!

SUPREME COURT INCONSISTENT?

ROGGIE PORTER

Fulton, Kentucky

After reading Mr. Cohen's "Struggle for Sunday" may I ask how much more inconsistent can the Supreme Court be in its decisions?

It rules that reading the Bible and reciting a prayer in the classroom are unconstitutional, yet approves a law that forbids buying and selling on Sunday, the first on the ground that church and state must be kept separate, the second because "the present purpose and effect . . . [of Sunday laws is] to provide a uniform day of rest for all citizens."

I am not an infidel, but a missionary Baptist, and I think it revolting the way some of us Christians "gag at gnats and swallow camels." If all Christian churches made sincere efforts to draw all people to the church, and if all ministers would preach Christ as being the Saviour of the world, many merchants would gladly close shop in order to attend.

[During the prayer and Bible reading cases counsel arguing for those practices maintained that the Court's 1961 decision favoring Sunday laws justified the Court's favoring religious practices in public schools. His reasoning: The Court had held in *McGowan v. Maryland* that Sunday laws were historically religious, but that they had now attained a sufficient state of civil justification to avoid violating the Establishment Clause. Recitation of the Lord's Prayer and reading from the Bible, continued counsel, are long-time practices (dating from before 1836) admittedly religious to begin with, but which, like Sunday laws, have now attained "traditional value."

Justice Harlan answered him by denying that the Court had approved Sunday laws that are a mixture of religious and civil purpose. According to Harlan, the Court had held that

Sunday laws have now outgrown completely their religious intent; they are now secular laws, not a mixture of religious and civil. Justice Black added that "if a law were written up to allow people time off work to go to church, or to recognize the Sabbath, there would be no question of its unconstitutionality."

Bible reading and recitation of prayer, however, said the Justices, were religious at their inception and are religious now, and therefore unconstitutional when carried on as part of a religious service. That is, the Court did not rule out Bible reading as part of a course in the humanities (see "We're Studying the Bible in Our High School," by Thayer S. Warshaw, March-April *LIBERTY*, page 12), or prayer when it is a spontaneous and uncoerced expression of student fealty to God. The student simply could not expect that the state should write his prayer and force other students to recite it with him, nor could the state act as God's agent in directing repetition of the Lord's Prayer.—Ed.]

WANTS TO VOMIT

REV. RAY JONES

Knott Ave. Christian Church

Anaheim, California

Your magazine makes me want to vomit in your pork barrel. You would indeed throw the baby out with the bath.

You deplore the plight of the "Plain People . . ." as if you were more enlightened—and your interpretation of the Scriptures not nearly so fogged in.

And your article by Arthur Gilbert! To be consistent, why in the name of common sense can't someone write in your *LIBERTY* magazine an article on how his stripe respect this in Israel? Would their state of Israel do away with any public show of religion to please a minority of Protestants?

So far as I can determine, in small towns like I came from, in the midsection of our country, no one told the likes of Arthur Gilbert (wonder what his real name is) to come in and set up business among that awful Protestant majority. And no one told them to leave town either, nor did anyone tell them they couldn't worship as they saw fit. There were lots of times when we'd like to have told them to stop cheating. Yours for a migration of Seventh-day Adventists back to Jerusalem!

REV. JOSEPH SCHWARTZ

Hampton, Virginia

I wish to congratulate you on your article "The Plight of the Plain People" by William L. Roper. The photography was excellent also, especially the two Amish on the cover.

Would you also pass on to Rabbi Arthur Gilbert my congratulations for his article "The Challenge of Religious Pluralism." Excellent!



COURAGE ON THE PLAIN—"Of a truth it is, that your God is a God of gods, and a Lord of kings," said King Nebuchadnezzar of Babylon to Daniel the prophet. But that was in chapter two. By chapter three human vanity has reasserted itself; a great image—high as a ten-story building—stands on the plain of Dura, and the word has gone forth: "To you it is commanded, O people, nations, and languages, that at what time ye hear the . . . musick, ye fall down and worship the golden image that Nebuchadnezzar the king hath set up: and whoso falleth not down and worshippeth shall the same hour be cast into the midst of a burning fiery furnace." So everyone fell down. Most everyone, that is. Three Hebrews didn't, no doubt to the consternation of the conformists about them who were soiling the knees of their garments. Artist Jim Padgett has pictured the scene and William A. Fagal has visited it. To read about it, see page 8.

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JIM PADGETT, ARTIST



Destruction by Erosion

Joseph M. Dawson

USDA PHOTO

HAVE you ever watched the death of a river?

In my section of Texas a narrow strip of black soil reaches from the State capital, Austin, to the northern boundary of the State. Running through much of it is the Chambers River, where loamy, fertile lands once produced the largest yield of cotton per acre in the world. The Blacklands, as the strip is called, invited a dense rural population and the growth of cities such as Dallas.

When I was a child the Chambers was a beautiful stream with rocky bottom and deep-blue holes of water filled with fish. Now all that remains is a silted-in channel so choked with soil and brush that there are no banks remaining, no rocks, and no more fishing.

The Chambers is dead of erosion.

Erosion has repeated its course in so many places in the country that people once unconcerned about soil conservation now work diligently to prevent the destruction. They terrace rolling lands, plant cover crops, and build detention dams in creeks for flood control. The Federal Government has set up a soil bank, which compensates owners for omitting crops while cultivated fields are turned into grasslands, allowing nature to replenish the soil.

Joseph M. Dawson served as executive director of the Baptist Joint Committee on Public Affairs until retirement in 1954. One of the founders of Protestants and Other Americans United for Separation of Church and State, and its first recording secretary, he still retains his connection with the organization as honorary vice-president.

Streams and farmlands are not all that can be destroyed by erosion.

A stream in national government can be blocked just as inevitably when the people making up that government grow careless in keeping the channels free.

Once the stream of religious freedom flowed deep and clear between firm walls separating church and state. But here and there soft spots have appeared. Citizens have yielded to indifference, dislike of controversy, fear of boycott or political pressures—permitting erosions to occur without protest.

Americans still recognize the basic principle of separation as sound—"best for the state and best for the church"—but some are now demanding that the Government pick up the tab for students being educated in parochial schools, educated in the tenets of their church.

The wall still holds, but soft spots multiply. First it was transportation of parochial school students at public expense. Then it was the purchase of textbooks. Now men forgetful of the American heritage have enacted a bill that would channel tax money to sectarian college and university campuses.

An isolated case will not suddenly end the practice of separation of church and state in America.

Neither will a single piece of bank crumbling into the water stop the flow of a river.

But once begun, the spread of erosion is steady. Only planned action can prevent it.

WE WERE about thirty miles from Baghdad, traveling along a well-paved two-lane highway, when the driver said in matter-of-fact tone, "We are now driving through the plain of Dura."

Startled out of my daydreaming, I looked at my physician friend, who was behind the wheel. "The plain of Dura?" I asked.

"The plain of Dura," he replied, and anticipating my request, pulled off on the shoulder of the road.

I looked about me at the flat country, broken only by an occasional cone-shaped brick kiln. The words "plain of Dura" conjured before me a scene that had taken place thousands of years before, during the reign of King Nebuchadnezzar and the lifetime of Daniel the prophet. Here three staunch and fearless Hebrews were cast into a burning fiery furnace because of their refusal to bow before a great metal image.

The sky was heavily clouded and the wind, forerunner of a driving rainstorm, blew in our faces as we stood thoughtfully on the almost deserted plain. Beside us I could imagine the three Hebrews standing. Convinced that they should worship only God, they had refused to bow before a great image erected by King Nebuchadnezzar of Babylon. Their high courage in the face of threatened death, their loyalty to minority religious concepts in spite of overwhelming pressures from the majority, their tenacity despite universal capitulation to an unjust demand, have inspired succeeding generations similarly called upon to compromise their faith.

Do you remember the story? Nebuchadnezzar, some years before Decision Day on the plain, had dreamed about a great metal image with head of gold, breast and arms of silver, belly and thighs of brass, legs of iron, and feet of part iron and part clay. Daniel, a prophet of God, had correctly interpreted this inspired dream as indicating the rise and fall of the world empires of Babylon, Medo-Persia, Greece, and Rome, followed by Rome's disintegration into subdivisions. You may read the entire story in Daniel 2 in the Bible. Nebuchadnezzar had been gratified at the interpretation, "Thou art this head of gold," but he had not liked the idea that his kingdom would someday be superseded by another. Therefore, he was immensely pleased when years later some of his princes suggested the building of a similar image on the plain of Dura to be made *entirely* of gold. If he had anything to do with it, Babylon would last forever.

In due time the image was constructed. Towering as high as a ten-story building, it must have commanded for many miles the attention of travelers approaching the capital city of Babylon. On the day the image was to be dedicated, leaders from all over the realm were brought in to participate. Among them were three Hebrews.

Courage on the Plain of Dura

WILLIAM A. FAGAL

*Program Director and Speaker
Faith for Today*

But then the blow struck! The assembled multitude were told that when they heard the ancient equivalent of our Marine Band strike up their equivalent of our national anthem, everyone was to bow down in worship before the image! Any person refusing to do so would be burned alive. Before that time nothing had been said about worship of the image. Without doubt, everyone had considered it to be only a new national symbol and one's presence at its dedication desirable as a demonstration of patriotism. Now duty to God and duty to state clashed, producing turmoil in the hearts of honest men who served both.

What thoughts must have raced through the minds of the three Hebrews! Escape was impossible; any attempt to leave the vast throng would be immediately noticed. Should they make their way to the king to personally object to the order that had been given and to explain the reason why they could not conform? There was no time for that. They could not be unaware



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RUSSELL HARLAN, ARTIST

Imagine Nebuchadnezzar's surprise to see four men alive in the furnace into which he had had only three cast!

of the reaction of the people about them, who would label them "traitor," "yellow-bellied," or even the "commies" of their day. Unimpassioned consideration of their religious scruples could not be expected when the issues had become so muddled and the mob thinking so muddled.

Hopeless was the position of these loyal subjects of the king. Despite their desire to support country and government in every way possible, they recognized that their primary loyalty to the supreme sovereignty of God left them no alternative but reluctant disobedience. So complete was their commitment to God that they chose the promised horrible death rather than perform an act indicating rejection of Jehovah.

Enlightened governments never make such a choice necessary. But Babylon was not enlightened. Church and state were united in the person of the king. And now the consequences of that union were to be demonstrated.

As everyone else bowed, the three Hebrews remained stiffly erect. I have never been able to convince myself that they were the only worshipers of God in that vast crowd. Because Israel at that time was a captive nation in Babylon, I believe it to be highly improbable that such a large and well-publicized assemblage contained only three Israelites. But if other Hebrews were present, one thing becomes self-evident—they bowed. When the pressure became too great, they capitulated. Only three had the courage of their convictions.

What would a Hebrew who bowed say to the three who would not? I can imagine one whispering, "Get down, you fool! You can believe in your heart whatever you want, but don't take a chance on your life. What good will you be to anyone as a martyr? Get down with the rest of us!" But the daring men of conviction remained stoically unmoved.

Years later similar unbending religious convictions forced an intrepid band of pilgrims to risk their lives on the high seas of the Atlantic in a tiny ship, seeking a land where they too could worship God according to conscience. On numerous occasions I have looked down on Plymouth Rock and tried to imagine them setting foot on the new shore and subsequently founding a colony that provided the religious freedom which meant more to them than life. Every American who has not

forgotten his country's heritage can identify with these three Hebrew worthies.

WHAT MUST IT have been like to have the stern eyes of an incredulous nation upon them? Sense the anger of the king. The eyes of the nation were upon him, too. His prestige was at stake, as was the security of the nation. Was not the defiance of the Hebrews part of a plot to undermine the confidence of the people in Babylon's future? Due process of law imposed no great barrier to the king's wrath. Punishment for misdeeds could be both arbitrary and immediate.

The king speaks. And the measure of his forbearance can be found in this—he gave the three men another chance. The band would play again. If at the sound of the music they would fall down and worship the image, all would be well.

"But if ye worship not," said the angry king, "ye shall be cast the same hour into the midst of a burning

fiery furnace; and who," he added with a sneer, "who is that God that shall deliver you out of my hands?"

And so the band played. And the three stood. Neither national disapproval nor kingly scorn could turn these men from their convictions. The king was a man of his word; they were consigned to the fiery furnace. It would seem that this was no ordinary punishment. Few references in history are made to this means of execution. The king undoubtedly used something immediately available—a brick kiln. Excavations show that the ancient brick kilns were similar in construction to the modern ones found in that area in great numbers.

As we stood on the plain of Dura that day, thinking of past events, my friend suggested that I dip my finger in a nearby puddle of water and tell him what it smelled like.

"Oil," I replied.

"You find it all over this country," he said. "It was the obvious fuel for firing bricks."

Anciently the fuel, a mixture of crude oil and chaff producing an intense heat, was introduced through an opening on one side of the round structure. This opening also provided a view of the inside.

WITH THE FIRST DROPS of the approaching rain splashing on my face, I recalled the inspiring conclusion of the ancient story. As the multitude watched breathlessly, the three men were hurled into a nearby brick kiln heated far beyond its ordinary maximum. Instant death followed—not for the victims but rather for the executioners.

If the king, seated nearby observing the proceedings, was unnerved by this, soon thereafter he was startled beyond measure. Jumping to his feet in astonishment, he cried to those around him, "Did not we cast three men bound into the midst of the fire? They answered and said unto the king, True, O king. He answered and said, Lo, I see four men loose, walking in the midst of the fire, and they have no hurt; and the form of the fourth is like the Son of God" (Daniel 3:24, 25).

Have you ever wondered how the king knew what the Son of God looked like? One answer presents itself: These Hebrews had not been quiet regarding their beliefs. They had spoken of their conviction that someday soon the Messiah would appear. When the king saw the glorious form of the fourth man in the fiery furnace, perhaps he concluded that the moment of the arrival of the Messiah had come. In a vital moment of clarity he saw that the religious convictions of these men had been right after all, and he recognized the wrongfulness of his own action. Calling into the fiery furnace, he asked the men who were there to come out. The three who had been cast in did so, and the fourth, needed no longer, disappeared.

When the three stood again before the king he found that the fire had not harmed them. Their hair had not

been singed; their clothing was undamaged; and they did not have upon them even the smell of fire. By a miracle God had preserved those who had honored Him.

The monarch concluded his dedication services for the image by speaking a blessing for the God of heaven who had "delivered his servants that trusted in him, and have changed the king's word, and yielded their bodies, that they might not serve nor worship any god, except their own God" (Daniel 3:28). The king then made a decree that no one should ever speak anything against the God of these three men, threatening that any who did would be cut in pieces and their houses destroyed because, he affirmed, "there is no other God that can deliver after this sort" (Daniel 3:29).

In the king's enthusiasm he went too far, for it is as wrong to make religious laws compelling people to recognize or serve the true God as it is to make laws compelling them to recognize or serve any other. Worship is a personal and voluntary matter between each man and his God. Religious laws have no legitimate place in an enlightened society.

To escape the rain, which by now had begun in earnest, we dashed to the protection of our waiting car. Soon we were moving again, more slowly now, on the rain-splashed, glistening pavement.

As we drove I knew that not far from the ancient plain unfair laws were being enforced, curtailing the religious freedoms of civilian populations. Government-placed padlocks were swinging ominously from the front doors of some churches. A Bible correspondence school, doing nothing worse than acquainting men and women with the Word of God, had been closed and its records seized. The shadow of government confiscation hung over the very church-built hospital of which my physician friend was the medical director. Only a few days later that shadow fell, and he was forced to leave the country.

Even in twentieth-century America images are being erected, minority opinions are increasingly being equated with threats to national security, and the rumble of the mob can be heard—"Get down! On your knees!"

"Mass opinion has acquired mounting power in this century," Walter Lippmann observes in his book *The Public Philosophy*. "It has shown itself to be a dangerous master of decisions when the stakes are life and death."—Quoted in *U.S. News and World Report*, April 22, 1955.

Recently, as a member of a minority Christian group, I stood in court accused of "Sabbath breaking." I had worshiped on the seventh-day Sabbath, as the law of God commands. But the state had its image and its law to force conformity. Not, of course, a fiery furnace for dissenters. Only a fine. But perhaps here, too, someday the band will play and the crowd will bow. And again men will need to remember three Hebrews—and a fourth like the Son of God—and courage on the plain of Dura.

★★★



Dr. Moore is the author of numerous professional and popular articles. His books include *China Doctor* (Harper & Row, 1960); *Michibiki* (Review and Herald Publishing Association, 1956); *Science Discovers God* (Japan Publishing House, Fukuinsha, 1953).



In the background: Harmon Hall, girls' dormitory.



Should Church-related Schools Expect Government Financial Help?

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I KNOW a sure way for a church leader to hasten his (requested) retirement. Amid current attempts at interfaith understanding, let him suggest that government agents be deployed across the land to take up offerings for his church. Let him insist that these "offerings" be taken from all, whether Protestant or Catholic, Buddhist or Hindu, Moslem or Jew. Let him demand that the money be used, not for the poor, not for the sick, but for a daily program of evangelizing and indoctrinating students in the beliefs of his church. Such requests would hardly endear a man either to his superiors or his parishioners. Yet this is, in effect, what thousands of American religious and political leaders are doing. For they are proposing that Federal tax monies be given to church-related schools.

Were I to win a popularity contest among contemporary church-related college—or parochial school—administrators,¹ I would have to wave the banner of government cash and low-interest Federal loans. I would rally all the clichés about providing "equal education" for all. And I would not have to dust them off; they have been used so often lately that they are as shiny and mirror-fresh as new-polished gold.

But are these clichés gold because they glisten? Are they right because they are often repeated? How unfair to parochial schools would our nation be if, as was true for most of its history, it gave aid only to public schools?

How fair to the taxpayer is it to give aid to both? These questions have special significance to me after twenty-five years of public and church-related school administration.

AS A SUPERINTENDENT of public schools I was a firm believer in their mission—and still am. Their parent is the government, Federal and State. I believe in their tax support. And I believe that they sometimes deserve Federal aid.

Today I am president of a church-related school struggling to meet rising educational standards and upgrade facilities without benefit of endowment or tax aid. The church to which I belong supports the college, but hardly in the way to which many institutions of higher

learning are becoming accustomed in this day of Federal grants and loans. Southwestern is only one of ten colleges and two universities in the United States founded and maintained by my church, which, in addition, supports 997 elementary and 79 secondary schools in this country alone—the world total is 5,081. Faced with serious financial problems at Southwestern, I should be delighted at the prospect of Federal aid such as is being made available by the recently passed Higher Education Facilities Act of 1963.

But instead I am deeply concerned. Let me tell you why.

First, I believe that the freedom of the academic institution itself is in jeopardy under government-aid programs. One able and highly placed official of the National Defense Education Act program (NDEA) recently stated on several occasions that within 25 years all colleges would likely be under the Federal hand, and inferred that church-related schools would pass into history.

Along with public institutions, many church-related schools are today enmeshed in direct or indirect government benefits. College teaching and research programs are being supported by at least 32 major Federal departments, some of them subdivided into scores of subordinate agencies. If for some reason the millions now poured into these schools were withdrawn, some college and university departments could not survive intact for one year. To this extent these institutions are already prisoners of the Government. Or perhaps they are its captors.

The primary purpose of Federal aid should be to help local public schools where the United States Government has created the need. Such need might be caused by the building of tax-free government installations—hospitals, air bases, et cetera—which take away a portion of the tax base from a community yet bring in even more children to be educated.

But the more a local school district (or State) is indulged or allowed to shirk its local responsibility, the weaker it becomes. If unnecessary Federal aid is given, local debts are simply passed on to other States through the Federal Government. Overhead is multiplied, power is centralized in the national government, and the local community is placed in the position of a dependent, even a beggar.

Further, should Uncle Sam be compelled to withdraw his assistance, as in depression or war, fiscal chaos might be the lot of the local schools. These are some of the dangers of government aid.

PERHAPS THE BASIC question we need to ask when considering aid to church-related schools is, What is their essential purpose? Leaders of our nation's three largest church-related school systems—Roman Catholic, Lutheran, and Seventh-day Adventist—admit frankly that prominent among their *raison d'être* is indoctrina-

tion of their students in the beliefs of their church. Generally this is the main goal. Certainly churches did not establish educational systems.

Many church educators work to ensure that the ideals and principles of their church permeate all courses and aspects of their school programs. Their schools are, in fact, prime evangelistic agencies. Other educators say only that their church schools are designed to keep their youth away from the "godless" influence of the public schools. However important this negative aim, it does not rank with the parochial goal of evangelism and indoctrination.

How does this objective affect the question of Federal aid? The answer is, To the extent to which Federal money is used to build, equip, or operate church-related schools, it is aiding the evangelistic purposes of the church. For this reason most Americans thus far have opposed the use of their tax funds for support of church-related schools.

ANOTHER REASON I OPPOSE use of tax funds to support an institution of the church is that the church belongs to those who support it. When its members support the church, the church belongs to its members. When government supports the church, the church belongs to government. And a church that belongs to government loses, ultimately, the financial—and perhaps other—support of its members. When internal stewardship and sacrifice are lost from a church, that church either dies, or becomes despotic as it gains control of its host. History is saturated with the blood of revolutions fought to escape the clutches of churches that have become viruses in their governments, and then, cancer-like, either ruled or destroyed their hosts.

Financing a church-supported school is no different from financing a church itself; the church-supported school is an integral organism of the church, not the quasi-public institution public tax money would tend to make it. Attempts to distinguish between "parochial" schools (elementary and secondary) and "church-supported schools" (colleges and universities) are not notable for their logic. Nor is the attempt to distinguish between the purely religious functions of a school and its secular functions successful. To finance a school in whole or in part is to establish the church that supports it. As Justice William O. Douglas of the United States Supreme Court observed:

"The most effective way to establish any institution is to finance it; and this truth is reflected in the appeals by church groups for public funds to finance their religious schools. Financing a church either in its strictly religious activities or in its other activities is equally unconstitutional, as I understand the Establishment Clause [of the First Amendment to the U.S. Constitution]. Budgets for one activity may be technically separable from budgets for others. But the institution is an inseparable whole, a living organism, which is strengthened

in proselytizing when it is strengthened in any department by contributions from other than its own members.

"Such contributions may not be made by the State even in a minor degree without violating the Establishment Clause. It is not the amount of public funds expended; as his case illustrates, it is the use to which public funds are put that is controlling. For the First Amendment does not say that some forms of establishment are allowed; it says that 'no law respecting an establishment of religion' shall be made. What may not be done directly may not be done indirectly lest the Establishment Clause become a mockery."²

In the United States no child needs to go without schooling. Public schools offer education for all—whether or not they can afford private or parochial preparation. The public schools are a great heritage, peculiarly American, and specifically designed for a nation that guarantees freedom of conscience. And they will continue to be great until their tax support is channeled to ambitious parochial systems.

Private and parochial schools have their legitimate place, too. They are in a real sense a testimony to America's freedoms. Their independence endows them with an environment that lends itself more to experimentation than does taxpayer-controlled education. And this experimentation has been one of public education's benefactors.

Nor does the government have to turn its back on church-related schools regardless of level. There are many avenues to cooperation without control. For example, (1) State or Federal scholarships and loans for worthy students have real merit. (2) Non-profit distribution of surplus foods to needy children is an appropriate function of the parochial school. (3) Tax exemption of school property and travel probably should continue. (4) Even tax credits to those who contribute to education—church-related or not—may be a desirable incentive for parochial support.

But none of these devices should be allowed to interfere with the basic stewardship responsibility of the churches that have undertaken to operate their own schools for their own reasons and not for the public interest. The Christian believes that his God blesses sacrifice. If there is no sacrifice, there can be no blessing. And if our church-related schools become dependent upon the Government, they lose the very independence that makes them a blessing to our society.

We might as well accredit Internal Revenue agents as deacons in our churches as to accept the money they extract from taxpayers for the schools our churches run. If the Government compelled my brethren from other communions to support the evangelistic program of my church, it would be doing no more than what would be done were taxes extracted from all citizens and, without their consent, pumped into parochial schools.

If a church desires to operate its own educational pro-

gram—elementary, secondary, or collegiate—let it do so by its own stewardship and sacrifice. My college must do this to survive spiritually as well as financially. And only thus can we avoid bitterness, suspicions, and interfaith conflicts that are now mounting over the Federal-aid issue. Only thus can we avoid inter-institutional infighting. The vitality of our churches, the integrity and creativity of our schools, depend on our stewardship.

THERE ARE MANY, of course, who disagree. The neon-lighted dollar sign looms large in some minds. And he who shouts loudest and longest these days may prevail regardless of the merits of his cause or the numbers behind it. But the proverb of the squeaking wheel getting the grease is a dangerous one to apply when dealing with the conscience of man. God allows us freedom to choose how we shall worship and which church we shall support; how dare a government that trusts in Him disavow the privilege He has granted?

No government should extract taxes to endow a religious education program that many taxpayers do not believe in. No government has the moral right to purchase the conscience of man. Nor should a citizen sell his conscience in order to purchase government aid for the institutions of his church.

Personal sacrifice is the life of the church. Federal aid means subsidized death for its stewardship, paralysis for its consecration, ensured mediocrity for its schools, and ultimately Federal control. Personal sacrifice makes only one demand—freedom of conscience. Federal aid means conscience control. Personal sacrifice is the seed of free enterprise in all areas of life—in religion as well as business. Federal aid is not only stifling to its growth but, in the case of colleges, also a guarantee of the eventual loss of our American liberal arts tradition of strong church colleges and state colleges standing side by side. This tradition is the remaining fountain of unrestrained initiative, creativity, and experimentation in American higher education today.

When the Federal Government pays the bills of the church, when the people forget how to give, when legislators bend principle to the whims of parochial men, when the Internal Revenue Service agents take up the offerings in your church to benefit mine, then control will be vested in the hands of the Government. And then, warns history, conscience and principle will have been sold for the price of expediency. On that note, however sane, we will sing the requiem for the freedom of our children. ★★★

REFERENCES

¹ Technically the term "parochial school" describes "a school operated by a parish and under the control of the parish priest." A school sponsored by the bishop for a diocese or a school operated by a religious order such as the Society of Jesus is not accurately classified, so far as Roman Catholic nomenclature is concerned, as a parochial school. However, the term "parochial" has come to mean all those private elementary and secondary institutions supported by a church. I shall use "church-related schools" to refer not only to these but also to colleges and universities. (See Hunt, Rolfe Lanier, "Religion and Education," *The Annals of the American Academy of Political and Social Science*, Philadelphia, vol. 332 [November, 1960], p. 96.)

² From concurring opinion in the June 17, 1963, Pennsylvania and Maryland hearings on reading of the Bible in public schools. Quoted in the *Review and Herald*, vol. 140, no. 29, July 18, 1963, p. 15.

A notable conference on church-state relations was held in Columbus, Ohio, February 4 to 7, under the auspices of the Religious Liberty Department of the National Council of Churches. This was the first such conference of Protestant leaders in America. Delegates from various member churches of the National Council and observers from the Roman Catholic Church and the Jewish communions attended. The problems discussed were of vast significance to the church and the nation. Francis D. Nichol, editor of the *Review and Herald*, official church paper of the Seventh-day Adventist Church, reports why.



A panel of experts on church-state relations: From left: William C. Robinson, professor of Historical Theology at Columbia Theological Seminary and a member of the General Council of the Presbyterian Church in the U.S.A.; W. Astor Kirk, director of the Department of Public Affairs of the Division of Human Relations and Economic Affairs, The Methodist Church Board of Christian Concerns; John Dillenberger, dean of graduate studies and professor of Historical Theology at San Francisco Theological Seminary, and a minister of the United Church of Christ; Irwin W. Cobb, Jr., an attorney and member of a special committee on relations between church and state of the General Assembly of the United Presbyterian Church in the U.S.A. Chairman was Eugene Carson Blake, stated clerk (executive head) of the United Presbyterian Church in the U.S.A.

THE importance of the conference in Columbus can best be appreciated when one seeks to answer the question, Why was the conference held?

It was held, first of all, because historic Protestant viewpoints on church-state separation, particularly as codified in the metaphor of the Wall—the wall of separation—are under attack.

The consensus achieved in our primarily Protestant America of 100 years ago is crumbling before the pluralistic assault of religious and civil pressure groups, each of which views the First Amendment from a perspective differing to some degree from that of the Protestant. As Dr. Eugene Carson Blake, key spokesman for the United Presbyterian Church, and prominent ecumenical leader, observed in his opening address to the conference:

"The issues amongst the various religious bodies and other American citizens are grave and difficult. Nothing has happened in the past few years to resolve them. But," added Dr. Blake, "the climate of relationships, especially between Roman Catholic Christians and other Americans, has so greatly improved that it is my hope that this Conference, dealing with real and important issues, will prove that the most stubborn of them will be able to be fairly and constructively discussed."

From the wide divergence of views held and often vigorously promoted at the conference, as well as the

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lack of a firm detailed conclusion from many of the study groups, one might question whether it is accurate to speak longer of a Protestant consensus. At any rate, divergent viewpoints are being pressed with increasing success.

FIVE DEVELOPMENTS can be said to have prepared the way for this historic conference.

1. **The Roman Catholic challenge to the concept of church-state separation, traditionally Protestant and peculiarly American, that excludes the church from access to the state treasury.**

2. **Passage of a bill by Congress that would assist financially not only State colleges but also private colleges, including those that are church-related.** I shall not here discuss the merits or demerits of the bill, but rather point out only that its passage presages heart-searching and position-rending redefinitions on the part of Protestant bodies that have consistently denied that church-related schools have a right to the use of public tax funds.

Because Protestant churches have much more money invested in colleges than in elementary or secondary parochial schools, and because private schools are hard pressed—desperately hard pressed—to support and expand their college properties and programs in the face

of rising costs, this bill naturally has great appeal to those Protestant bodies supporting institutions of higher education.

But Protestants have maintained, and maintain yet, a strong aversion to aid for parochial schools, which, let us not forget, are largely confined to the Roman Catholic Church. Is there logic in the position that a constitutional line can be drawn and held between aid for church-supported colleges on the one hand and church-supported elementary and secondary schools on the other? Or will acceptance of Federal aid by Protestant-supported colleges—even if for nonreligious areas of the curriculum—simply open the gate to a stampede of Roman Catholic parochial schools seeking aid? The fear, if not the conviction, that the latter is the case in no small degree explains the calling of the conference in Columbus to study the broad questions involved in church-state relations. It might even be said to be the prime activating force.

Three other factors were involved in its calling:

3. **The emergence of the welfare state.** As the state has increasingly involved itself in providing housing, clothing, and medical assistance for the needy, activities that for many years were considered the unique ministry of the church, a certain overlapping of functions has resulted. Pressures have been generated for further mutual endeavors, in which the church might utilize state funds. The implications to the wall of separation are evident.

4. **The ecumenical movement.** A distinguishing mark of ecumenism has been the endeavor to find points in common between various religious bodies and, more startlingly, between Protestants in general and Roman Catholicism. Earlier misunderstandings, tensions, and suspicions have been studiously sup-

pressed, if not eliminated, particularly by Protestantism. The result has been increasing good will and fellowship of a kind. Hence, Protestantism has evidenced willingness to reconsider the arguments of Rome in behalf of state support for church activities. This willingness was evident at Columbus, where priests sat as observers—and vocal ones—on committees discussing Federal aid and other matters. The desire of significant segments of Protestantism to forward ecumenical understanding was no doubt responsible for the toned-down conclusions of several study groups.

5. **Activity of secularist—even atheist—citizens against any support of religion by the state, or even display by the state of religious symbols.** Some segments of Protestantism have reacted strongly against this pressure. They inquire: Why should the shape of things religious in America be altered at the behest or whim of those who do not honor God or the Lord Jesus Christ?

These, then, are the developments, the tensions, the questions that prepared the way for the historic Columbus conference, and its importance can best be estimated in the light of their significance.

WE COME TO the opening hour of the church-state conference in Columbus. Dr. Eugene Carson Blake reminds the delegates of the Protestant position, or positions, with which most of them came to Columbus.

"There is a vigorous and venerable tradition among the Protestant churches in America that Church and State should be separate. One of the firmest features of this tradition is that no tax aid should be given to parochial schools of any church. That long-standing principle is being challenged today by many voices, both within the churches and without. The prospect of

What was the significance of the

National Council of Churches Conference on Church-State Relations?

Where do we go from here?

federal aid to education [in church-related colleges] has made this issue increasingly acute.

"The acceptance of tax funds in various forms and under various conditions by Protestant church-related colleges and hospitals has caused many legislators and others to question the sincerity and validity of the Protestant opposition to tax funds for church-related elementary and secondary schools. With the passage last year of the college-aid bill, which will benefit church-related colleges as well as other private and public colleges, pressure is being exerted on Congress to extend the same formula to secondary and elementary education, thus radically revising the historic policy written into the constitutions of most of the states of the United States.

"There are those who foresee great difficulty in making a convincing and Constitutional distinction between the colleges and parochial schools in their eligibility for tax funds. In fact, there are some who predict that it is only a question of time until parochial schools in this country receive tax aid. If this is true, some say, the Protestant churches will have paved the way for the reversal of their own principle by condoning the use of tax funds by their institutions of higher education and welfare. So it is high time, if not past time, for the Protestant churches to survey their practices in all fields, to see if they are indeed unwittingly undermining their own principles.

"Recent decisions by the Supreme Court on the use of prayers and the reading of the Bible in public schools have also raised acute questions in the minds of Protestants and others about the proper place of religion in American education. These are only a few of many issues which the churches need to examine under the broad heading of 'church-state relations.' Some churchmen hold that the most urgent and crucial issue of all is also the least examined: the alleged 'social' establishment of 'religion-in-general' in America, which (they say) paves the way for various forms of legal establishment.

"These are the critical issues that have induced the National Council of Churches to call a National Study Conference on Church and State, and to invite both member and non-member communions to send delegates to counsel together and to advise the National Council and the churches on the proper relationship of church and state."

DR. BLAKE'S OPENING REMARKS, here quoted, assume that Protestantism in general has a tradition of advocating the separation of church and state. This assumption is well supported by three relatively recent policy statements made by the National Council, copies of which statements were made available to us at the conference.

The first of the three was adopted by the General Board, June 4, 1959, and is entitled "Opposition to the

Christian Amendment Proposal." After reaffirming its "support of religious freedom for all people," the General Board in five numbered paragraphs gives reasons why it opposes "an amendment to the Constitution of the United States intending to declare that the United States is a Christian nation":

1. "A constitutional amendment of this purport confuses the nature and function of the nation-state with the nature and function of churches. . . .

2. "Previous attempts to maintain 'Christian states,' in earlier centuries as well as in our own, have been fraught with great problems and have failed in disillusion. . . .

3. "The intended amendment would strengthen the hands of those who desire financial and other privileges for Christian churches ready and able to secure them—such as support of school and welfare institutions. . . .

4. "The proposed amendment would embarrass our ecumenical relations and our missionary enterprises, and also general international relations as viewed by Christians and by the world majority of non-Christians, through officially attaching the Christian name to military, economic, and other acts and policies of the Government of the United States. . . .

5. "To declare the United States a Christian nation in the churchmen's sense of 'Christian' is to assert less of truth than of pretension."

Fifty-nine members of the General Board voted for this statement, and only one voted against it. It would be hard to improve on its wording.

The second of the three policy statements, adopted February 22, 1961, is entitled "Public Funds for Public Schools." This, of course, was prompted by the mounting campaign by Roman Catholicism to secure such funds for their parochial schools. After giving certain arguments in the matter, and explicitly confirming the right of any church to operate its own schools, the statement declares:

"We do not, however, ask for public funds for elementary or secondary education under Church control. If private schools were to be supported in the United States by tax funds, the practical effect would be that the American people would lose their actual control of the use of the taxes paid by all the people for purposes common to the whole society. We therefore do not consider it just or lawful that public funds should be assigned to support the elementary or secondary schools of any Church."

Eighty-seven of the General Board members voted for this policy statement and one voted against it.

The third policy statement, adopted by the General Board on June 7, 1963, deals with the same general theme under the title "The Churches and the Public Schools." The heart of this statement is as follows:

"We warn the churches against the all-too-human tendency to look to the state and its agencies for support

in fulfilling the churches' mission. Such a tendency endangers both true religion and civil liberties."

Then comes this affirmation in behalf of the First Amendment:

"We express the conviction that the First Amendment to our Constitution in its present wording has provided the framework within which responsible citizens and our courts have been able to afford maximum protection for the religious liberty of all our citizens."

Sixty-five members of the General Board voted for this statement, one voted against, and one abstained.

These three current pronouncements probably were in Dr. Blake's mind when he stated: "There is a vigorous and venerable tradition among the Protestant churches in America that Church and State should be separate." Though the human frailty of inconsistency has been manifested through the years in Protestantism's support of church-state separation—particularly as to Sunday laws—I believe that the pronouncements here cited well express the ideal of church-state separation.

With these three National Council pronouncements and Dr. Blake's general opening remarks clearly in their minds, the conference began its work.

I WISH I COULD report that the conference concluded with clear-cut answers to the various questions posed and vigorously discussed in the twelve sections of the conference, but this was too much to hope for. Let me give you the most cheering word first. The section dealing with Sunday laws and related legislation drafted a statement to be read in the general assembly. This statement affirmed that all men need one day of rest in seven. However, it added that this objective did not necessarily call for Sunday legislation. Man's needs could be met fully by a law that would assure everyone of one day of rest in seven. In more direct comment on Sunday legislation, the statement noted:

"We therefore urge all of our fellow churchmen to become familiar with and more understanding of persons in our society whose modes of worship or times of

religious observances differ from our own, to show them the same courtesy and consideration we expect to receive, to aid them in any way that may be desirable and acceptable, and to defend their religious observances and freedom of worship as zealously as we do our own."

The closing paragraphs are addressed to the government, as it were, and contain these words:

"We recommend that wherever the principle of a common day of rest remains established in the law, thus tending to create an inequitable situation for those who keep another day of rest, such law be so rewritten or construed as to seek to remove such inequity."

"In all the proposals noted above, our dominant thought is that every individual should be able fully to enjoy his constitutional right to worship God according to the dictates of his own conscience without suffering social or economic disadvantage. The letter of the law should be subservient to the spirit of the law."

This is really a remarkable statement, to say the least. Of course, we must remember that the number of persons actually present in each of the sections was relatively small. However, invoking the principle of poll taking as it is rather accurately used today, we may assume that it is possible to secure, even from a limited group of people, an expression representative of the thinking of a much larger group.

According to the rules of the conference the sectional reports were simply to be read and then sent on to the various constituent bodies for such study or action as they desired.

I would venture the guess, from the various personal contacts I was able to make, that the conclusions of this section of the conference reflected the thinking of at least a very substantial portion of the total delegates.

IT WAS IN the section on state aid to religious schools that I sat faithfully meeting after meeting. A ballot was taken to discover the mind of the delegates as to state aid to church colleges. In this balloting the matter of aid was broken down into four parts. On the first two—whether research contracts should be made or student aid given—a heavy majority were in favor. On government *loans* to church-related colleges, which the law now permits, there was less agreement, though there was a majority vote in favor. On grants to colleges—that is, outright gifts to the church-related school—the majority were opposed. To be exact, of the 24 persons voting in this section on government grants, 10 were in favor of the grants and 14 against.

Those who voted in favor of government grants could qualify their vote by any one of the three following conditions: "No racial or religious discrimination in admitting students or hiring faculty; (2) no religious requirements or exercises to be required of students or faculty; and (3) no sectarian teaching to be allowed." The majority took the position (To page 33)

At a luncheon session Martin E. Marty, associate editor of *The Christian Century* and associate professor of Church History at Chicago University Divinity School, spoke on "What Our Practices Are Preaching."

NATIONAL COUNCIL OF CHURCHES



by
**THELMA
WELLMAN**

IT IS probable that many visitors pay little or no heed to the statues in front of the State House in Boston. Two of the five figures thus honored are women. They are marble refutation of the statement "It can't happen here." Not only can it, but it did. Both women were driven into exile. One finally was hanged on Boston Common, not for offense against a criminal code but for the sake of religious belief.

Why should the State erect statues to them? Might it have been that a more enlightened age demanded apology to those who differed from the old-time theology? Or are they reminders of the value of the present American system of freedom for all beliefs and even of the right to be wrong?

Forthright is the word for Anne Hutchinson. She possessed few of the qualities of Eve, model for Puritan wives, described by John Milton in "Paradise Lost"—modest, submissive, quiet, and happy to acquiesce in the superior wisdom of her husband.

Anne's claim to be under special inspiration through a covenant of grace and her charge that ministers of Boston were under the covenant of works proved particularly obnoxious to her detractors. The controversy over legalism and grace created numerous factions in the colony. Some supported Anne; others championed the covenant of works. With the women, however, she was influential because of her generous services to them as nurse. Her free expression of religious views caused her to be misunderstood. Therefore prominent ministers and magistrates dropped in at her home to check up on her.

In the May, 1637, election Governor Vane was defeated for re-election by Deputy Gov. John Winthrop, one of Anne's opponents. Then descended on her the displeasure of those once persecuted who now became persecutors. Mrs. Hutchinson, tried by the general court and accused in the Boston church, was excommunicated and banished from the colony. Driven forth in 1638, she established a settlement on Aquidneck Island (now Rhode Island). At the death of her husband she moved to Long Island on what is now Pelian Bay. In 1643,

HEROINES for



when she was killed by Indians, her foes declared her death to be the judgment of God on a rebel in their theocracy. Perry Miller dryly comments, "God corroborated their feelings by delivering Mrs. Hutchinson over to the tomahawk."¹

The statue of this intrepid woman in front of the Sate House indicates the change in religious climate that today hails her as a "courageous exponent of civil liberty and religious toleration."

A friend of Anne Hutchinson, Mary Dyer was also a woman of strong conviction. She dared to be different when it was dangerous. She followed her friend

into exile in Rhode Island. In 1650 Mary returned to England for a visit. Here she was caught up in the ferment and excitement of the Quakers, motivated by the "in-

ner voice." The voice spoke to her with such intensity that she joined the group. A modern writer declares "that the Quaker's whole approach toward religion—toward religious beliefs and toward the organizational structure—encourages diversity."² This was much more true in Colonial days than at present. Difference was abhorrent to our Puritan forefathers, so much so that they "magnified the few Quakers who ventured within their jurisdiction into serious dangers against the established order."³

On Mary's return from England she had to pass through Boston en route to Rhode Island. The Bay Colony arrested and imprisoned her. Her husband's importunities secured the release of his wife. Later she returned to Boston to visit fellow Quakers in prison and to "bear witness to her faith." Her insistence on risking her life did not bring her the customary tarring, feathering, and expulsion from town. She was condemned to be hanged in 1659, but reprieved May 21, 1660. However, another forbidden visit to Boston brought her to the gallows, June 1, 1660. To the last she lived by her affirmation of purpose: "My life not availeth me in comparison to the liberty of the truth." ★★★

¹ Perry Miller, *The New England Mind* (Cambridge, Mass.: Harvard University Press, 1954), p. 390.

² Lee E. Dirks, "Quaker World Moves to Rethink Key Philosophies," *The National Observer*, Sept. 23, 1963.

³ Miller, *op cit.*, p. 391.



HARRY BAERG, ARTIST

Forthright
was the word for
Anne Hutchinson.



EWING GALLOWAY



Should Nuns Teach in Public Schools?

WILLIAM A. COOK

HER black habit whipping in the wind, the nun ushers her students from the playground into the school. Down a hallway, past a bulletin board advertising a spiritual retreat at the local Roman Catholic church, past religious insignia on the walls, they march into their classroom. There, under a crucifix over the door, the students celebrate mass two mornings a week. Protestant youngsters have the option of remaining outdoors or, in colder weather, in another classroom until the religious exercise is finished.

When this happens in one of the nearly 13,000 Roman Catholic parochial schools¹ in the United States, no question is raised by the community. Churches have the right to operate schools and to indoctrinate their youth in the precepts of religion—their religion. But when this happens in its *public* schools, a community may ask pointed questions.

The extent of sectarian instruction in public schools is hard to ascertain. State departments of education often either lack the facts or hesitate to reveal them. A 1959 survey reported 2,055 Roman Catholic nuns, brothers, and priests teaching in the public schools of this country.² In at least twenty States some public schools are being operated as parish schools.³ (Current surveys, as yet incomplete, place the number at more than 300.) In Jasper, Indiana, the school has a dual listing: it appears as a public school in the Indiana directory of public schools and as a parochial school in the diocesan record.

"It is operated as a regular parochial school taught by nuns. The salaries of the nuns and other school expenses are, however, paid out of public funds. The school day begins with Mass. Roman Catholic dogma is taught in the classrooms. Protestant and Jewish children may be excused from attendance if their parents so request. About 80 per cent of the students are Catholic. Every teaching influence is used to indoctrinate all pupils in the Catholic faith. Protestants are told that if they don't like it they can move out."⁴

In a number of communities aroused citizen groups are taking their questions to the courts for answers.

Typical is Fort Recovery, Ohio, where a lawsuit has been instituted by a citizen's group and Protestants and Other Americans United (POAU) to bar Roman Catholic nuns in religious garb from teaching. The suit alleges that the school board in this Mercer County community, by entering into an agreement with the Sisters of Mary, the Help of Christians, has "given control and operation of the leased premises to this sectarian religious order."⁵

According to Dr. Glenn Archer, executive director of POAU, the basic question to be resolved is, May sectarian religion lawfully be taught in public schools?

"It is our contention, apart from other abuses, that wearing of a garb is a teaching influence, a constant reminder of sectarian teaching."

Other classroom abuses listed by Mr. Archer include distribution of Roman Catholic literature; use of the catechism; display of religious symbols, pictures, and crucifixes; repetition of distinctively Roman Catholic prayers, such as the Hail Mary; and discrimination against Protestant youth who refuse to participate in Catholic rites and studies.

The lawsuit in Fort Recovery is only one of several challenging the right of nuns in religious garb to teach in public schools. In Kansas, Illinois, Kentucky, and Texas citizens are seeking to stop practices that have made parochial institutions out of public schools. Lawsuits in the supreme courts of Missouri and New Mexico have terminated arrangements similar to that in Ohio.

Gross violations of church-state separation in the public school system—as in Jasper, Indiana, where a public school has been taken "captive"—will be disapproved by most Americans of all faiths, including Roman Catholics. A finer question is being raised in Fort Recovery, and elsewhere, where the right of nuns in religious garb to teach in public schools is questioned. More controversial yet is the question of whether it is in the public interest for nuns even in civil garb to teach in the public school system. It is with the two latter questions that we shall concern ourselves.

THE QUESTION OF religious garb in public education was first brought to the courts in 1894, when a Pennsylvania court held that the garb and insignia of the Sisters of Charity did not constitute sectarian teaching and that the exclusion of such teachers from public schools would abridge their religious freedom.⁶ Spurred by the ruling, the legislature the following year passed a law prohibiting religious garb in public schools. Its constitutionality was upheld by the courts in 1910.⁷ Meanwhile, New York courts in 1906 had ruled against religious garb for public school teachers on the ground of its sectarian influence.⁸

In 1936 the Supreme Court of North Dakota upheld religious garb in that State's schools, but in 1948 a constitutional provision adopted by referendum prohibited it.⁹ In 1951 the Supreme Court of New Mexico enjoined 139 nuns, brothers, and priests from future employment in their public schools.¹⁰ A year later the Missouri Supreme Court barred garbed nuns from their public schools.¹¹ However, a 1956 challenge in Kentucky found the court deciding that religious garb does not "teach."¹²

Arizona, Nebraska, and Oregon have laws forbidding garbed teachers in their public schools, but no court test has occurred in those States.¹³ Iowa's attorney general condemned the practice,¹⁴ while the attorney general of Ohio endorsed it.¹⁵

To sum up the legal picture: Eight States by court decision, legislation, or popular vote have banned religious garb.¹⁶ Kentucky alone, through the court of appeals, has approved the use of religious garb. No case involving garb has yet gone to Federal court.

Apart from the legal questions, three factors are cited by those who oppose nuns wearing religious garb while teaching in public schools. They are (1) the vows of the nun, (2) her conduct in the school, and (3) the influence of her garb.

Vows of different orders of nuns vary in phraseology but reduce essentially to the historic triad of poverty, chastity, and obedience. The first and last of these concern us.

Testimony in the Bradfordsville, Kentucky, case¹⁷ established that Ursuline Sisters may own no property whatever. All basic needs—even such incidentals as stamps, paper, and tooth paste—are met from the Ursuline treasury. The Missouri case revealed that the Poor Sisters of Notre Dame may receive nothing of value for themselves, not even presents from the students.¹⁸ In the same case it was shown that Sisters of the Most Precious Blood must share equally of all necessities. No sister may accept any article of value, even for safe-keeping. Whatever is acquired through labor is the property of the Order. A sister transferred from one house to another takes only her clothing, prayer book, and manuscripts.

Even "the size of the nun's traveling bag is prescribed for her; she may not have her initials engraved on it! Her mail is read by the superior before she may read it! She is forbidden to wear a wrist watch or have gold fillings in her teeth."¹⁹

THE COMPLETE SUBSERVIENT OF nuns to their Orders, and ultimately to their church, raises the question of whether they can serve with equal loyalty an independent and secular school system. It is not the dedication of the nun to her calling that is questioned; rather it is whether that very dedication does not circumscribe her loyalty to the public school system.

Questioned in the Bradfordsville, Kentucky, case on her vow of obedience, Ursuline Sister Mary Romauld answered that she was obliged to "obey the Mother Superior in spiritual matters." The Poor Sisters of Notre Dame "shall not desire to choose their superiors but will be satisfied with anyone to whom they may be entrusted, even if her character and disposition do not accord with their views." Sisters of the Most Precious Blood are "bound by obligation . . . [to follow] the directions of the Constitutions and of the Superiors. . . . No Superior can enjoin anything which is prohibited . . . by the Commandments of the Church."²⁰

In each case the line of authority runs through Mother Superior to, ultimately, the pope in Rome. Nor is the obedience pledged that of "thought" alone; it includes

behavior toward adults and children, in the classroom as well as elsewhere.

Can these vows of poverty and obedience reasonably be expected to produce anything less than proselytism—steady, keen, industrious proselytism—in a school? Unless the nun is false to her vows and ideals she can hardly recognize her obligation as a teacher in the public school system to the secular, nonsectarian education to which that system is pledged. In fact, the nun is under solemn instruction from the pope (Pius XI) to see that all courses she teaches shall be "permeated with Christian (i.e., Roman Catholic) piety."²¹

The Roman Church's widespread attempts to control educational systems (in Catholic countries their "rights" are often spelled out in a concordat) are well known. Basing their claims on Pope Pius XI's encyclical *The Christian Education of Youth*,²² priests in Bloomfield, New Jersey, who were disputing over school arrangements with the local school board, claimed authority superior to that of the board. Their church's control over education, they said, "has precedence over any right of civil society and of the state, and for this reason no power on earth may infringe upon it."²³

THE NUN'S RESPONSE to such claims can be documented in widely separated communities where Catholic influence has been sufficiently strong to ensure her a place in the public school classroom.

At Dixon, New Mexico, the bus ran thirty minutes early two days a week to get the children to "public" school for mass. Protestant children could remain outside the building, even in winter, or go inside for a mass which offended them and their parents.²⁴ The same thing occurred at New Hope School, Nelson County, Kentucky. At Johnsbury, Illinois, non-Catholic children waited in their rooms until 9:20, when exercises for the Catholic children ended at the adjacent Catholic church.²⁵

Nuns had Dixon youngsters repeat the Hail Mary four times daily, despite State law that no pupil of a public school "shall ever be required to attend or participate in any religious service whatever."²⁶ A pupil there might skip a grade for proficiency acquired in catechism. A Protestant child was locked in a room for refusal to participate in religious exercises. A Pentecostal minister looked up after grace and discovered his Pentecostal children crossing themselves.²⁷

At Johnsbury,²⁸ report cards showed pupil progress in religious training under nuns as teachers. At St. Joseph School, a one-room public school, taught by Sister Theresina, in Marion County, Kentucky, children colored cards with the catechism on the opposite side.²⁹ At St. Charles High School, also a public school in Marion County, students received sectarian cards at least five times from a local priest, the home-room teacher, or the English teacher, both teachers being nuns. In 1952 Wisconsin's State Superintendent of Schools stopped

State aid to fourteen public schools taught by sisters, because *they gave sectarian instruction*.³⁰

At Johnsbury³⁰ and North College Hill (Ohio),³¹ classrooms where nuns taught were fully decorated with sectarian insignia. Financial records of the St. Charles High School, almost wholly taught by nuns and attended by sixteen Protestants at one time, revealed checks to the Catholic Guild for "pictures for the library" and subscriptions to at least eight Catholic periodicals. Collections were taken for sectarian missionary undertakings. Johnsbury used sectarian texts and gave Catholic articles as prizes. St. Charles was closed on Catholic holidays.

The fitness of some nuns to train children for American citizenship is questioned because they are of foreign background and deficient in English. Four sisters teaching at Dixon were German refugees and unable to speak intelligible English! Nuns recently assigned to an elementary school in Washington County, Ohio, were reared in Ireland and taught in South Africa before coming to the United States.³²

And how does a nun from a country where her church is established regard the uniquely American principle of separation of church and state? Though many American Catholics approve the principle, most Catholics overseas are taught that it is, at best, a condition to be tolerated.

In a decision unanimously upheld by the Missouri Supreme Court it was declared that nuns teaching in the so-called public schools of Franklin County in that State were not free to accept the American policy of church-state separation in good faith. "In case of conflict between the directions and orders of the defendant school directors . . . with the obligations, orders and directions of the superiors in their respective religious orders of the Roman Catholic hierarchy, the nuns and each of them by virtue of their oaths of obedience be required to ignore the orders of the secular authorities and obey the orders of the religious superior and the Church hierarchy."³³

AS TO THE NUN'S DISTINCTIVE GARB, no civil right says a teacher may wear whatever her religious order desires. An army recruit does not continue to wear jeans or overalls; the army takes the man, not his clothes. When a man becomes a policeman or fireman, his employer, city or State, specifies what his uniform shall be. Members of a band and candidates for an athletic team dress as their directors order. The employer controls the garb worn while on duty.

Similarly, the State has the right to specify garb for its teachers. The teacher is in civil life and should dress accordingly. If a Protestant clergyman is employed in a public school he should attend school in no distinctive religious attire. So much for the alleged civil right to wear religious garb in the public school. (In several Roman Catholic countries Protestants cannot teach in

the public school systems no matter how "civil" their dress.)

The educational effect of a teacher's garb cannot be ignored. If the garb has no educational effect, visual education is a sham. The millions of dollars expended to improve our textbooks by illustrations, to decorate classrooms in harmony with the activities conducted there, and to furnish moving pictures and television programs to thousands of schools is wasted. The flag displayed before every school building is an empty gesture. The architecture and furnishings of our homes and churches are of no influence.

Catholic educators themselves show their recognition of the teaching value of visual aids by decorating their churches and schoolrooms with religious symbols and pictures. Their teaching orders wear distinctive gowns, hoods, and other meaningful attachments. To deny the teaching value of something because it does not consist of words, as the Kentucky Court of Appeals did, calls for an exercise of credulity beyond my ability.

As we have noted, the nun-in-public-school question can hardly be settled simply by banning the wearing of religious garb while on school duty. After religious garb was legally banned in North Dakota, nuns at school there wore a simple uniform not too suggestive of any sect.³⁴ Their proselyting activities continued, however. The habit is only the outer emblem of something far more fundamental.

So long as their vows pledge them to ideas and activities alien to the American concept of secular schools, the place of nuns—whether in distinctive garb or civil dress—in the public school classroom will continue to be questioned and challenged in the courts. ★★★

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- ¹⁶ Washington is a possible addition to the eight by virtue of a law that schools must be free from sectarian influence. *Wash. Rev. Code*, sec. 28.02.040. Washington Attorney General Opinion No. 4346 (June 5, 1939) bears this out.
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MAY-JUNE

Voices in the Ecumenical Wind

FIRST SIGN—In a historic letter to the bishops of the world Pope Paul VI called events surrounding his visit with the ecumenical Patriarch of Constantinople "the first sign of reunion in the One Church of Christ, however distant the total unity we desire may be."

UNITED CHURCH UNDER PAPACY—By the twenty-first century there will be "a great united church under the leadership of a reinterpreted papacy," according to a prominent Protestant Episcopal theologian. "We will be able to confront what has then become one world with what has visibly become one church," said Dr. J. V. Langmead-Casserly, professor of philosophy of religion at Seabury-Western Theological Seminary, Evanston, Illinois, in a lecture in Providence, Rhode Island. Things have happened so fast in the drive for church reunion "since the Roman Church assumed a new and dramatic initiative" in ecumenical affairs, Dr. Casserly said, that "anyone with a feeling of history [and prophecy?—Ed.] can feel the surge." The big question for Protestants, including Anglicans, he said, is how they can reconcile themselves to the papacy. "Supposing in some way we should come to a new understanding of papal leadership?" he asked. "If the Holy Spirit says that church unity is through the Bishop of Rome, who are we to accuse the Spirit of bad theology?"

CHRISTIAN?—Those who oppose Christian unity "must ask themselves frankly whether they are Christians."—*Archbishop Iakovos of New York, Greek Orthodox Primate of North and South America in a statement released in Athens, Greece.*

PARTIAL CHRISTIANS—"So long as we are only denominational Christians we are only partial Christians."—*Dr. Edwin T. Dahlberg, American Baptist Convention clergyman and former president of the National Council of Churches, in an address in Fresno, California, before the annual dinner meeting of the Northern California-Nevada Council of Churches.*

HEAT WAVE AHEAD—The temperature of the ecumenical climate "has risen from zero to the temperate zone," said *Archbishop Gerald T. Bergan of Omaha, Nebraska, the first Catholic prelate to appear before the Omaha Area Council of Churches.*

THESE TWO SHALL BECOME ONE—Intermarriage between Jews and members of other religions is seriously threatening American Judaism.—*Rabbi Emanuel Rackman, a professor of political science at Yeshiva University in New York.*

Mixed marriages have "become the primary cause or occasion of defection from the faith."—*Msgr. Vincent A. Tatarczuk, assistant chancellor of the Roman Catholic Diocese of Portland, Maine.*

All-out Measures Called for Against Religion in the U. S. S. R.

OBSTACLES faced by Christians and other religious groups in Russia are highlighted in a report by Soviet Russia's chief ideological specialist, Leonid F. Ilychev.

Mr. Ilychev, one of the secretaries of the Central Committee of the Communist Party in the U.S.S.R., called for all-out measures to cope with a "serious lag" in the Communist war against religion.

This struggle, he said, "should not be just another campaign, but a permanent task in the building of communism in which all public authorities must join."

Obviously intended as a guide for all atheistic work in the country, the 25-page article was published in *Kommunist*, the monthly organ of the Central Committee, regarded as the most influential publication in the discussion and formulation of Soviet policy.

Stressed throughout the article was the "absolute incompatibility" of religious beliefs with the Communist ideology. It made clear that this remained true no matter how church leaders tried to adapt themselves to the government's policy or how strongly they backed its "peace" role.

In this connection Mr. Ilychev cited the case of an Orthodox priest from Lugans in the Ukraine who professed to support the Communist program because it "corresponds to Christ's commandment of fraternal love."

"This idea of trying to prove that there are no differences between communistic and religious views is wrong," the writer said, "because communism means an active attitude toward life and religion a passive one." "This passiveness of religious believers is a great obstacle in the building of communism," he commented.

Mr. Ilychev conceded that there had been a marked "activization" of religion after World War II, and that there are areas, notably the Ukraine and the Baltic Republics, where religion remains much stronger than it is in central Russia.

Although he gave no statistics on the "popularity" of religion in various regions, the Soviet official noted that 70 per cent of believers were people over 40, and 75 per cent of them were women. He said the "overwhelming" majority of members of Baptist communities in Russia were people engaged in unskilled work, "although there are some professionals among them, too."

Mr. Ilychev divided believers into three categories: those who are strongly religion-minded and active churchgoers; those who go to church occasionally; and those who still have their children baptized and want church weddings and religious funerals even though they do not really believe in God. He suggested programs for each group.

Mr. Ilychev attempted a concrete analysis of why a "certain part" of the population is still attracted to religion.

Ignoring the traditional Russian attachment to religion, he reported that often retired old people, forgotten by former associates in offices or factories, are attracted by the "delicate attention" to their needs on the part of the church.

He cited the case of one old pensioner in Moscow who claimed that not once in the three years since his retirement had a former colleague visited him. When he mentioned this to other old men, they told him that "only God never betrays. So go to church and you will not feel alone."

"No wonder," Mr. Ilychev remarked, "that such situations increase the number of believers."

He also admitted that the beautiful ritual of the Russian Orthodox Church is "attractive for many people who still prefer church baptisms or weddings, because this makes them memorable throughout their lives." He said the solution is to "replace some church ceremonies by not less attractive civil ones."

A number of civil "palaces" whose atheistic counterparts of Christian baptismal and wedding rites are per-

formed have been opened in such centers as Moscow and Leningrad, but Mr. Ilychev complained that similar institutions are needed in many other communities.

Another "attraction" for churchgoers, he continued, is the singing in Baptist churches. He noted, further, that in Kislovodsk and Pyatigorsk in the Caucasus, Baptists arrange youth parties, perform religious plays, and arrange concerts and excursions for the youngsters.

In this connection Mr. Ilychev urged that special attention be given to atheistic work among children, this being the "best guarantee" that eventually there would be no believers left.

He conceded that the greatest obstacle to eradicating religion among children was the influence exerted on them by their families.

"The absence of atheistic lessons at Soviet schools," he said, "gives a great advantage to parents, who can educate their children in religion all they want, since there is no opposition."

The writer noted also that despite impressive figures on the number of atheistic lectures being given, "there are many small cities and regions of the vast territory of the Soviet Union where not a single lecture has ever taken place. In 3,000 settlements and villages of the Yaroslavl region, no lectures on anti-religious themes have ever taken place."

Mr. Ilychev devoted the rest of his article to a discussion of specific ways in which atheistic propaganda could be stepped up and kept active.

He said the Soviet press in general has been "very shy" about permanent atheistic efforts, "thinking that this is the business of the magazine *Science and Religion*."

"It is important," he said, "that publications with a circulation of millions of copies publish atheistic material. This is especially true of those which are popular among both believers and nonbelievers." He was apparently referring to *Izvestia*, official Moscow daily, and *Ogonek*, a widely read illustrated paper.

"Moreover, to achieve success in atheistic work, qualified personnel is needed. This means it will be necessary to open special faculties at some of the Russian universities, because atheistic lecturers must know religion well, including the Bible, and not criticize religion with primitive arguments, as has often happened."

Mr. Ilychev said that until now, most qualified lecturers have been former priests who gave up religion. "However," he noted, "they have not been very good in Marxist theory and cannot be trusted completely."

No less important than qualified lecturers, the writer declared, was adoption of proper individual approaches to believers. This means, he explained, not opposing believers but their religious views.

"It means," he added, "that no repressions against churchgoers should take place, as was the case in the 20's and which resulted in strengthening religion rather than destroying it."

gentlemen of the jury



A corporation has built a "company town" around its factory. It completely owns the town, including the land on which the streets are laid out. The manager of the town refuses to allow a person to sell religious literature on the streets. That person refuses to leave and is arrested for a violation of a law punishing trespassers on private property.



Verdict?

a. The prosecution is proper, for the owner of private property may do with it what he will.

b. The prosecution is not proper, for the owner of private property who offers it for public use may no more impose unconstitutional conditions on its use by members of the public than may the public authorities of an ordinary town.

Answer:

b. The prosecution is not proper. *Marsh v. Alabama, 1946, 326 US 501*: "The man-
agers appointed by the corporation cannot curtail the liberty of press and religion of these people consistently with the purposes of the constitutional guarantees, and a state statute, as the one here involved, which en-
forced such action by criminally punishing those who attempt to distribute religious literature clearly violates the First and Four-
teenth Amendments to the Constitution."

TRADITIONAL features of our republican form of government are being looked on with an increasingly jaundiced eye. Undercurrents of thought and public expression indicate that significant blocs of citizens believe adoption of a certain type of dictatorship to be not merely desirable but indispensable to the welfare and security of the nation. Their sentiment is revealed by attacks on Supreme Court decisions protecting minority rights, pressure group activities, the "officially announced stand" of this or that organization, and the increase of legislative activities attributable to grass-roots pressures.

What is this form of dictatorship that is attracting increasing support?

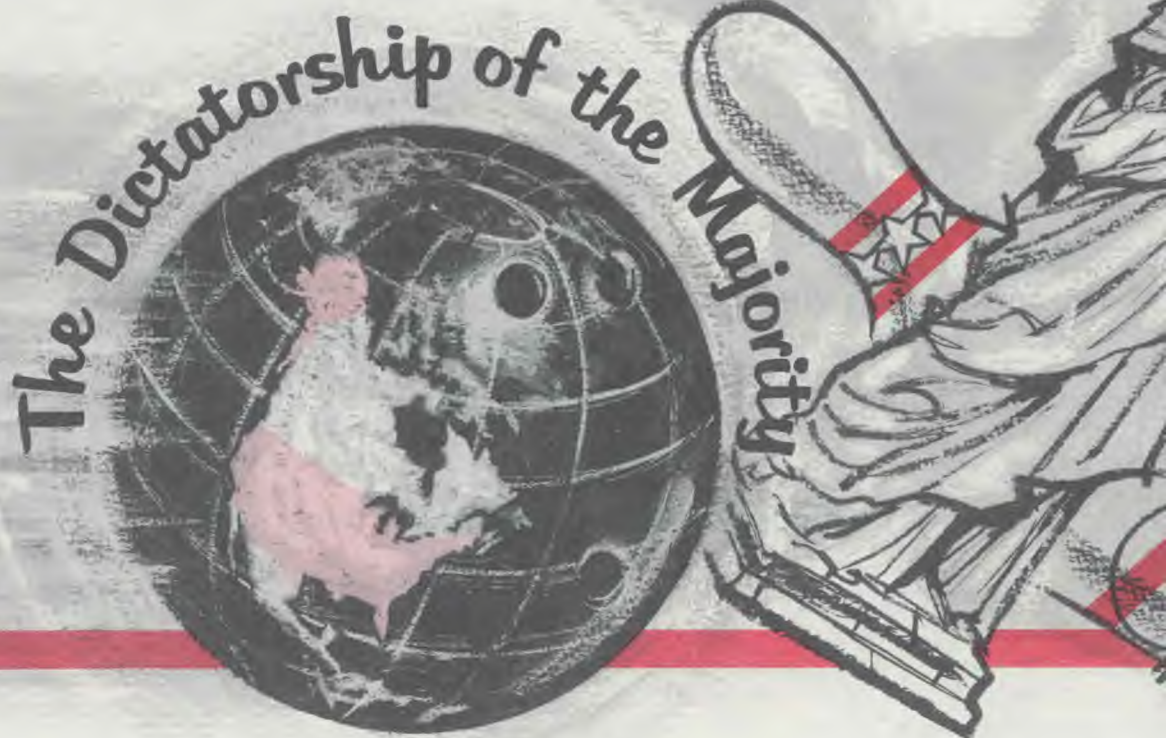
It can be called a dictatorship of the majority. It is a type of government similar in many respects to the conventional dictatorships observable around the world. It is conventional in that it, too, would practice the exercise of absolute (not limited) authority and power over its citizenry. It is unconventional in that it would obtain its "privilege" to do so by the vote of the majority. In much the same way as other dictatorships, it would pass

laws that are considered proper and necessary to the welfare and prosperity of the state and the masses (dissenters may conform, or else!), and then enforce them by its police power. But the laws would be *voted*, not *decreed*. A sort of "democratic" dictatorship, we might say.

The distinction between the two dictatorships is basically this: In one a minority exercises absolute authority and rules by decree; in the other, a majority exercises absolute authority and rules by vote—or as they smugly put it, by majority rule. Results are the same—domination of the body, mind, and soul of citizens, who are coerced into conformity and smothered into oblivion by sheer weight of numbers! The democratic principle of majority rule is not at fault, but rather the unscrupulous abuse of that principle that seeks to make *universal* application of it.

The forefathers of this nation saw that voting privileges alone would not necessarily safeguard and perpetuate the sacred freedoms for which they had fought and for which cause a new nation was conceived. As James Madison observed: "True it is, that no other rule

**IN THE INTERESTS
OF NATIONAL WELFARE AND SECURITY,
A NEW TYPE OF
DICTATORSHIP IS BEING URGED—**



exists by which any question which may divide a society can be ultimately determined than the will of the majority; but it is also true that the majority may trespass upon the rights of the minority."¹

While making provision for the establishment of a government "of the people, by the people, and for the people," our forefathers took care that none should misunderstand or willfully pervert their intent to mean "of the majority, by the majority, and for the majority." They did this by proclaiming unequivocally that certain "unalienable rights" are invested in all men. Because they are given by God, these rights cannot be voted away; they are not man's to confer or to deny.

It is in consideration of these rights that we must deny the privilege of "absolute power and authority" whether claimed by decree or by vote. It is in the consideration of these rights that we must protect the dissenter, the individual conscience, the individual freedom, in a land of majority rule. Recognition that some rights are inalienable was the most singular and the most important aspect of the new type of government conceived in the minds of our forefathers. For the first

time in history, certain institutions and human relations were to be *outside* the authority of government. The government was specifically forbidden to infringe them or to violate them.

Never before had people said to government, "Thou shalt not." Always government had said to people, "You may, or you must." Heretofore, government had *granted* certain freedoms and privileges to the people. But the Bill of Rights said, as Dean Russell paraphrases it, "We the people are endowed by our Creator with natural rights and freedoms. The *only* reason for our having a government is to protect and defend these rights and freedoms that we already have as individuals. It is sheer folly to believe that government can give us something that already belongs to us. . . .

"The Bill of Rights still exists on paper," he adds, "but the *spirit* that caused it to be written is disappearing. When that spirit is completely gone, the written words will mean nothing.

"Thus it behooves us to inquire why that spirit is now weak, and how it can be revived."²

This is a question we can no longer conscientiously side-step. It is a question that is being increasingly pushed to the forefront by the actions of powerful groups of conformists in the fields of labor, economics, politics, and religion, who champion the use of majority rule to silence the dissenter, deny the "unalienable rights" of the minority, and work for a "re-interpretation" of the Constitution that would harmonize with their philosophy of the conformist's utopia.

Their arguments appear so convincing that one is almost ready to climb aboard their train of thought and be carried away—when suddenly he realizes that he is climbing on at the same place where his forefathers got off nearly two centuries ago. They looked ahead and saw where the train would stop—at Grand Dictatorship Station, where personal freedoms and dignities once checked are seldom recovered. Wise with experience gained through personal contact with oppressive governments, "they saw the consequences in the principle and they avoided the consequences by denying the principle."³ O that our vision were as clear and our actions as decisive as were theirs!

In no area is majority rule potentially more dangerous than that of religion. This our forefathers saw, and they removed religion from the hands of government. As one of our courts has observed:

"When our existing government was created, its creators determined that there were some matters in which the majority should not control the minority; that there were some things over which the legislature [and that means the people they represent!] should not have authority; that in some things the people should not be within the power of the legislature. Such is our organization of government—our Constitution. One of the subjects withdrawn by that constitution, in the Bill of

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THOMAS DUNBEBIN, ARTIST



Rights, from legislative interference, is that of religion."⁴

Why, of all the inalienable rights inherited by man, does religious freedom as exercised by minority groups often first feel the intolerant blows of a majority-rule dictatorship? Perhaps it is because religious freedom is truly the foundation of all freedoms. A people who remain free in spirit cannot easily be physically and intellectually enslaved. By the same token, religious freedom is the most vulnerable of all freedoms. Hence the most powerful and concerted attacks of the enemies of all freedom are hurled first at minority religious rights. For he who will surrender his God-given rights and obligations will not long, nor with much fervor, defend those lesser, secular rights.

Perhaps the Amish people were thinking of this when they refused, a few months ago, to submit to a government tax levied for the purpose of caring for the aged. This responsibility of providing for their own people they claimed as one of their most sacred religious precepts. And in counties where Amish livestock and cash assets were seized, the records showed that not one Amishman had ever sought public assistance of any kind. The *Wall Street Journal* has pointed out the principle involved and the extent to which the passion for security is undermining our liberties:

"Has this emphasis on security touched only the Amish? No; farmers are fined for growing wheat without a Government say-so because other farmers want it that way in their search for security. Congress has permitted the labor law to be so written that men can be forced to join a labor union in order to hold a job. The laws that require these things are not, it should be remembered, laws enacted to prevent evil or wrongdoing. To the contrary. What is wrong is the growing emphasis in our society on security. The wrong comes about when, in the name of the alleged greater good of all, collective security is permitted to disregard or destroy individual rights or beliefs or freedoms.

"Furthermore, it wrongs more than the individual. For as one man's freedom is lost, freedom for all men is diminished as well. And though security is one of man's highest aspirations, perhaps we had better remember that security without freedom is history's bitterest jest. And there is a point where overemphasis on one can slowly, but inexorably, destroy the other."⁵

EVEN IN OUR STRUGGLE with enemies without and within, we dare not disregard fundamental rights. As former President Dwight D. Eisenhower said: "When we go after corruption, Communism, or anything else in our country, we do it in the American way. We respect every citizen in America. We respect his rights and privileges. We respect his equality before the law. If we do not do that, we endanger our own rights."

Democratic republicanism and a "dictatorship of the

majority" differ in this recognition and active support of minority rights. Contrary to many zealots, these rights do not constitute a hazard to the prosperity and peace of the republic, nor do they threaten the welfare of the majority of its citizens by so-called "unhealthy schisms." By encouraging honest self-appraisal, by fostering rugged individualism, by creating a climate favorable to the hunting out of our own weaknesses before they are discovered by our enemies, and used to our disadvantage while we blindly go on our way complacent in a strength and security that does not exist, minority rights carry with them now, as in the past, guarantees of strength and growth. The disconcerting voice of the dissenter, the freethinker, the nonconformist, may make us uncomfortable, but by challenging our dearly cherished opinions, by upsetting our secure little world of prejudice, by seeking to disprove our theories and thwart our ideals, the voice of the minority does us a service, for it drives us to examine again our cherished beliefs, and ultimately to lay them before the laboratory of the world for its critical appraisal. Out of this crucible of conflict and test comes truth, and as Christ said, "The truth shall make you free."

Why are we so prone to forget the dangerous lesson conveyed in the high priest's words?—"It is expedient for us, that one man should die for the people, and that the whole nation perish not" (John 11:50). This policy-minded reasoning sounded the death knell of the only One who ever has been infallibly right and of many of His "minority" following, who taught a philosophy of life that could save a nation or a world. Will history repeat itself in our time—and in our nation? Will the saving spirit of rugged individualism and personal responsibility fostered in our minority groups be crucified upon the cross of legislative conformity? Will some leader's "It is expedient for us . . . that the whole nation perish not" find echo in the mob's cry, "Crucify Him! Crucify Him!"?

The path we follow in this crucial hour should be chosen more for its destination than its present ease of travel. We must exercise honest self-appraisal as we ask, Has the America of Madison and Jefferson, of Washington and Lincoln, the America of freedom—not by permission or toleration but by inherent, inalienable right—outlived its purpose, fulfilled its destiny to its own people and to the world? In short, do we really want a dictatorship of the majority?

Let our answer be that here live a people united, not in slavish conformity to "might makes right" but in heartfelt devotion to minority rights in the land of majority rule. ★★★

REFERENCES

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- ² Dean Russell, "The Bill of Rights," *Liberty*, July-August, 1962, pp. 8, 9, 31.
- ³ James Madison, *Writings* (G. Hunt ed.), Vol. 2, p. 183.
- ⁴ *Thomason's Case*, 15 Ind. 449.
- ⁵ *The Wall Street Journal*, quoted in *The Arsenal*, Jan.-Feb., 1959.



CATHOLIC STATEMENT CAN ASSUAGE PROTESTANT FEARS

James Cardinal Ritter, Archbishop of St. Louis, has said that Vatican II must approve a statement on religious freedom if American Protestant fears of growing Catholic numbers and influence are to be alleviated. The cardinal is only partially correct. What must not be missed by him and his colleagues is this: The *content* of the statement will be much more significant in Protestant eyes than the *fact* that a statement is enunciated. Should religious liberty in general be approved, but the specific right of a man not only to believe but also to propagate his faith be ignored, a right that Catholicism demands without restriction around the world, the *sine qua non* for trust will be missing. Far from alleviating Protestant fears, such a statement would add substance to the charge that Catholicism seeks a privileged position; that where Catholics are in the minority the church defends the principle of religious liberty while denying its practice in lands where Catholics are in the majority.

An example of an inadequate commitment to religious liberty was provided by Benjamin Cardinal de Arriba y Castro, Archbishop of Tarragona, at a recent press conference in Madrid. The cardinal said he favored freedom of worship for non-Catholics in Spain (Protestant applause), "but there must be no proselytism on their part (Protestant dismay)." In other words, Christ's commission, "Go into all the world and preach the gospel," must be understood by Protestants to mean "Go into all the world—with the exception of Roman Catholic countries—and preach the gospel"—as interpreted by the Roman Catholic Church.

Cardinal de Arriba has left little room to misinterpret his definition of religious freedom as applied to Protestants. In a pastoral letter of 1956 he warned Spanish Catholics against "becoming entangled in the snares of heresy," which he charged was being promoted by Protestants "with special intensity in our country."

Calling attention to what he said was the propaganda being promoted by "books, pamphlets, reviews and even in foreign radio broadcasts," he reminded the faithful that the "spiritual focus" of the Spanish nation was based on "devotion to the Holy Eucharist and the Blessed Virgin, and allegiance to the Pope." Protestantism, he said, had never been able to gain a footing in

Spain because "the Protestant heresy consists in a denial of these devotions."

Actually, the reason for the meager footing in Spain is in no small part due not to a denial of these devotions but rather to the denial to Protestants of the right to preach the gospel.

A Vatican II pronouncement on religious liberty will be scrutinized closely—as was Bishop de Smedt's preview of the religious liberty chapter at the second session. (See *LIBERTY*, March-April, p. 20.) The chapter then omitted reference to the important freedoms of religious education, evangelistic witness, and the right of the individual to change his religious affiliation. To this extent, the document, though a forward step for the Roman Catholic Church, stumbled and fell far short of that religious liberty paid heart-service by most Protestants.

What Protestants seek is not privileged status.

They ask only that Protestants and others in Catholic Spain and elsewhere have the same freedom to believe and to *preach* the gospel that Catholics enjoy in Protestant America. A declaration of religious liberty acknowledging freedom to witness will indeed do much to assuage Protestant fears.

R. R. H.

LIVING MEMORIAL PROPOSAL BY PRESIDENT SHOULD DIE QUICK DEATH

President Johnson has proposed that all religious faiths collaborate in building a "living memorial" to God in the nation's capital—"a center of prayer" open to "all men of all faiths at all times." The proposal is ill-advised.

Though the memorial could not be built with public funds, as the President pointed out, it could hardly be built without at least quasi-official sponsorship, which almost surely would stamp it as the progenitor of a monolithic, established church.

It is fitting that Washington—"the symbol and the showcase of a great nation," the President called it—have a monument to God. The President professed not to find one amid the monuments to Lincoln, Jefferson, Washington, and many other statesmen and soldiers. But Washington has one. In fact, it has hundreds—its churches, most open to all men of all faiths, some open at all times, built and maintained by believers of all faiths without government help or hindrance.

There are churches reformed and churches orthodox, churches independent and churches affiliated, churches ecumenical and churches exclusive. Protestant and Catholic, Jewish and Islamic, Mennonite and Mormon—they stand together.

In some other capitals men have built monuments to God. There they worship, while their brothers of other faiths huddle in unmarked halls or cellars and whisper hurried prayers. The intolerance began centuries ago, when the state decided to help the church raise a monument to God.

It is not so in Washington. For here we have separation of church and state, and unity in diversity, a most peculiar and effective "living memorial" for the capital of a free nation.

R. R. H.

LIBEL IN THE U.S.S.R.

IN THE United States to unjustly call a man a Communist may wreck his career and make the accuser subject to a libel suit.

What do you have to call a man in the Soviet Union to libel him? Well, Capitalist and Imperialist are tried and tested opprobrious expressions.

But now comes word of a new one. *Izvestia*, the major U.S.S.R. newspaper, edited by Premier Khrushchev's son-in-law, reports that it is possible to wreck an up-and-coming Russian's career by calling him a Baptist.

Object of the slander was Michael Odnous, chief engineer in the Ukraine town of Krivoy Rog. According to the account, Odnous is a serious, stick-to-business kind of man who neither smokes nor drinks.

His enemies added up all his attributes and concluded that only a Baptist could be so virtuous! The rumor spread, because for an executive of any type to be a believer is almost unknown. Colleagues began to give Odnous the silent treatment; workmen became less responsive.

In time, reports *Izvestia*, Odnous cracked under the pressure and quit his post. For 18 months he was out of work, despite the need for engineers in the area. Personnel experts who had heard the rumor were afraid to reassign him, for they would have the difficult task of "re-educating a Baptist into atheistic belief." Truth was, poor Odnous, true to his Communistic convictions, had never been in church!

Izvestia is to be commended for its demands that authorities check out the truth about a person and that communities maintain a "careful attitude" in regard to rumors. Perfectly in harmony with the golden rule. (No slander meant!)

It is to be regretted, however, that *Izvestia* failed to report that discrimination against people in employment because of their religious beliefs is a violation of the Soviet Constitution, which, as *Izvestia* so often claims, guarantees the freedom of belief as well as freedom of atheistic propaganda.

R. R. H.

FOREFATHERS SHOWED CONCERN FOR MAN IN HANDS OF THE LAW

LIBERTY and Justice are precious possessions. Yet how fragile they are!

A tyrant can deprive a man of his liberty by the merest flick of his fingers turning a key in a lock.

Justice is whatever a despot says it is—and no back talk.

The Founding Fathers of this nation sought to secure the rights of liberty and justice in the Constitution and the Bill of Rights.

They acted from a sense of concern about how these rights, for which Englishmen had long fought and died, from time to time had been weakened and disregarded.

They wrote into the Constitution:

"The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it."

This ancient writ of habeas corpus (have the body) antedates that great milestone in man's social evolution, the Magna Charta of 1215. It commands a jailer or other officer to produce a prisoner before the bar so that the legality of the restraint of his liberty may be determined.

It is a safeguard against the practice—still common in parts of the world—whereby a man may be tossed into prison without formal charge and left there without hearing or trial.

To make doubly sure that a man would not be deprived of his liberty unjustly, the Founding Fathers inserted an article in the first ten Amendments to the Constitution—the Bill of Rights—to the effect that excessive bail must not be imposed.

The American Colonists' sense of fair play extended beyond the early stages of a man's brush with the law. They made certain that the right of trial by jury was preserved.

This right was in jeopardy in early America when the British Parliament sought to extend the jurisdiction of the courts of the admiralty beyond their ancient limits so as to try the colonists without a jury.

Jury trial is mentioned in three places in the founding documents—once in the Constitution and in two Amendments in the Bill of Rights.

The Constitution and the Sixth Amendment guarantee jury trial in criminal cases; the Seventh Amendment extends it to civil cases in which the amount in controversy exceeds \$20.

Throughout his toils with our laws, which are necessary for the safety and order of society, an accused person is presumed innocent till proved guilty.

These rights under our laws are further reasons why we set such a precious price on the American way of life.—NEWELL JONES and JACK TUCKER. One in a series of editorials on the Bill of Rights, in the *Evening Tribune*, San Diego, California.



UNITED STATES

Religious Objection to "Shots" Rejected in Albuquerque

Albuquerque.—City commissioners have rejected a proposal to exempt children of certain religious beliefs from immunization "shots."

Recommended was an amendment to the city's child-care-center ordinance that requires children attending preschool kindergartens and nursery schools to be vaccinated against diphtheria, whooping cough, tetanus, and polio. No exceptions are allowed.

New Mexico State law, however, grants exemptions to public school children for religious beliefs of parents.

The Albuquerque amendment was prepared by an attorney, Oscar Beasley, representing himself and "certain members of a Christian Science church." Mr. Beasley told the city commission that the present ordinance "changes the teachings of our children at home and in Sunday school."

Chairman Archie Westfall replied that the commission respected the religious beliefs represented but felt obligated to act on the recommendation of the city health department in rejecting the amendment.

The amendment would have permitted a parent who did not want his preschool child vaccinated to submit a petition signed by a recognized officer or a religious denomination stating "that such child's parents or guardians are bona fide members of a denomination whose religious teaching requires reliance upon prayer or spiritual means alone for healing."

A health officer pointed out that the existing city ordinance "does not interfere with anyone's freedom of religion inasmuch as no one is required by law to enroll his child in a child-care center in the city."

Civil Marriage Ban Ends in Maryland

Annapolis.—With the new year Maryland became the last of the 50 States to authorize civil marriages by circuit court clerks.

Legislation passed last year by the State legislature replaced a Colonial law which held that only clergymen could perform marriages in Maryland.

Supported by Protestant, Roman Catholic, and Jewish leaders, the new law was designed to end the hypoc-

risy involved when nonbelievers were forced to go through a wedding ceremony performed by a clergyman.

It allows divorced persons unable to remarry in a religious ceremony to be united by a designated civil servant for a \$10 fee. The law also was intended to discourage persons professing to be "ministers" from soliciting "wedding business."

Silent "Meditation" Legal, Silent "Prayer" Barred

Charleston, W. Va.—Silent "meditation" is permissible in West Virginia schools, but silent "prayer" is not, State Attorney General C. Donald Robertson has ruled.

The difference was explained in his response to questions from the South Charleston Ministerial Association.

At first critical of Mr. Robertson's stand, the ministerial group now concludes there are only "shades of difference" between their stand and his on the question of religion in schools.

On the difference between silent meditation and prayer, Mr. Robertson said:

"My opinion is that if the teacher says 'let us now share a time in silent prayer,' this could be contrary to the decision of the Supreme Court. But if the teacher were to say 'this is a time for quiet and meditation,' this would not be banned."

Mr. Robertson's opinion followed issue of a 17-page statement in which the Ministerial Association criticized the attorney general for issuing any "ruling" at all and for placing the "most extreme interpretation possible" on the high court rulings.

Questioned about interpretations given his opinion on holiday observances, Mr. Robertson replied:

"I was shocked by the manner in which my opinion was used and have so indicated in personal correspondence to parents. Christmas, Easter and Thanksgiving services in our schools are a part of our general culture, and the normal observance of such occasions does not fall under any ban."

Adventist Missionary Honored by Denmark

San Francisco.—Denmark's Royal Gold Medal award has been presented here for the first time to a missionary who is not of the State Lutheran Church of Denmark.

Bent A. Larsen, for 34 years a Seventh-day Adventist missionary in Peru, was given the medal by the Danish Consul General in San Francisco, in appreciation for his services to the Lutheran colony in Lima.

As pastor of the Adventist church there, Mr. Larsen shared a building with the Lutheran congregation. Adventist services were conducted on Saturday, Lutheran services on Sunday.

When no Scandinavian Lutheran minister was in Lima, Mr. Larsen participated in the Lutheran services.

Voluntary Prayer Seen Legal in Kentucky Public Schools

Frankfort, Ky.—Kentucky's attorney general, Robert Matthews, says he sees "nothing objectionable" in students saying prayers voluntarily—and possibly aloud—during periods of meditation in public school classrooms.

Robert Matthews, who took office in January, was more lenient than his predecessor, John Breckinridge, who said in an opinion last fall that all Bible reading and prayer should be discontinued—including voluntary readings and prayers.

In an advisory opinion requested by the State superintendent of public instruction, the attorney general said:

1. An old Kentucky law requiring daily Bible reading in public schools is unconstitutional on the basis of the U.S. Supreme Court ruling on Bible reading and prayer.
2. School boards, school principals, or teachers cannot require students to pray or read the Bible unless the Bible is being used to teach history, literature, or some other subject.

But Mr. Matthews added: "Within the school program I would think proper a period of meditation to be established: so long as the teacher does not give his students instructions to pray."

The students could say "spontaneous" prayers themselves, he said, "silently or vocally." He added that the teacher ought not to pray, because "he is cloaked with the mantle of school authority and his act could be construed as one of school sponsorship."

Mr. Matthews' opinion, which is not binding but only advisory, also mentioned these points, all in question since the Court ruling last year:

1. Baccalaureate services are permissible if they are held outside the regular school schedule and attendance is voluntary.
2. The nativity scene can continue to be depicted on school grounds "so long as no religious significance is attached thereto." Mr. Matthews added: "I would point out that the Nativity scene portrays the occurrence of an event which is historical in nature."
3. Prayers may be said at Parent-Teacher Association meetings, and children may say grace in school lunchrooms so long as they are not compelled to do so as part of a group.

CANADA

Protestant Sanitarium Plans Chapels for All Faiths

Montreal.—The Protestant hospital for mentally ill in suburban Verdun launched a unique campaign for the spiritual needs of its patients by opening a Jewish chapel.

Still to come are chapels for Roman Catholics, Protestants, and Orthodox.

When finished they will climax a year-long program undertaken by the Ladies' Auxiliary to promote the need for proper chapel facilities.

Hospital authorities noted the "paradox that since 1890 only now the religious needs of the patients are being fully met in these chapels," which will accommodate more than 2,200 patients and staff.

GHANA

Ghana Warns Religious Groups Against Opposing Nkrumah

Accra, Ghana.—Ghana's minister of education has warned religious groups against opposing the government's one-party system following a referendum that established the country as an official Socialist state.

Minister A. J. Dowuona-Hammond declared here that Ghana's constitution permits freedom of religion, but the government "would never tolerate the existence of any religion which, through its teachings, spreads notions of rebellion and disrespect to the state."

He said Ghana also would not tolerate any religion that would prevent the people from "leading and enjoying the full life."

Referring to the referendum, the minister said its "favorable results will empower the President to deal ruthlessly with all the nation's wreckers and lead the way to a Socialist paradise."

NORTHERN RHODESIA

Jehovah's Witnesses Suffer in Nyasaland Attacks

Lusaka, No. Rhodesia.—A leader of the Jehovah's Witnesses was slain and three other members were injured in attacks upon the sect in Nyasaland, according to a Lusaka Radio report.

The broadcast said the men were assaulted by followers of the Malwai Congress Party for refusing to register for military service.

At Chendo, Nyasaland, Lusaka Radio reported, the local leader of the Witnesses was found dead, presumably as the result of a beating. At Mlamje three Witnesses were admitted to the hospital after sustaining severe injuries in an assault.

Another report indicated that "several dozen" Witnesses had been arrested in Nyasaland.

SOUTH AFRICA

Dutch Reformed Congress Cites Violations of Sabbath

Cape Town.—Casual dress, elaborate meals, and unnecessary travel were condemned in Cape Town as violations of the Sabbath by the Cape Regional Congress of the Dutch Reformed Church's Commission for Combating Social Evils.

Prof. F. J. M. Potgeiter, dean of the theological faculty of the Afrikaans University of Stellenbosch, said far more care should be taken not to create the impression that Sunday was a public holiday.

He charged that people who wore casual clothing violated the character of the Sabbath. He also warned that Sunday was not a day for festive eating.

The congress condemned modern dancing as "saturated with sex," but declared South African folk dancing acceptable because it is a "purified form" of modern dancing.

The congress also criticized newspapers for using "suggestive pictures of ballet dancers and bikini wearers."

National Council of Churches

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that there should be no racial or religious discrimination, that no religious requirement or exercises should be required of students or faculty, and that no sectarian teaching should be allowed.

Here I would like to bring into sharp focus a point that clearly reveals some of the implications that reside in acceptance of state money. To the majority who favored aid it seemed unreasonable for a church-related college that accepts state money to raise questions about the religious life or beliefs of students or faculty. Other delegates pertinently raised the question: How could a church college, conducted with the historic objective of inculcating and protecting distinctive beliefs of that church, handle the problem of a student or faculty member who would turn from the teachings of the church, perhaps even to the point of hostile opposition to them? Nothing could better reveal the complexity in present-day church-state relationships.

IN THIS SAME section the delegates were polled as to the propriety of state aid to parochial schools. Almost all voted that they thought it permissible for the state to provide lunches and medical and dental care. Less than a majority thought that the state ought to provide transportation to parochial schools. All except one of the section delegates present disapproved of the state's providing tuition. Most of them also felt that the state should not give a tax exemption for tuition. The majority approved of shared time—that is, the plan whereby a parochial pupil spends a part of his day in the public

school for certain subjects and the rest of the day in the parochial school for other subjects.

A large majority felt it improper for the state to give aid, even for the teaching of secular subjects. It should be kept in mind that it is chiefly the Roman Catholic Church that has campaigned for such aid. Most of those voting felt it proper for the state to cooperate in a plan of released time—a plan whereby pupils are released for a certain stated period for the teaching of religious subjects, the teaching generally to be carried on in a nearby church or synagogue.

From my discussions with delegates, I believe that the vote in this section represented a cross-section of the thinking of the delegation at the conference, which, I believe, warrants the conclusion that it represents the thinking of a sizable part of North American Protestant thought, for the delegate group was representative.

Probably I ought to qualify my comment on the thinking of delegates at large concerning state money for church-related colleges. If I rightly analyzed the thinking in the particular section and among other delegates, it could be summarized thus: "In strict logic, and in harmony with the principle of church-state separation, we believe that state funds ought not to be given to church-related colleges. But we fear that the tide has strongly set in this direction. Why fight it longer?"

With regard to money for parochial schools there seemed to be a mood to hold the line. I asked a number of delegates how they could accede to the idea of government money for colleges without undercutting the whole argument against government money to parochial schools. About the best answer I could secure was a shrug of the shoulder on the part of most. "Of course I believe in the separation of church and state," one churchman told me. "But the question is: At the present juncture, can we afford it?" He was not smiling when he spoke. Nor was I when he finished.

On the other side, let us remember that Dr. Blake in his opening statement expressed the convictions of many responsible Protestant leaders when he said that the acceptance of government money for colleges meant the undercutting of the whole argument against such money for parochial schools. Further, that to undercut that argument is to vitiate our whole claim to believing in the separation of church and state.

THE CONCLUDING DAY of the conference was devoted to an examination of a statement that attempted to summarize the convictions of all twelve of the section groups. Entitled "General Findings of the First National Conference on Church and State," this document summarized conference agreements as follows:

1. A strong commitment to religious liberty as man's natural right and an indispensable condition of a free society.
2. Recognition that ours is a pluralistic and not simply a Protestant society.

This document reveals both the complexity of the problem of church-state relations and the perplexity in the minds of many as to just how the problem can be solved.

What Protestants will do in the future is a little harder to say. I venture the guess that many will seek to secure state aid for their colleges. That is where they feel the pinch. They have few, very few, parochial schools. But if they do obtain money for these colleges, I think they will find themselves stammering when they protest giving state money to parochial schools. How can men do other than stammer when their mouths are filled with gold? But in that event, what happens to the Protestant American tradition of separation of church and state?



Send *LIBERTY* to five of your friends NOW. They need *LIBERTY*. Enter their names and addresses on the form below. When sending in more names, you may attach an additional sheet of paper containing names and addresses.

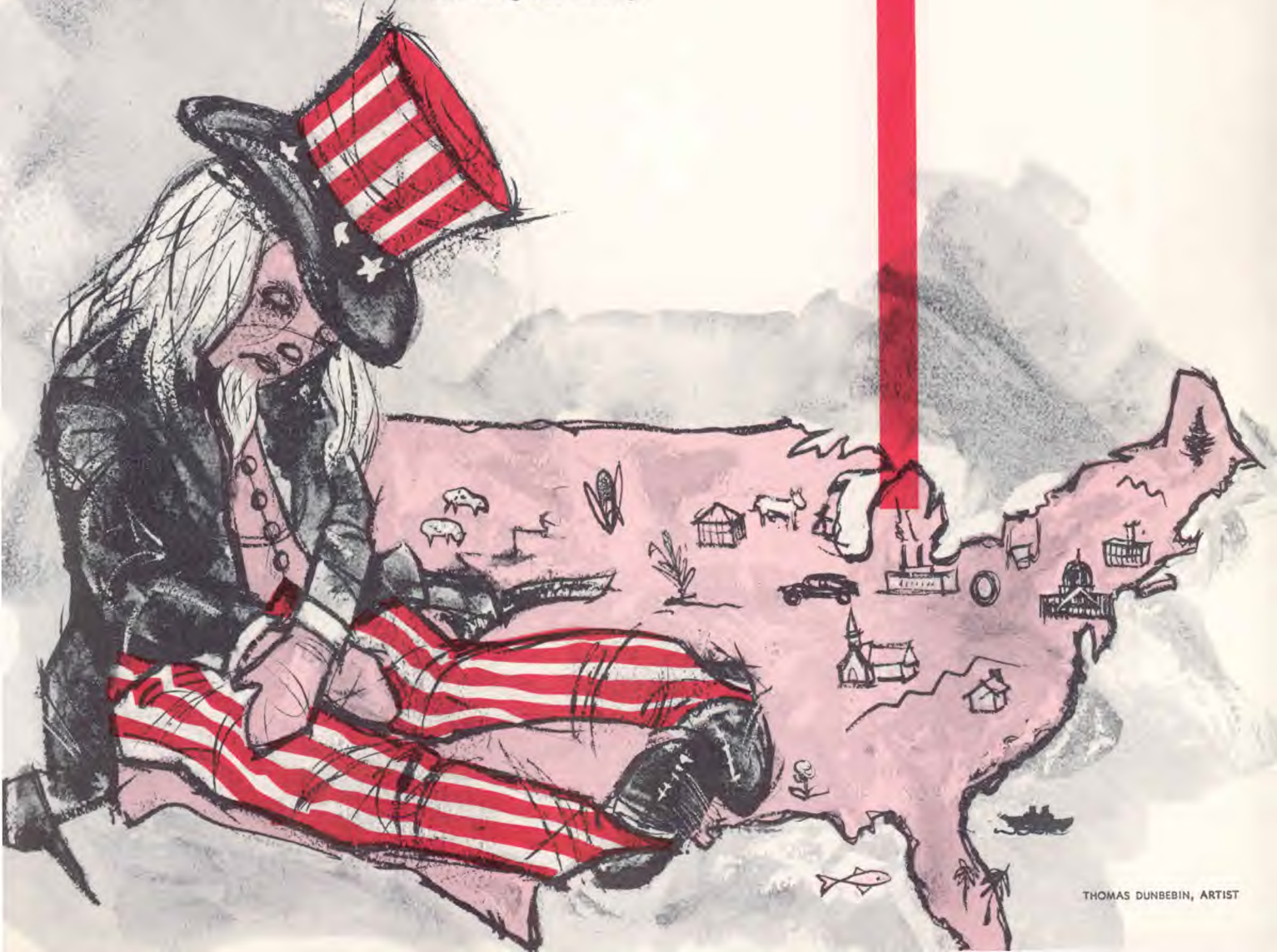
6840 Eastern Avenue, Washington, D.C. 20012.

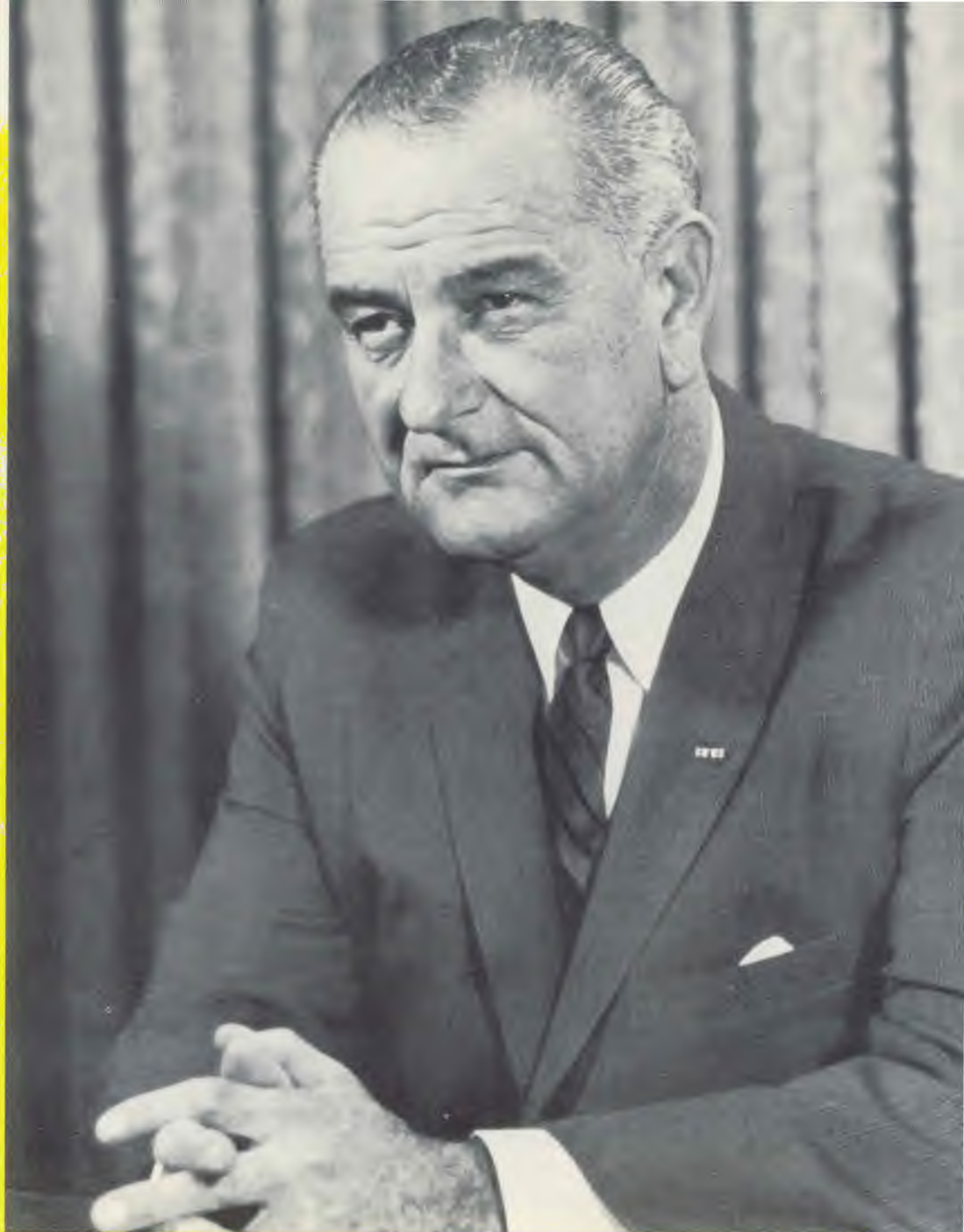
"Eternal vigilance" an outworn phrase has grown.
Too oft it falls on muted ears grown dull.
The transient, trivial, and trite
Impinge upon our time and powers.
The momentary task important seems,
It crowds into the limelight of our lives,
While truths of infinite import
Scarce draw the court'sy of a passing nod.

Full many a battle by default is lost.
The guardian bastions of our hard-won rights
Our apathetic unconcern may yield;
Or scrutinizing eye of critic bold,
Narrowly viewing truths inviolate,
Kindles strange fire on sacred altars old,
And finds new meaning in our verities.

*Muted
Ears
Grown Dull*
By
G. E. Shankel

God make us keen, alert, to sense the threat
That would intimidate or weaken faith
In our foundations laid with surety;
That everywhere man's spirit may be free,
And in that freedom lift the head, the heart,
To breathe free upland air
Of civil and religious liberty.





WE KNOW that separation of state and church is a source of strength, but the conscience of our nation does not call for separation between men of state and faith in the Supreme Being. The men who have guided the destiny of the United States have found the strength for their tasks by going to their knees. This private unity of public men and their God is an enduring source of . . . reassurance for the people of America.

—LYNDON BAINES JOHNSON, February 7, 1963.