

February, 1949

RELIGIOUS LIBERTY VERSUS TOLERATION

By Edward B. Willingham, Chairman Joint Conference
Committee on Religious Liberty

Certain occurrences in our country impel your Committee on Religious Liberty, in the interest of historical accuracy and precision of language, to make a public statement as to the origin and meaning of religious liberty in America.

One such happening was the entrance of a float in the recent presidential inaugural parade by the state of Maryland which depicted the Maryland Toleration Act of 1649 as the start and foundation of religious liberty on these shores. No doubt many among the million people who beheld the parade were duly impressed with Maryland's representation and applauded it. Much to be regretted, also, is the constant Roman Catholic assertion and publication that Lord Baltimore, a Catholic, in Maryland's Toleration Act of 1649 brought religious liberty to the new world. With no desire to detract from the glory of Maryland or discredit any honor due the Roman Catholics, the interests of truth and clarity demand that the actual facts should be proclaimed. Why should the public be allowed to forget the well-acknowledged fact that it was in the year 1647 that Roger Williams, a Baptist leader of the time, established in Rhode Island a government which for the first time in all history accorded absolute liberty of conscience to all persons, regardless of creed? In fact, Williams' political organization in Rhode Island which provided for separation of church and state with soul liberty for everyone, began as early as 1638 and proceeded consistently until consummation in 1647, two years before the Maryland Toleration Act. (See A History of Baptist Churches in the United States, by A. H. Newman, pages 74-79). This full religious liberty was vastly superior to the mere "toleration" proclaimed in Maryland.

A brief examination of standard histories will show that the first Lord Baltimore, a Roman Catholic, in 1632 obtained from the King of England a charter to establish a proprietorship over the area known as Delaware and Maryland. His eldest son, Cecilus, the Second Lord Baltimore, took over after his father's death, and found it necessary under Protestant England to guarantee protection for all persons so long as they believed in Jesus Christ. Though allowed--even against the English Law--to receive Roman Catholics, it was soon found that the success of the colony depended upon the admission of Protestant settlers. Father Whyte, a Jesuit priest, one of the colonists, wrote that the greater number were "heretics", that is, Protestants. (Records of the English Province of the Society of Jesus, seventh series, page 364). The body which passed the Maryland Edict of Toleration consisted of a Protestant governor, sixteen Protestants and eight Roman Catholics. The Act was induced to enable the Roman Catholics to worship publicly. (see Religious Liberty and The Maryland Toleration Act, by Randolph H. McKim, Rector of the Church of the Epiphany, Washington, D. C., published in refutation of claims made by Cardinal Gibbons). Unfortunately, the Act only allowed "tolerance" and not complete religious liberty, as provided for in the charter of Rhode Island. The Maryland Toleration Act did not permit Jews, unbelievers, Deists or Unitarians to enter the colony. This was not full religious liberty.

According to the renowned church historian, Philip Schaff, in his famous book, Progress of Religious Freedom as Shown in the History of Toleration Acts, page 1, TOLERATION presupposes a governing religion which retains the right to control the religious beliefs of individuals and groups, a right which RELIGIOUS LIBERTY emphatically protests. RELIGIOUS LIBERTY asserts the inalienable right of every man to act in religion as unto God alone, according to the voice of conscience within him, beyond the reach of any human authority. "TOLERATION", says Schaff, "implies more or less censure and disapproval. We tolerate or endure what we dislike or can not prevent.../the characteristic and practice of/ the most despotic governments." So it comes to pass in history that "toleration is first sought and granted as a favor, then demanded and conceded as a right, and at last spurned as an insult."

Roman Catholics assume that they have the one true Church and that all others are in error. They, therefore, have chosen TOLERATION as an expedient. The meaning of this imperfect thing, as administered by the Catholic Church, is seen in past history, and even now is strikingly illustrated in Latin America, in Italy, Portugal and Spain. That Church has officially proclaimed that unless compelled to do so the Catholics will not generally consent to religious freedom as a policy but will insist on their historic observance of toleration. They have even boldly asserted that in countries which obstruct their policy "Constitutions of countries can be changed", and when conditions in this country become ideal to them they will insist on TOLERATION instead of full RELIGIOUS LIBERTY.

As Baptists we would fight for religious rights under the Constitution for Roman Catholics as readily as we would for our own or for all others; but we feel obligated to call attention to this basic contention affecting religious liberty in this country which tends to promote ill-will among sects and disunity in the Nation.

As a further proof of existing threats to our religious liberties, we solemnly point to the pronouncement entitled "The Christian In Action" by the Roman Catholic hierarchy of cardinals, archbishops and bishops in the United States meeting in our national capital in November, 1948. In this widely heralded document they proclaim that the concept of church-state separation is a mere "shibboleth of doctrinaire secularists" and they serve notice that they intend to "peacefully, patiently, and perseveringly work" to effect a revision which will be a radical change in this American tradition and in the law which supports it.

Going further with the implications of this statement by the Catholic bishops of the United States, together with other activities and reactions of Catholic representatives, several objectives of the Roman Church become quite evident and our American people should be aware of them. Three of these immediate aims are:

1. To secure repudiation of the Supreme Court decision of the Champaign school case. This decision was a severe stroke of the Government against sectarianism in the public schools, both as to sectarian instruction and financial aid from public tax funds to sectarianism.
2. To secure the allocation of public funds to Roman Catholic institutions on a parity with public institutions.
3. To secure in the public mind an acceptance of such an interpretation of the Constitution, or a revision of the Constitution, as will permit the practice of the Roman Catholic doctrines concerning church and state. This would be a catastrophe which would alter the traditional American form of government and the rights of individuals and groups in our free democracy. A step toward this end is clearly seen in the widely publicized novel interpretation by the hierarchy of the First Amendment to the Constitution. This

new propaganda would have our people believe that the founders of this Government were forbidding only the union of one church with the state whereas they allowed for the union of many churches with the state, provided all are treated equally. This idea is foreign to our American tradition and must be recognized as such.

In conclusion, this Committee on Religious Liberty would summon the Baptists of the United States, and all other freedom loving people, to a renewal of dedication to the foundation principles which have made this country great. Especially in the realm of religion should we be alert to the truth that "the price of liberty is eternal vigilance".

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EXTRACTS FROM REPORT OF THE EXECUTIVE DIRECTOR AT FEBRUARY
MEETING OF THE JOINT CONFERENCE COMMITTEE

Evidence accumulates to show that the four largest Baptist Conventions in America moved wisely when they voted to establish this office. No more convincing proof is needed than a report of the services requested of the office since the last meeting of the Committee. This, together with your adoption of Constitution and By-Laws, will assist our people the better to understand the functions of the Joint Conference Committee on Public Relations, and will promote even better cooperation.

I

The Committee in its September session expressed approval of our previous efforts to enlist the counsel of other Baptist groups. Accordingly we addressed invitations to representatives of many such groups, with acceptances from two.

II

No more impressive demonstration of the growing interest in our work has been afforded than in the demand for information, and our response:

1. We have enlarged the circulation of our monthly newsletter, REPORT FROM THE CAPITAL, to include not only all known Baptist newspapers, executives, and heads of institutions, but many pastors and other persons beseeching us to put them on the mailing list.

2. We have offered an increasingly large number of releases to the religious and secular press. In addition to the call from the wire services, which at the first betrayed little interest but have since become alerted to an awareness of the numbers and influence of Baptists in this country, articles have been furnished numerous magazines and newspapers.

3. We have distributed, chiefly by mail, thousands of printed or mimeographed pieces of literature bearing on questions dealt with by our office.

4. While the publisher and the Bookstores principally handle SEPARATE CHURCH AND STATE NOW, a book written by your Executive Director upon request, a steady flow of orders reach our office. This book has had a most gratifying treatment by the press of the Nation, has been widely advertised by the publisher, and bids fair to achieve a very large sale.

5. Closely associated with the circulation of the printed page must be mentioned our volume of correspondence with individuals in regard to the Baptist position on a variety of questions.

III

Related to dissemination of information have been many speaking engagements throughout the country filled by the Executive Director, without expense to this Committee.

1. He has discussed our principles and policies before the Baptist State Religion Education Clinic, Charleston, S. C.; has delivered the Reformation Day address in Waco, Texas; has been the guest speaker for the Virginia General Association, the North Carolina Baptist State Convention, the Pennsylvania Baptist Convention, and has spoken on subjects pertaining to our program in many churches in different parts of the country, all without expense to the Committee.

2. Of many forums in which he has participated may be mentioned the one at the Jewish Center, February 9, with Dr. Richard B. Kennan of the National Education Association, and Prof. John O'Connor of Georgetown (Catholic) University in which your Executive Director joined in a discussion of the question, "Should the Public Schools Teach Religion?" A transcript of this was requested by the State Department for the Voice of America to be rebroadcast to Europe as an illustration of free discussion in the democratic United States.

3. Both your Chairman, Mr. E. Hilton Jackson, and your Executive Director addressed the highly successful National Conference on Separation of Church and State, held in Washington, January 27, this year. Both have worked intimately and constantly with this powerful organization, known as Protestants and Other Americans United for Separation of Church and State, since this office took the lead in initiating it. It has achieved a commanding mobilization of all groups, regardless of creed or party, who hold in common the conviction that church and state should be kept separate in the interest of religious liberty.

IV

Among other affairs outside denominational lines which have engaged us may be cited the circumstance that the Executive Director brought greetings from our fourteen million Baptists in the United States at the breakfast given at the Capitol on January 12, by one hundred leaders in the National Temperance Council, gathered from over the country in tribute to retiring Senator Capper of Kansas, the man to whom has been ascribed the achievement of keeping all alcoholic beverages out of the Senate dining room since repeal of the Eighteenth Amendment.

Every week it falls to us to speak up for our Baptist positions in groups assembled for conferences on questions in which our people have expressed themselves--questions such as Displaced Persons, Universal Military Training and Federal Aid to Parochial Schools.

V

To an unexpected extent candidates for the doctor's degree in leading universities, when writing their theses on any phase of Church, State and School, frequently consult this office. The Lawyers' Guild Review, New York, in its forthcoming issue, will carry an extended review by your Executive Director of the book, Judicial Doctrines of

Religious Rights in America, whose author is Professor William George Torpey of George Washington University. Several of the national church bodies refer inquiries concerning such questions to this office for answer. Is it an unwarranted expectation that we may thus effectively influence American public opinion to share the Baptist interpretation of church-state relations?

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PURPOSE OF THIS COMMITTEE---ARTICLE II AS ADOPTED

At the February 8, 1949 meeting of the Joint Conference Committee, it was voted to adopt Article II of the Constitution as follows:

The purpose of the Joint Conference Committee shall be to act in the field of public relations whenever the interest or rights of the cooperating Conventions which constitute the committee call for conference or negotiation with the Government of the United States or with any other Governments, or whenever Baptist principles are endangered through legislative action, or when any of the cooperating Conventions or any of their agencies may refer to the Joint Conference Committee any matter of common interest or concern, for discussion and recommendation. The Joint Conference Committee shall be empowered to enunciate, defend, and extend, the historic, traditional Baptist principle of religious freedom with particular application to the separation of church and state as embodied in the Constitution of the United States; to communicate and commend to the President, Congress, Courts, the Departments of the Federal Government such declarations as Baptists from time to time officially adopt concerning public matters; to make such contacts with the various departments of any government as may be found necessary or desirable in the legitimate transaction of legal or other business between such government and the denomination's agencies or approved representatives; and to inform the Baptist constituencies of governmental movements and measures affecting principles held essential to true relations between church and state and the right application of Christianity to the life of the Nation.

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RESOLUTION ADOPTED CONCERNING FEDERAL LEGISLATION AID TO EDUCATION

February 8, 1949

The issue of the separation of church and state immediately confronts us. The Bill S. 246 now pending in Congress lends itself to an interpretation which makes possible the use of Federal funds for parochial schools. The Joint Conference on Public Relations for the Baptists of the United States respectfully calls upon Congress to defeat the attempt of any church group to secure public funds for parochial schools as permitted by S. 246, Section Six. We further urge that in Section Six, page 7, line ten, after the words "expenditure for" the words "tax-supported public" be inserted.

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GOVERNMENT AND PUBLIC OPINION

On January 14 the Editor joined some two hundred other representatives of national religious and civic organizations at a State Department called conference on American Foreign Policy. This was an off-the-record conference but some general impressions can be reported. Perhaps the most important of these is the fact that through the Office

of Public Affairs, the Department is increasingly concerned to know what the public is thinking these days. For instance, Francis H. Russell, Director of the Office of Public Affairs, opened the luncheon meeting with these words:

"There has grown up in recent years a fourth branch of government, namely the unofficial organizations of the country."

Naturally, he was not speaking of the more than 500 lobbies set up by private enterprise to plead their cause. These might be called a fifth branch of government and in some ways the most powerful. Moreover, special interest pleaders will be more in evidence than ever during this 81st Session of Congress. But the last election demonstrated the great power of the public when it becomes vocal. Church and civic groups exercising their proper function in government may be the only sure corrective to the "special privilege" lobby -- News Briefs for Action of the Northern Baptist Convention.

SOUTHERN BAPTIST MINISTERS URGED TO REJECT KLAN "BRIBES"

A plea was made by Dr. High A. Brimm, Executive Secretary of the Social Service Commission of the Southern Baptist Convention to reject all contributions made by the KuKluxKlan.

"These 'contributions'", Dr. Brimm wrote editors of Southern Baptist publications in a 21-State area, "should be recognized for what they are, 'bribe money'. Bringing such bribes into the church ought to be openly resented and refused by Christian people."

Dr. Brimm suggested to pastors "that when and if the Klan comes to your church... remember the following:

- "1. Keep cool--no one should be afraid of cowards who won't show their faces.
- "2. That superficial piety is hypocrisy before God and man. These men cannot wash the bloodstains of lynched victims from their skirts by merely walking into a church with 'blood money'.
- "3. Refuse any gifts and invite them to stay only if they remove their masks. If they refuse to unhood themselves, then dismiss the service with a prayer for them that they might see the light of God's love for all men and themselves come to love of all men."

IMPORTANT BOOKS RECOMMENDED

CHURCH, STATE AND SCHOOL, Tully Nettleton. The Beacon Press, Boston, 37 pages, \$0.25.

The republication of ten articles in a series which appeared in the Christian Science Monitor from the pen of this distinguished journalist is hailed with much appreciation. The broad comprehensive outlook of the series, together with carefully compiled facts, accompanied by discriminating interpretations, along with citation of state laws and a critical examination of such questions as Federal aid to parochial schools, the wearing of religious garb in public schools, how obtain religion in education, the Roman Catholic view of education, and the real values of our public school system make this publication of great value.

A PROTESTANT PRIMER ON ROMAN CATHOLICISM, By Dr. Angelo di Domenica. The Author, Philadelphia, 1414 Castle Avenue, \$2.00.

Deals with the problem of Mixed Marriages and paves the way for its solution. It sets forth the demand by the Catholic Church in regards to the ante-nuptial contract which the Protestant party has to sign relative to the religious training of the children that may be born in such a marriage. Also reveals a new requirement which some Catholic Dioceses have adopted in compelling the Protestant party to receive a number of instructions on the Roman Catholic Religion before the priest is allowed to perform the marriage ceremony. Points out the difference between the major Dogmas and Traditions of the Roman Church over against the truth of the Bible, showing forth the gulf which separates these two communions. Each chapter of the book is succeeded by a Catechetical lesson which serves to acquaint the Protestants not only with the Position that the Catholics maintain in upholding the Roman Dogmas, Traditions, Doctrines and Practices, but furnishes them with the necessary material to confute their unbiblical claims.

STATUTE MAKING. By A. B. Coigne. Commerce Clearing House, Inc., Chicago, 293 pages, \$4.00.

With the activities of the new 81st Congress certain to be of tremendous interest to every informed person, and with some 44 state legislatures slated to meet in regular session this year to deal with state and local problems, STATUTE MAKING would seem to be of unusual timeliness and value. In this readable book is the whole story of how American statutory law comes to be -- the how and why of each step toward enactment or defeat -- in easily understandable, although completely authoritative form. Accordingly, professional man and layman alike would find this new work invaluable in these days of "big government" when the output of our federal and state lawmaking bodies is of such vital concern to all of us.

CIVILIZATION ON TRIAL. By Arnold J. Toynbee. Oxford University Press, New York, 263 pages, \$3.50.

In this volume the world-famous historian deals with many of the broad issues the world faces today. He brings his clear-sighted, objective point of view to an informal discussion of such subjects as the meaning of the present point in the long view of history, the national psychology of Russia, the role of the Church in history, the problems of world unity, and the immediate future of international relations.

GOD IN OUR PUBLIC SCHOOLS. By W. S. Fleming. National Reform Association, Pittsburgh, Pennsylvania, 24 pages, \$1.50.

A forthright plea for religion in the public schools in opposition to the views of the United States Supreme Court in the McCollum case. Warmly commended by several prominent churchmen who share the author's view.

THE ROAD TO REASON. By Lecompte du Nouy. Longmans, Green and Co., New York, 254 pages, \$3.50.

This volume by the author of the best seller, Human Destiny, is what it is represented to be, "a challenging interpretation of the physical and biological evolution of the earth that culminated in the scientific conclusion that a Supreme Being must be postulated." It is really an extension and completion of the former book.

A FREE CHURCH IN A FREE STATE. By Frank J. Klingberg. National Foundation Press, Indianapolis, clothbound, 66 pages, \$1.00.

CHURCH AND STATE. By Everts B. Greene. National Foundation Press, Indianapolis, clothbound, 48 pages, \$1.00.

The former of these thin volumes discusses the historical progress of the principle. The second glances at history but is more concerned with the present situation. Both are excellent.

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IS THE ROMAN CATHOLIC CHURCH DISSOLVING?

Whatever may be the judgment of mankind on the arrest, trial and sentence of Cardinal Mindszenty, it appears that the occurrence has a most sinister meaning for the Roman Catholic Church. According to such careful newspapers as The Christian Science Monitor, that Church has suffered another major disaster in a series of historic losses. Just here we do not pause to assess judgment on what possible serious influence it will have on the future of Christianity as held by other religious groups.

What is to be seen in this happening is the sore plight of the Roman Catholic Church in the almost certain loss of eastern Europe. In the Reformation it suffered the severance of northern Europe, to be followed somewhat later by the defection of the British Isles with the exception of a portion of Ireland. The present debacle in eastern Europe reduces the Roman Catholic Church to the relatively small possessions of Italy, Portugal, Spain, Belgium, and a minority in France. Equally depressing for the Roman Church is the news from South America where authenticated reports warrant fears most ominous for the fate of the Roman Catholic Church and in probably a shorter time than most people are aware of, due to deplorable economic conditions and social ferment before which the Roman Church stands challenged.

We do not know what effect the dissolution of the Roman Catholic Church throughout the world would have upon the future of Christianity, but we do not believe any tyrannical power can obliterate it. Let us try to summon believers to a worthy endeavor to preserve the faith of the Bible throughout the earth with stout defense of full religious liberty in all lands. God's eternal redemptive purpose, revealed in the Bible, will be carried to final consummation. We lament the menace of Communism in the lands invaded by it, but none can fail to see that an ecclesiastical totalitarian Roman Church which seeks political control of the state, when challenged by a powerful, unscrupulous political opposition, seeks to align our government and our resources in its behalf. Even though Protestants should suffer the same indignities and repressions in Communist countries for a time, we do not believe such persecution of religion will end Christianity.

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