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# Religious Freedom

James M. Tolle

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# Religious Freedom



"Congress shall make no law  
respecting the establishment  
of religion or prohibiting the  
free exercise thereof."

Article I—Bill of Rights  
U. S. Constitution

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# Religious Freedom

By James M. Tolle

**O**F ALL the blessings we enjoy as citizens of the United States none is more precious than religious freedom, the right of every person to teach and practice the religion of his choice, guaranteed by Article I, the Bill of Rights of the Federal Constitution: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof . . ."

## THE TEACHING OF CHRIST

It is true that religious freedom is not discussed per se in the New Testament, the expressed authority of Jesus Christ, but His followers have every right to accept the Constitutional doctrine of religious freedom as being inherently right and proper in light of the Lord's attitude of rejecting all physical force in the propagation and defense of His teaching. The New Testament plainly teaches that men are to be brought to God by their own free choice, stimulated and incited by divine love and goodness, and not by brute force or political pressure. See John 12:32; 2 Corinthians 5:14; Romans 2:4; Revelation 22:17.

The Lord's command to Peter, who had cut off the ear of Malchus in the attempt to keep his Master from being taken into custody by the mob of Jews representing the high priest and elders, once and for all denounced the use of physical force in the defense of Him and His gospel: "Put up again thy sword into its place: for all they that take the sword shall perish with the sword" (Matthew 26:52). Cf. 2 Corinthians 10:3-5.

Before Pilate, Jesus expressed the spiritual, unworldly nature of His kingdom; thus the reason for His rejection of physical force for His protection: "My kingdom is not of this world: if my kingdom were of this world, then would my servants fight, that I should not be delivered to the Jews: but now is my kingdom not from hence" (John 18:36).

Our blessed Lord and His teaching need no defense other than the proclamation of truth itself. Although He was bitterly opposed during His life on the earth, He never resorted to the use of human coercion, whether personal or political, to suppress His enemies. He knew that throughout all subsequent ages men would array themselves against His gospel, yet He never advocated any kind of human force in the suppression of them. To Him, the gospel itself, faithfully proclaimed, was of sufficient power to nullify the influence of false teachers. See Jude 3, 4; 2 Timothy 4:1-4; Titus 1:9.<sup>1</sup>

It is perfectly obvious, then, that Jesus advocated human force neither for the protection and propagation of His truth nor for the suppression of error. Thus we can reasonably conclude that religious freedom under law is entirely in keeping with the spirit of gospel teaching and that those who would forcibly suppress any man's religious convictions and practices by any means whatever do so without the Lord's approbation.

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<sup>1</sup>John Milton in his *Areopagitica* has aptly expressed the ability of truth to overcome error without having to rely on human power: "Though all the winds of doctrine were let loose to play upon the earth, so Truth be in the field, we do injuriously by licensing and prohibiting to misdoubt her strength. Let her and Falsehood grapple; who ever put Truth to the worse in a free and open encounter? Her confuting is the best and surest suppressing . . . For who knows not that Truth is strong, next to the Almighty? She needs no policies, nor stratagems, nor licensings to make her victorious; these are the shifts and the defenses error uses against her power. Give her but room, and so not bind her when she sleeps."



The history of mankind has proved time and time again that persecution never accomplishes its intended purpose, that of destroying the cause it opposes, but rather, paradoxically, it actually strengthens such a cause. Thus it is unthinkable that the all-wise Christ would in any way advocate the use of persecution to down those who would oppose His teaching.<sup>2</sup>

When the political authority of the Jews would have used force to keep the apostles from preaching the gospel, Gamaliel, a noted doctor of the law, wisely advised his cohorts: "Refrain from these men, and let them alone: for if this counsel or this work be of men, it will be overthrown: but if it is of God, ye will not be able to overthrow them; lest haply ye be found even to be fighting against God" (Acts 5:38, 39).

In discussing religious freedom in light of New Testament teaching, it is well that we consider here the church-state issue since we believe that there can be no full religious liberty without complete separation of church and state.

The New Testament is quite plain in revealing that Jesus positively refused to tie His cause with any political entity, that it was His plan for the church of Christ to be completely free from union with the state. True, the New Testament teaches that political authority is ordained of God, that it serves to maintain order in society, and that Christians are to be in subjection to their rulers and to give them tribute (Matthew 22:21; Romans 13:1-7); but a clear distinction is made between the church of Christ and the state so that the two are com-

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<sup>2</sup>"Persecution is a bad and indirect way to plant religion" (Sir Thomas Browne, *Religio Medici*, XXV).

"Millions of innocent men, women and children, since the introduction of Christianity, have been burnt, tortured, fined and imprisoned; yet we have not advanced one inch toward uniformity. What has been the effect of coercion? To make one half of the world fools and the other half hypocrites" (Thomas Jefferson, *Works*, Vol. II, p. 217).

pletely organically separate.

Thoughtful, informed Christians know that it is impossible to maintain full freedom of believing, obeying, and teaching the word of God if the church of Christ in any way becomes united with the state. They know that history has undeniably proved that when any religious organization has been granted special prerogatives by the state not enjoyed by other groups, when it has become state subsidized and state controlled, complete religious freedom such as is granted by our Constitution and in keeping with the spirit of the New Testament, has been impossible to maintain.

It should be evident to all who have studied the history of the church-state issue that no religious organization really gains any long term benefits by being united with the state. Only by having complete separation of all religious bodies from the state can every person truly enjoy the freedom to practice and teach what he believes in religion. Error will be ultimately conquered by the power of truth, not by political suppression.

## **THE STRUGGLE FOR RELIGIOUS FREEDOM**

We must never forget that religious freedom has become our heritage after long centuries of struggle and human suffering. Through painful experiences many have learned that religious beliefs cannot be imposed by human authority.

The mighty force of the Roman Empire strove to halt the spread of early Christianity by the most violent forms of bloody persecution, but to no lasting avail. It was impossible to stem the tide. One of the earliest edicts granting religious freedom was made in 311 A.D. by Galerius Valerius Maximianus, ruler of the eastern province, who, after putting two thousand Christians to death, finally came to realize on his deathbed the futility of such persecution,

and issued in his own name and in the names of Licinius and Constantine the following general edict of toleration: "We are disposed to extend to those unhappy men the effects of our wanton clemency. We permit them, therefore, freely to profess their private opinions and to assemble in their conventicles without fear or molestation, provided always that they preserve a due respect to the established law and government . . . and we hope that our indulgence will engage the Christians to offer up their prayers to the deity which they adore, for our safety and prosperity for their own, and for that of the republic."

In 313 A.D. the Emperor Constantine I gave support to religious freedom in the Edict of Milan, made as the result of a conference between himself and Licinius, ruler of the eastern province: "The absolute power is to be denied no one to give himself either to the worship of the Christians, or to that religion which he thinks most suited himself . . . that each may have the free liberty of the worship which he prefers; for we desire that no religion may have its honor diminished by us."

Later Constantine released a Proclamation to the Peoples of the East: "Let the followers of error enjoy the same peace and security with those who believe: this very restoration of common privileges will be powerful to lead men toward the road of truth. Let no one molest his neighbor. What the soul of each man counsels him, that let him do. . . . Whatever truth a man has received and been persuaded of let him not smite his neighbor with it. Rather, whatever he has himself seen and understood, let him help his neighbor with it, if that is possible; if it is not, let him desist from the attempt. For it is one thing to voluntarily undertake to wrestle for immortality; it is another to constrain others by fear."

Religious freedom, however, was short lived



in the Empire, for after a brief span of twenty-five years, in 353 A.D., Constantius, the son of Constantine I, ordered the closing of the heathen temples and said, "We will that all abstain from sacrifices. If any be found doing otherwise, let him be slain by the sword."

In 380 A.D. Theodosius the Great issued a decree making Christianity the *established* religion of the realm. With this official union of the form of religion then accepted as Christianity with the state, religious freedom was to be practically non-existent in the western world until many centuries later, when in such nations as Holland and Prussia all religions were tolerated by the existing governments.<sup>3</sup>

Finally, in America was full religious freedom, with complete separation of church and state, first realized, not merely by the caprice of some monarch but by the will of the people, and not as a matter of concession or tolerance but as a matter of principle. This does not mean, however, that full religious freedom, such as is guaranteed by the Constitution, came into existence with the founding of the Colonies. True, such groups as the Puritans left England to escape persecution, but in the new world they themselves restricted other religions by law, zealously persecuting those who disagreed with them.

In two of the colonies, Maryland and Pennsylvania, toleration was granted only under pressure of expediency and policy, not as a matter of principle. In Maryland, Lord Balti-

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<sup>3</sup>Frederick the Great of Prussia was the first monarch to distinctly proclaim not only that the state should tolerate all religions but also that it should favor none. He affirmed that "all religions must be tolerated and every person allowed to go to heaven in his own fashion." He welcomed Catholics in Prussia and told them that they might build their churches "as high as they pleased and with as many towers and bells." He also declared that "if Turks should come to populate the land, I myself shall build them mosques." (Carlton J. H. Hayes, *A Political and Cultural History of Modern Europe*, New York, 1932, Vol. I)

more, a Roman Catholic, granted toleration to all religious bodies. This was entirely a matter of policy.<sup>4</sup> Baltimore knew that he could not make a success of his colony without immigrants, and religious toleration was an inducement for Englishmen of various religious persuasions to settle in Maryland. Toleration, then, to Baltimore was a paying proposition. He ruled that fines were to be assessed against all who slandered Mennonites, Moravians, Schwenkfelders, Lutherans, Baptists, or any other "heretic," lest they be discouraged from coming. But this was not full religious freedom, for Jews, Deists, and others were not tolerated.

William Penn, the Quaker, in Pennsylvania extended toleration to certain religious bodies also as a matter of expediency and policy but failed to grant full religious freedom to all.

For many years after its founding, Virginia worshiped according to the prescriptions of the Church of England. Only under the pressure of necessity did it finally yield to the demand of religious freedom. Great leaders such as Washington, Madison, and Jefferson had vehemently protested against all infringements of conscience. In 1775 they wrote a declaration: "All men are equally entitled to free exercise of religion, according to the dictates of conscience, and it is mutually the duty of all to practice Christian forbearance, love, and charity toward each other." It was during the Revolutionary War, in 1779, that the General Assembly cancelled all disabilities and removed all penalties of free worship. In 1785, the state adopted the bill for religious freedom offered by Thomas Jefferson.

Finally, with the addition of the Bill of Rights to the Constitution, in 1791, full religious free-

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<sup>4</sup>W. W. Sweet, *Religion in Colonial America*, (New York), 1942), pp. 326-329.

dom, with complete separation of church and state, became a reality on a national scale. The fathers of our Constitution had been thoroughly shocked into a feeling of nearly absolute abhorrence by the political suppression of freedom of conscience in colonial America. With strong repugnance they had contemplated the tragedy of the old world practice of religious persecution being transplanted on the soil of the new world. They were aware that the charters granted by the English crown to the proprietors of the colonies gave them the authority to erect religious establishments which all, whether believers or nonbelievers, would be required by force of law to support and attend, with tortures, fines, and imprisonment often resulting from the rejection of this authority. They sought to end all governmental control of religion by completely separating church and state and guaranteeing to every person full religious freedom. This they accomplished in the Federal Constitution, the cornerstone of American law.

The prosperity and growth of the United States, with the general well being of the people, is unparalleled in history. This has been made possible by the liberties our Constitution guarantees, of which freedom of religion is by no means the least significant. We heartily agree with the following quotation: "Studies tend to show conclusively that throughout history religious freedom has been the barometer of civilization; that in all lands, throughout all times, countries have attained highest prosperity and well-being in exact proportion to their observance of religious freedom."<sup>5</sup>

On the other hand, the evils of church-state union, with the denial of liberty to those who disagree with the *established* religion, have al-

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<sup>5</sup>Joseph Martin Dawson, *Separate Church and State Now*, (New York, 1948), p. 126.

ways been disastrous to the morality and good order of society. If any one doubts this conclusion, we would suggest that he carefully consider the viciousness of union of the state in Spain with the Catholic Church which produced the Inquisition with its terrible tortures, the ruthless usurpations in Mexico of the privileged religious group which so retarded the nation's economy that the government finally had to dispossess it of its extensive properties and control the activities of its clergy, and the offensive morals of the Greek Orthodox Church, united to the Czaristic regime in Russia, which became a chief factor in creating the Communistic hatred of all religion.

John Morely wrote nearly a century ago in *The Struggle for National Education*: "There is not a single crisis in the growth of English liberties in which the state church has not been the ally of tyranny, the organ of social oppression. . . . What is true is a very important truth: that the state church has never resisted, or moderated . . . course, ferocious, intolerant and obstructive political impulses in the nation; that on the contrary she has stimulated and encouraged them where she could, and has most unflinchingly turned them to her own profit."

Those who decry all tyranny over the conscience of man and accept our Constitutional doctrine of religious freedom and separation of church and state as agreeing with the teaching of Christ, who realize that the lack of such freedom has always hindered human progress, view with great alarm any and all threats to our priceless American heritage of liberty for all. They firmly believe that no one can be loyal to Christ and a good American who fails to take a firm stand against all encroachments on religious liberty and separation of church and state. *And definite threats there are! Indeed, the liberty granted by the religious clause of our Bill of Rights now faces the worst peril*



it has known. Only uninformed, naive people will deny this fact.

## THE THREAT OF COMMUNISM

The most obvious threat to religious liberty is Communism. With the phenomenal growth of Communism during the past few years and the unrelenting plans of its leaders to bring the whole world under its subjection, the threat it holds to our religious freedom looms large and foreboding on the horizon. This movement has always been opposed to religion in every form, and being a system of totalitarianism it can never consistently allow those who live under it to have unrestricted religious freedom.

Karl Marx, the founder of modern Communism, in his *Critique of Hegel's Philosophy of Law*, in 1843, described religion as "the people's opium." This phrase is widely used in the literature of Communism. Lenin, the greatest protagonist of Russian Communism, declared, "Religion is one of the forms of spiritual oppression that everywhere weighs on the masses of the people, who are crushed by perpetual toil . . . Religion is the opium of the people. Religion is a kind of spiritual gin in which the slaves of capital drown their human shape and their claims to any decent life."<sup>6</sup>

The Sixth Congress of the Comintern, meeting in Moscow in 1928, candidly expressed the hatred of Communists for all religion: "One of the most important tasks of the cultural revolution, affecting the wide masses, is the task of systematically and unswervingly combating religion—the opium of the people. The proletarian government must withdraw all State support from the Church, which is the agency of the former ruling class."

It is true that in the writings of leading Communists we read a great deal about the separa-

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<sup>6</sup>Lenin, *Selected Works*, XI, p. 658.



tion of church and state and freedom of religion. After reading the following article on "Freedom of Conscience," "Separation of the Church from the State," and "Education and the Church" in the Constitution adopted in 1917 and revised by the Fourteenth Congress of the Soviets in 1929, some might even believe that the Soviet Union favors freedom of religion in the same sense as the American Constitution: "For the purpose of securing real freedom of conscience for the worker, the Church is declared separate from the government and the schools from the Church. But freedom in the exercise of religious worship and freedom for anti religious propaganda is recognized for all citizens."

Any conclusion, however, that in Russia all religious persuasions are allowed to freely and publicly advocate their doctrines and to denounce evil as they see it, as is true in America, is utterly false. Whatever concessions of limited religious liberty are made to the people of the Soviet Union by the government can only be reasonably interpreted as a matter of expediency since the leaders of Communism are shrewd enough to realize that the strong religious inclinations of men cannot be eradicated by law. In the plans of Communism, temporary concessions are made to religion only with the purpose of finally destroying it. Lenin declared, "We demand the complete separation of the church from the state in order to combat religious darkness with a purely ideological, and exclusively ideological, weapon, our printed and oral propaganda."

The fundamental outlook of Communism on religion never changes. In 1950 the Soviet Society for Political and Scientific Research launched a campaign against "the medieval Christian outlook." The chairman of this cam-

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<sup>7</sup>Lenin, *Ibid.*, p. 664.

paign asserted, "The struggle against the gospel and Christian legend must be conducted ruthlessly and with all means at the disposal of Communists."<sup>8</sup>

*Unquestionably, full and complete religious freedom can never exist in a Communist controlled nation. Communism is a constant, growing threat to our cherished religious freedom. We must combat this threat by every fair means at our disposal.*

## **THE THREAT OF ROMAN CATHOLICISM**

Another threat to our Constitutional principle of freedom of religion and separation of church and state is not as obvious as Communism to most Americans. Indeed, any references to this threat, such as will be made in this discussion, cause many uninformed people to raise the cry of bigotry and prejudice; but this writer feels confident that all fair minded readers who examine with candor the facts that follow will agree with him as to the reality of this threat, the Roman Catholic Church.

Both the historical and contemporary practices and teachings of Catholicism reveal over and over again the fact that the Catholic Church favors union between itself and the state, with the consequent denial to other religious groups of equal rights before the law.

In 1864, Pope Pius IX in his *Syllabus of Errors* expressed what has always been the teaching of Catholicism when he denounced as one of the "principal errors of our time" the statement, "The Church ought to be separated from the State, and the State from the Church."

The following official Catholic teaching against full religious freedom and in favor of union of the Catholic Church with the state is most significant: "Q. What more should the

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<sup>8</sup>*New York Times*, August 29, 1950.

state do than respect the rights and liberties of the Church [Roman Catholic Church]? A. The state should also aid, protect and defend the Church. Q. What then is the principal obligation of the heads of states? A. Their principal obligation is to practice the Catholic religion themselves, and, as they are in power, to protect and defend it. Q. Has the state the right and duty to proscribe schism or heresy? A. Yes, it has the right and duty to do both for the good of the nation and for the faithful themselves; for religious unity is the principal foundation of social unity . . . Q. May the state separate itself from the Church? A. No, because it may not withdraw from the supreme rule of Christ. Q. What name is given to the doctrine that the state has neither the right nor the duty to be united to the Church and to protect it? A. The doctrine is called liberalism. It is founded principally on the fact that modern society rests on liberty of conscience and of worship, on liberty of speech and of the press.”<sup>9</sup>

Pope Boniface VIII said, “Surely he who denies that the temporal sword [representing the state] is in the power of Peter [representing the Catholic Church] wrongly interprets the word of the Lord when He says, ‘Put up thy sword in its scabbard.’ Both swords, the spiritual and the material, therefore are in the power of the Church, the one indeed, to be wielded for the Church, the other by the Church; the one by the hand of the priest, the other by the hand of kings and knights, but at the will and sufferance of the priest. One sword, moreover, ought to be under the other, with the temporal authority to be subjected to the spiritual.”<sup>10</sup>

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<sup>9</sup>*Manual of Christian Doctrine*, Imprimatur: Cardinal Dougherty, pp. 132, 133.

<sup>10</sup>Pope Boniface VIII, *Bull Unam Sanctum* (Nov. 18, 1302).

According to the principle set forth in this pronouncement, the state is to be in subjection to the Roman Catholic Church, to wield its authority "at the will and sufferance of the priest." No plainer expression of Catholic teaching in favor of church-state union could be made than this.

Catholic historians have tried to gloss over this pronouncement of Boniface VIII by designating it as mere "opinion," as being "purely historical character."<sup>11</sup> However, this same reference admits that *Unam Sanctum* has had "its incorporation in canon law," which makes it part of the official body of Catholic law.

The Bishop of Winchester, in 1238, retorting to the request of the Saracens for aid from the Catholic Church to meet the Tarter menace, declared, "Let us leave these dogs to devour one another, that they may all be consumed, and perish; and we, when we proceed against the enemies of Christ, will slay them, and cleanse the face of the earth, so that all the world will be subject to the one Catholic Church, and there will be one shepherd and one fold."<sup>12</sup> Here is a forthright affirmation of the right of Roman Catholic Church to persecute, even unto death, those who are opposed to it. And it is the proud boast of Catholicism that it never changes. What could happen to non-Catholics if Catholicism gained political control in America?

The possible fate of those considered heretics by the Catholic Church in countries where this organization is united with the state is candidly set forth in the following quotations:

"When those judged guilty of heresy have been given up to the civil representative, or the Inquisition, the podesta or chief magistrate of the city shall take them at once, and shall,

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<sup>11</sup>*Catholic Encyclopedia*, XV, p. 126.

<sup>12</sup>Matthew Paris, *English History*, trans. J. A. Giles (London, 1852).



within five days at the most, execute the laws made against them."<sup>13</sup>

"The civil authorities, therefore, were enjoined by the popes, under pain of excommunication, to execute the legal sentences that condemned the heretics to the stake."<sup>14</sup> Has any pope officially affirmed that the medieval popes mentioned here acted wrongfully in demanding, under pain of excommunication, that the civil authorities obey their dictates?

The American Catholic hierarchy attempts to allay the fears of non-Catholics concerning the Roman Catholic threat to religious liberty by affirming that loyal Catholics accept and obey the Constitution without reservation. What they fail to inform us, however, is that our Constitutional guarantees of religious liberty and separation of church and state are accepted by the Catholic Church not as matters of principle but merely as matters of expediency, since this organization is still a minority group in the United States and does not yet have political control of the nation. But let us not forget that constitutions can be changed and that if the Catholic Church ever becomes the majority group in this country it may well alter the Constitution in such a way as to deny religious liberty to non-Catholics.

The late Monsignor John A. Ryan of the National Catholic Welfare Conference plainly affirmed in his book *The Catholic Principles of Politics*: "But constitutions can be changed, and non-Catholic sects may decline to such a point that political proscription of them may become feasible and expedient. What protection would they then have against a Catholic state? The latter could logically tolerate only such religious activities as were confined to the members of dissenting groups. It could not permit

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<sup>13</sup>Pope Innocent IV, *Bull Ad extirpanda* (1252).

<sup>14</sup>*Catholic Encyclopedia*, VIII, p. 34.



them to carry on general propaganda nor accord their organization certain privileges that had formerly been extended to all religious corporations."

A leading Jesuit journal published in Rome, *Civiltà Cattolica*, in the issue of April, 1948, forthrightly affirmed the right of the Catholic Church to deny religious freedom to non-Catholics, only agreeing to such freedom as a matter of expediency, or political necessity: "The Roman Catholic Church, convinced of its divine prerogatives of being the only true church, must demand the right of freedom for herself alone, because such a right can only be possessed by truth, never by error. . . . In a state where the majority of people are Catholic, the Church will require that legal existence be denied to error and if religious minorities actually exist, they shall have only a *de facto* existence without opportunity to spread their beliefs. . . . In some countries, Catholics will be obliged to ask full religious freedom for all, resigned at being forced to cohabitate where they should rightfully be allowed to live. But in doing this the Church does not renounce her thesis which remains the most imperative of her laws, but merely adapts herself to *de facto* conditions which must be taken into account in practical affairs. . . . The Church cannot blush for her own want of tolerance as she asserts it in principle and applies it in practice."

The following bold assertion of the right of the Catholic Church to punish, even by death, those who disagree with it, was made in the *Tablet*, official newspaper of the Roman Catholic diocese of Brooklyn, N.Y., Nov. 5, 1938: "Heresy is an awful crime . . . and those who start a heresy are more guilty than those who are traitors to the civil government. If the State has the right to punish treason with death, the principle is the same that concedes to

the spiritual authority the power of capital punishment over the arch-traitor to truth and Divine revelation. . . . A perfect society has the right to existence . . . and the power of capital punishment is acknowledged for a perfect society. . . . Now, the Catholic Church is a perfect society, and as such has the right and power to take means to safeguard its existence."

If the reader still believes, even after reading the foregoing statement of Catholic belief and policy, that the Roman Catholic Church accepts full equality before law of all religious groups and complete separation of church and state as matters of principle rather than of expediency, we would ask him to name one pope in the entire history of the papacy who has plainly, definitely expressed himself in favor of the principles of separation of church and state and complete freedom for all religions. He will be able to find pronouncements of many popes against these principles, but he cannot point to a single pope who has taught the contrary. Surely, if religious freedom and separation of church and state are matters of principle to the Catholic Church, as they are to all loyal American citizens, at least one pope, the infallible voice of Catholicism, would have so taught it.

The most telling indictment against the stand of the Roman Catholic Church on the church-state issue is the union of this organization with the state in such Catholic dominated countries as Italy, Spain, and many others, emphatically proving that Catholicism rejects the separation of church and state whenever it enjoys the political ascendancy in a country.

It is evident that what has happened in these countries could also happen in America should the Catholic Church ever obtain political control here.

In the Italian concordat, the Mussolini-Vati-

can agreements of 1929, the Catholic Church won for herself special treatment as "the sole religion of the state" (Article I). It won, in the Italian laws of 1930, which supplemented the concordat, a concession which reads: "Whoever publicly slanders the [Catholic] religion of the state shall be punished with imprisonment for one year." The same sections of the code provide a *different* penalty for the slandering of non-Catholic religions, declaring that in such cases "the punishment shall be diminished." Many prosecutions in recent years have occurred in Italy which convicted people of slandering the pope, but vicious slanders of Protestant and other non-Catholic leaders, which are printed in official Catholic pamphlets, are unchallenged by the law.

So closely knit together are the government and the Catholic Church in Spain that by Catholic pressure and public law non-Catholics are not even allowed to bear any external symbols showing that they are religious organizations.

In the new world, Argentina, Bolivia, Costa Rica, the Dominican Republic, Honduras, Panama, Paraguay, Peru, and Venezuela have given the Catholic Church both a privileged position in law and some financial support. The concordat made by Pope Pius IX with Honduras is typical of the privileges he won for the Catholic Church through a series of concordats with several Central American countries. Article I of this concordat says, "The Catholic Apostolic Roman religion is the religion of the Republic of Honduras, and it will be kept fully without modification, and always with all its rights and prerogatives to which it is entitled by law of God and the prescriptions of the Holy Canons."

The denial of religious freedom to those whose teaching is contrary to the Catholic Church in a country dominated by this insti-

tution is well illustrated by the harassment and persecution of non-Catholics in Italy.

Following World War II several preachers of the church of Christ went to Italy to proclaim the gospel. As the result of their work many Italians were converted, several congregations were established, and an orphanage was built in Frascati. The Roman Catholic Church objected to their aggressive evangelism. Frascati's police commissioner forbade them to admit any more children; and, finally, in November, 1949, the orphanage was ordered closed. A group of missionaries were driven out of a nearby town by a mob. A bomb, placed in front of mission jeep, went off and injured an orphan.<sup>15</sup> It is a well known fact that many other non-Catholic groups have also suffered persecution at the hands of Catholics in Italy, as well as in other Catholic dominated countries.

An example of Catholic intolerance brazenly expressed where the Roman Catholic Church dominates the government is a statement made by the Bishop of Padova, Italy, read in all the churches of his diocese in June, 1952, in which he praised the civil authorities for refusing to let the local church of Christ assemble in a public meeting place: "We speak a word of applause to the civil authorities, who knew how, with a true democratic sense, to resist the various attempts—not to say assaults—and refuse to give them hospitality in the public hall, which they asked for—and we hope—and pray the Lord—that, overcoming the fear of being judged intolerant, those who are responsible for the public order, will impede these propagators of error."

The main argument made by the American Catholic hierarchy to justify the harassment of non-Catholic religious teachers in Catholic dominated countries is that such teachers have gone

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<sup>15</sup>*Life*, Feb. 20, 1950.



outside their own circle of adherents in teaching religion to others, that they have tried to "proselyte" Catholics. Such an argument by itself is proof enough that American Catholic leaders do not really believe in our Constitutional doctrine of freedom as a matter of principle, for Article I of the Bill of Rights not only guarantees religious freedom but also freedom of speech and of the press. Roman Catholics have the liberty under the Bill of Rights to speak against doctrines contrary to what they believe and to persuade others to become Catholics. Non-Catholics have the same right to speak against Catholic teaching and to "proselyte" Catholics. Neither can rightfully call foul on the other. This is not intolerance or bigotry. This is free men of all religious persuasions exercising their freedom under the Bill of Rights.

In America, an organization of Catholic men, the Knights of Columbus, constantly carries on a national campaign of newspaper and magazine advertising with the objective of making Catholics out of non-Catholics. This is their right under our Constitution. But if such freedom of expression is an inherent right, why is not this same freedom being enjoyed by non-Catholics in certain other countries? The plain fact is that the Catholic Church does not really accept the freedoms granted by Article I of the Bill of Rights as being inherently right, only conceding to them as a matter of political necessity.

The patent dishonesty of the American Catholic hierarchy in justifying suppression of non-Catholics in publications meant for Catholic reading, expressing official Catholic teaching, and then affirming belief in the inherent right of the freedoms granted by the Bill of Rights in publications meant for reading by the general public, is strikingly exemplified in the case of



Francis Cardinal Spellman. In the *Program and Speaker's Manual of the Bill of Rights Commemoration Committee*, December 15, 1959, (Joe Crail, Chairman), the invocation is given by this leading American Catholic prelate, p. 33: "The Bill of Rights is America's beacon flaming from every hill and spire, proclaiming man's inalienable rights, declaring man's imperishable urge to exercise those rights under God and America's law with freedom and security. . . . The Bill of Rights is God's gift to America."

Notice how the Cardinal describes the Bill of Rights, with its clause guaranteeing full freedom to Americans of every religious persuasion: "Man's inalienable rights . . . God's gift to America." Could any description more clearly affirm the inherent right of our Constitutional doctrine of freedom? But if freedom of religion, as well as the other freedoms, is an inalienable right, why has not the Catholic Church labored to see that all men in every country enjoy this right, this gift of God? We cannot but help wondering what answer Cardinal Spellman would give to this question.<sup>10</sup>

The reader's attention is here called to some quotations from Catholic books bearing the imprimatur of Cardinal Spellman, which means that they have been given his official approval. These quotations frankly deny that freedom is an inalienable right of man, a gift of God; thus they expose the dishonesty of the Cardinal in his pious claims concerning the Bill of Rights, claims which are obviously made to lull non-

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<sup>10</sup>Cardinal Alfredo Ottaviani since 1935 has virtually ruled the all-important Congregation of the Holy Office, the Vatican department handling matters of faith and morals. Being a canon law expert, he strongly advocates the right of Catholic countries to restrict other faiths. He then is diametrically opposed to what Cardinal Spellman has declared to be an inalienable right, a gift from God. We will let the reader decide which of the two expresses the official attitude of the Catholic Church concerning religious liberty.

Catholics into a false sense of security and to help make possible the subtle encroachments of Catholicism on our beloved American liberties.

"The doctrine of the Church . . . is that the State must profess and promote not any religion, but the one true form of worship founded by Christ and continuing today in the Catholic Church. Such a public profession . . . will of necessity bring the State into some relation with Catholicism. . . . The non-Catholic and the non-baptized should be permitted to carry on their own form of worship as long as there would be no danger of scandal or perversion to the faithful."<sup>17</sup>

The following quotation is taken from a volume (also bearing the imprimatur of Cardinal Spellman) which summarizes the arguments of Pope Leo XIII's 1885 encyclical *Immortale dei*, in favor of union of church and state, for the support of the Catholic Church by the state, and for suppression of "the propagation of false doctrine" by the police power of the states: "Superficial champions of religious liberty will promptly and indignantly denounce the foregoing propositions as the essence of intolerance. They are intolerant, but not therefore unreasonable. Since the profession and practice of error are contrary to human welfare, how can error have rights? How can the voluntary toleration of error be justified? The men who defend the principle of toleration for all varieties of religious opinion assume either that all religions are equally true, or that the true cannot be distinguished from the false. On no other ground is it logically possible to accept the theory of indiscriminate and universal toleration."<sup>18</sup>

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<sup>17</sup>Osthelmer and Delaney, *Christian Principles and National Problems*, pp. 98, 99.

<sup>18</sup>Ryan and Boland, *Catholic Principles of Politics*, p. 318.

Those who accept the Constitutional doctrine of religious freedom do not necessarily believe that a person is morally free to accept error. For example, the writer of this discussion believes that Jesus Christ is the only begotten Son of God. To be consistent, he must conclude that those who do not concur with him in this belief are in error. Most certainly, he does not believe they have the *moral* right to accept this error, for which they will finally have to answer to God; but he does firmly believe they should be *legally* free to hold to this or any other religious error and to propagate it as they see fit. He does not believe, as was pointed out in the beginning of this discussion, that any human force which would take away this freedom is pleasing to God. But Catholics not only teach that men do not possess the moral right to hold to and propagate error but that they should also be denied the legal right in the matter. Thus again we can see how Catholicism is opposed to our Constitutional doctrine of religious freedom.

Those who take the stand expressed in this discussion of favoring total separation of church and state and full religious freedom, according to our Constitution, and of exposing the aims of the Roman Catholic Church for political domination in America and suppression of its basic freedoms, are charged by Catholics with desiring to separate this nation *from* religion. This charge was presented in *Columbia*, the official magazine of the Knights of Columbus, issue of Oct., 1958, "A warning was voiced by the Most Rev. John J. Krol, Auxiliary Bishop of Cleveland, in his States Dinner address. He said an articulate minority of atheists, secularists and professional bigots are carrying on a warfare aimed at 'the practical exclusion of God and religion from the life of our nation.'

"The enemies of religion,' Bishop Krol de-

clared, 'have already managed to distort the interpretation of the First Amendment to the U. S. Constitution which provides that "congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof . . ." An articulate minority of atheists, secularists and professional bigots . . . seem determined to produce religious and moral starvation, and thereby affect freedom *from* instead of *for* religion.'

Bishop Krol has presented an example of what real bigotry is, Catholic style, in his grouping together with atheists, secularists, and professional bigots many sincerely religious non-Catholics who in no way want to produce moral and spiritual starvation in our nation, but who fervently desire to maintain freedom *for* and not *from* religion by their vigilance in guarding our Constitution from any and all encroachments on the freedoms it guarantees.

Joseph Dawson has well expressed the proper relationship of religion to the state as intended by the authors of the Constitution: "The true conception, of course, is that religion is not to be applied *officially* in the capacity of churches but individually and socially in the capacity of citizenship. The authority of religion is always to be moral and spiritual, never official in the government. . . . *Note well: If religion is to guide and control the state in any acceptable way, it must do so morally and spiritually rather than officially.*"<sup>19</sup>

The official pronouncement of the bishops of the Roman Catholic Church in America on November 21, 1948, soon after the Supreme Court had upheld the American practice of no public support for private schools, denounced the Court's interpretation of the religion clause of the First Amendment and referred to the principle of separation of church and state as

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<sup>19</sup>Dawson, *op. cit.*, p. 91.



"the shibboleth of doctrinaire secularism," calling upon faithful Catholics to work "patiently and persistently" for its destruction.

The official statement of the American Catholic bishops, 1955, page 4, boldly affirms: "They [the Roman Catholic parochial schools] have the full right to be considered and dealt with as components of the American educational system. . . . The students of these schools have the right to benefit from these measures, grants, or aids which are manifestly designed for the health, safety, and welfare of American youth, irrespective of the schools attended." The health and welfare benefits would include bus transportation, medical and dental examination, text books, school lunches, etc. Subsequent statements of the Catholic hierarchy indicate that school construction is included in the category of "welfare benefits."

Bishop John P. Cody, dedicating the St. Pius X High School of Kansas City, candidly stated his position on state aid to parochial schools: "When we hear about federal aid to education we wonder if we, too, are not deserving. The law of this land prohibits federal contributions to sectarian schools, but laws have been changed. With the help of rightminded men we may look forward to help for our schools. This is a hope, not a threat."<sup>20</sup>

The official statement of the National Catholic Welfare Conference on the question of state aid to parochial schools declares that "every school to which parents may send their children in compliance with the compulsory education laws of the State is entitled to a fair share of tax funds. Local and State governments which refuse to support schools not under the control of the local school board are guilty of an injustice against other qualified schools within the

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<sup>20</sup>*Kansas City Star*, April 27, 1957.



community."<sup>21</sup>

The leading argument offered by the Catholic hierarchy in favor of public tax support of its parochial schools is that such funds will be used solely for the secular phase of education. This is a specious argument. Parochial schools, whether of the Catholic Church or any other religious organization, exist for one basic purpose: to indoctrinate students in the tenets and doctrines of the organizations operating these schools. It is evident, then, that tax money used to support parochial schools is money used to disseminate the dogmas and doctrines of religious organizations, in opposition to our Constitutional system of separation of church and state.

And what about the support of Roman Catholic hospitals, admittedly missions of the Roman Catholic Church, by tax money in the amount of over \$112,000,000?

And what about public law H. R. 6586 giving Roman Catholic hospitals and schools in the Philippines the lion's share of \$26,713,000 in claims beyond what they had already collected?

And what about American taxpayers being forced to pay one million dollars to repair the pope's summer home, the fruit of Catholic political action in the 84th Congress?

And what about the Christian Brothers distillery, operated by Roman Catholic monks and makers of "fine" brandy, paying no taxes yet competing against taxpaying distilleries?

Every special favor our government shows to the Catholic Church, every cent of tax money given in its support, amounts to government establishment of religion in violation of the American Constitution.

In calling the reader's attention to the threat Roman Catholicism holds to the Constitutional

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<sup>21</sup>Statement of the National Catholic Welfare Conference to subcommittee of House Committee on Education and Labor on Federal Aid to Education, 1947, pp. 310, 311.

doctrine of separation of church and state and religious liberty, we have been considering official Catholicism, the Catholic hierarchy, and not the "laity" of the Roman Catholic Church. We are thoroughly aware that many American Catholics accept the Constitutional guarantees of liberty without reservation, that they can heartily and sincerely join all freedom loving non-Catholics in singing "My country, 'tis of thee," but they do not make the policies of the Catholic Church. These policies are made by the hierarchy and are binding on all loyal Catholics.

We who would stave off the threat of the Catholic Church to our precious American freedoms will do well to consider seriously the observation and warning of Moehlman: "Nothing in American life can compare in efficiency with the organization, alertness, compactness, authoritarianism, political acuteness and astuteness, and propaganda system of Roman Catholicism. But can these ever destroy the American mores? If the non-Catholic United States population can overcome its complacency, indifference, lethargy, cocksureness that the victory has long since been won and avail itself of all the constitutional guarantees of religious freedom and of taxation for public education and public education only, separation of church and state need not go."<sup>22</sup>

## CONCLUSION

On June 17, 1825, in his address at the Bunker Hill monument, Daniel Webster said, "If the true spark of religious and civil liberty be kindled, it will burn." It is the prayer of this writer that Americans everywhere will continue to keep the spark of religious liberty kindled so that it will burn brightly for all generations to come.

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<sup>22</sup>Conrad Henry Moehlman, *The Wall of Separation between Church and State* (Boston, 1951), p. 192.

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