

Courier Journal

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An Answer to Those Who Would Rekindle the Fires of Bigotry

Now in the full force of the attack by the anti-Catholic forces at Fordham University, the following is a statement by the Catholic community in New York City.

A few months ago the Supreme Court in the United States rendered a decision which has stirred an unbridled amount of religious prejudice, and which has stirred religious feeling to an alarming degree. It was the decision of the Supreme Court in the New Jersey school bus case, in which the court declared that the people of New Jersey have a right to make arrangements for the transportation of all school children to and from all schools—public, private and parochial alike.

Stopped at legal technicalities, the court decided that the Federal Constitution is not violated when the driver of a school bus picks up private and parochial school children who live along the established bus routes and carries them as far as the public school.

How could the court, in justice, have reached any other decision? On what premise could the court conclude that any American child may be barred from a public conveyance provided at public expense by all the taxpayers in a community? Is there any law, natural or positive, written or unwritten, which could be cited by a court as a valid reason for excluding children to the hazards of the highway simply because they happen to attend a private or parochial school?

The Supreme Court has settled a question which never should have been raised. To me, as an American citizen, it is embarrassing that this issue was raised in our nation, which prides itself before the whole world as an exemplar of fair play and tolerance.

Citizens of other lands who look to the United States as a haven of freedom and the home of self-government, might well expect that American citizens among themselves and without recourse to the courts, should be able to agree on some practical plan for giving school bus service to all children alike who live a distance from school.

And the least they might expect, once the case was settled by the court, is that the issue would be closed. That Americans, with their traditional sense of justice, would let the matter rest, satisfied that the court had rendered a just verdict based on the evidence presented.

Yet, to the contrary, much fearful criticism has been directed at the Supreme Court because of its decision in this case. In high indignation some of our leading newspapers have denounced the decision as a dangerous departure from American principles, an egregious blunder which will lead to a union of Church and State, an attack upon our cherished free American public schools, the opening wedge in breaking down the wall between Church and State.

And with complete disregard for the absolutely clear language of the New Jersey law, which says that transportation service shall be provided for all children attending both secular and parochial schools, several papers, considering the court for showing favor to the Catholic Church.

The most circumstances that in the particular rural township where the case arose, the only non-public school pupils involved happened to be Catholics was utterly seized upon as evidence of a discrimination which had no basis in fact or in law—as the Supreme Court itself was careful to point out.

The criticism in the secular press, however, was mild in comparison with some others. In an editorial headlined "Now Will Protestants Join the Catholics," the Christian Century attacked the court's reasoning as "a tirade of sophistry." The same magazine approved Protestants for "being blind to the strategy of the Roman Church, which is using the transportation issue as the thin edge of a wedge which would ultimately crack open the Constitution and give the Church a privileged position in the United States; and the same editorial went further to urge that "no pupil can be silent on this issue" of the Supreme Court's decision.

So believing Christians of any denomination, who respect the Church as a place of worship, and whose deepest prayer is for charity and love to all mankind, can let this situation go unchallenged. The results of this un-American and un-Christian attitude are now being felt in many small American communities, where until recently ministers and priests had worked together in fellowship on community projects.

Parents in the rural areas have asked that the Catholic press discontinue publicity on this issue. They feel badly about the tension between religious groups which in small communities must live together much more intimately than in urban areas.

But there is no respite from the attack. Only recently the Christian Century accused the Archbishop of Cincinnati of directing a Catholic plan for celebrating the Cincinnati suburbs by capturing control of the public schools in these towns. Although the archbishop publicly had explained the Catholic interest in the North College Hill school controversy, not one word in the archbishop's defense appears in the article.

I repeat that no religious journal of any denomination should rekindle the fires of religious prejudice by inciting religious tension. Seven of a million persons in the United States have no affiliation with any church.

Millions of people never pray. Secularism threatens the very existence of organized religion. The claim of the totalitarian state to be the master of men's souls and bodies presents the greatest danger to Christianity since the persecutions of the Early Church.

But the world is moving, and our civilization is being born again. We are no longer the slaves of a totalitarian state. We are no longer the slaves of a totalitarian state. We are no longer the slaves of a totalitarian state.

Indeed, I find it pleasure in taking issue with the members of any religious group for I am convinced that members of all religious denominations must make a determined effort to cooperate as citizens of these United States in every worthwhile civic project which requires no compromise of religious principles.

Many persons assumed that heat generated by the bus case decision would produce in the whole country a wave of religious intolerance. The light of tolerance and free thought, however, would be forgotten in the glow of good-will and brotherly love in activities on which all agreed.

Unhappily, the contrary seems to be the case. The headlines tell the story: "Methodist Bishop Attacks Catholics," "Baptist Convention Told Wall Between Church and State Is Wrong."



CARDINAL SPELLMAN
The Question He Would Not Ask...

... "Presbyterians Condemn Catholic Demands for School Aid?"

At its annual meeting in Riverside, Calif., the Council of Methodist Bishops declared flatly that the Catholic Church is "a threat to the American public in its insidious 'affirmations of loyalty to democratic ideals' and the council decided serious threat to our public educational system which is the bulwark of democracy."

On the same day the president of the Southern Baptist Convention asserted in an address to 10,000 convention delegates, "This ominous decision (of the Supreme Court) casts a shadow, now no larger than a man's hand, but portending a cloud that may be drifting out over every hamlet and dale from Plymouth Rock to the Golden Gate to darken the torch of religious liberty in our beloved land."

The Baptist Convention also approved the proposed Byrnes amendment to the Federal Constitution which would make it illegal for any branch of government to give direct or indirect aid to any sectarian educational institution. Obviously, this amendment is designed to overthrow the Supreme Court's decision. It is intended that the basic law of our land, our Constitution, the same Constitution which children are taught in school to respect and love, shall contain a prohibition against furnishing bus rides to any children except those attending the public schools.

I avow that any such discrimination is contradictory to the Constitution of our common country—a Constitution which down through the years of our nation's life has been defended by the precious blood of Protestants, Catholics and Jews. Have our attackers so soon forgot Pearl Harbor and its grim evening years of war and death when millions of our soldiers of every faith fought side by side to buy for us our peace?

Were such attacks upon the Catholic Church confined to purely ecclesiastical affairs, I should not use such an occasion as this to respond. But the attack of today is directed not at Catholicism, but at the patriotism of American Catholics.

Some people once again are asking "May Catholics be trusted; may they be conceded all the advantages and opportunities of American citizenship; may their Church have full freedom of activity?"

As a true Catholic and loyal American, I feel compelled to meet this challenge squarely and unhesitatingly, but I do so reluctantly, because I am disappointed when religious disagreements are carried into the field of citizenship in a day and time when the nation's very peace is at stake—a crisis far more vital than any dispute over bus rides for school children.

In the War of Independence, the Civil War, in World War I and World War II—religious bigotry was abated, if not abolished. It would be a pity and a sin if it be the truth that only in war are religious sects tolerant and respectful of one another! Yet four successive wars bear witness to this fact.

And now that the latest war is won, bigotry once again is casting its way into the vital organs of the greatest nation on the face of the earth—our own beloved America. It is one more phase of the historical cycle.

Once again a crusade is being preached against the Catholic Church in the United States. Once again the attack is directed not against Catholicism as such, not against Catholic dogmas or practices, not against the Catholic Church as a social institution, as a cultural force in the United States.

Once it was the tremendous influx of Catholic immigrants which stirred the attack on the church; now it is the growth and expansion which is claimed to be a constant threat to the supremacy of public education in the United States.

Why is Catholic education thus attacked?

Is it because the public schools are in fact Protestant schools—or at least schools which consciously or unconsciously are directed along Protestant lines?

For myself, I would never ask this question, but it has been asked and frankly answered by Mr. Justice Jackson (joined by Mr. Justice Frankfurter) in his dissenting opinion in the New Jersey bus case:

"Our public school, if not a product of Protestantism, at least is more consistent with it than with the Catholic culture and scheme of values... It is organized on the premise that secular education can be isolated from all religious teaching so that the school can include all needed temporal knowledge and also maintain a strict and lofty neutrality as to religion. The assumption is that after an individual has been instructed in worldly wisdom he will be better fitted to choose his religion."

This attitude is just one more example of the historical struggle to weave into the basic laws of the United States elements of Protestant theology. It is assumed that the First Amendment's prohibition against "laws respecting an establishment of religion" lays down a rule of faith.

It is assumed that all American people must agree to the dogma that in the sight of God all churches are of equal value. From this assumption it is concluded that any American who does not accept this brand of toleration is a heretic from the democratic faith.

And the best that may be said for the dissenter is that he should not be persecuted, but definitely he is a sore spot on the body politic—to be barely tolerated because the Constitution says he must.

Quite obviously, what is needed in the United States is a better understanding of the true relationship between Church and State in this country, and of just what is meant by their "separation." I doubt if some of those Protestant preachers realize that their incessant pleas for a complete separation of Church and State would strike a very discordant note in the ear of Thomas Jefferson. In France, Jefferson had heard the battle cry "separation of Church and State."

He knew that the plea for a separate state was in fact a demand for separation from Christianity, a demand for the suppression of religion for the virtual extinction of the Catholic Church.

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In France the government had decided to put the churches out of existence by taking over their functions. Although Jefferson, as a philosopher and even as a religious person, had considerable sympathy for French rationalism and deism, he had not respect for the French revolutionary theory—the forerunner of modern Fascism—that government should dominate the lives of its citizens.

In a letter to the famous French liberal, Du Pont de Nemours, Jefferson declared, "We both love the people. But you love them as infants whom you are afraid to trust without nurses and I, as adults, whom I freely leave to self government."

In this remark Jefferson manifested his preference for tolerance over the suppression of religion; and the French version of separation of Church and State was quite different from what Jefferson had in mind when he urged the disestablishment of the Anglican Church in Virginia.

Whatever his opinions on religion, Jefferson would not countenance any governmental action which would interfere with the free exercise of religion by any one citizen or by any group of citizens.

In Virginia Jefferson led the battle for religious liberty. The struggle was fierce. Several of our famous statesmen differed with Jefferson's views. But there was one common and unanimous point of agreement among all these men: that the belief in God must be preserved. This was the significant characteristic of the American plan for religious toleration as contrasted with the degeneracy of the French Revolution against God and the Church.

Americans are fighting on God's side and not against Him, in the name of freedom in their struggle for liberty. It was the thought of our founding fathers that the government be wholly disinterested in a person's creed, but be fully interested in all persons as citizens.

As a Justice Alexander of the Mississippi Supreme Court expressed it:

"Useful citizenship is a product and servant of both the Church and State, and the citizens' freedom must include the right to acknowledge the rights and benefits of each, and to impart into each the ideals and training of the other. There is no requirement that the Church should be a liability to those of its citizenship who are at the same time citizens of the State..."

Our founding fathers certainly did not regard religious liberty as a concession of government. On the contrary, they demanded that our government acknowledge the citizens' right of conscience in religious matters as an inalienable right, always to be protected, never to be impeded either directly or indirectly. In their opinion, and in the opinion of most Americans today, the right of religious freedom imposes a corresponding duty of religious toleration.

It requires that citizens respect the civic rights of each and every American, regardless of his religious affiliation. It means that as an American citizen and a Catholic I may indeed not agree with the tenets of Protestantism, but I may not directly or indirectly deny to my Protestant friends any of their rights as American citizens.

Is it not clear that when a Catholic school

and the music stops.

In the same way, all of creation—is God's song. It can remain in being only as long as He keeps singing. Let Him stop and there would be silence—the silence of an empty world.

Perhaps a better example is in the action of a thinker and his thought. An idea has reality in our mind only as long as we keep it there. Our idea of China, for instance, depends entirely on us for its existence.

This world, too, is God's idea and can exist only so long as He keeps it in mind; for there is nothing so slippery and treacherous as nothingness, the stuff of which we are ultimately fashioned.

Nor is this merely a beautiful "interpretation" of the universe—a bit of poetry, a theological "approach." It's a fact hard and true and, like the laws of arithmetic, we may acknowledge, deny, or ignore it—but the fact is there, no way changed.

The best example that comes to mind is that of a singer. The existence of his product—the song—depends entirely on him. Just as long as he keeps singing, and only so long, will there be music. Let him stop



JUSTICE JACKSON
... He Asks and Answers

child is denied the use of a public school bus an injustice is done not to the Catholic child, but to the American child who happens to be a Catholic?

What is really involved is a violation not of religious liberty but of civic equality. In this land of freedom, of inalienable rights, can there be any excuse, even one based on religious considerations, for treating any children as second class citizens and denying them their right to civil equality?

The best answer to the problem is the decision of the Supreme Court in the New Jersey case. Justice Black's prevailing opinion is a frank recognition of the difficulty "in drawing the line" between funds for general welfare and those in aid of religious establishments.

Due consideration must be given to the taxpayers' freedom of religion, and the parents' freedom of education. Justice Black's