

Letter to the Editor . . .

Harold Stassen Expresses Views

Dear Editor:

Thank you for forwarding me a copy of the May 22nd issue of the Arkansas Baptist.

It is precisely because I am not willing to compromise principles for votes that I made the statement that I did make to the Southern Baptist Convention.

I did not intend to make any reference to these two subjects but found upon my arrival in St. Louis that the morning paper had widely publicized the Convention action on these two resolutions and I felt that in good conscience, since I did disagree with the resolutions, I could not remain silent and by inference as a fellow Baptist be taken to support them.

Therefore, early in my address I made this statement: "Before proceeding with our discussion, in order that my views may not be misunderstood by inference, I wish to state simply and directly that I do not agree with the two resolutions which the press reports you have passed on the questions of diplomatic representation at the Vatican and the Supreme Court decision on school busses. I do adhere to the basic American principle of separation of church and state." (End of Convention remarks.)

It is my view that the Supreme Court made a very difficult decision in a close question and made it not on a basis of in any way breaching the wall for separation of church and state but rather the court made a determination as to just exactly where the wall should be placed.

The majority opinion of the court as issued on February 10, 1947, quoted with approval the words of Jefferson: "The clause of the Constitution against establishment of religion by law was intended to erect a wall of separation between church and state."

The court then analyzed the question of where that wall should be placed with reference to accredited parochial schools, pointed out that quite clearly the city could if it wished place policemen on the highway in front of a parochial school so that the children could safely cross hazardous traffic, that the city could furnish water and sewer connections for the parochial school buildings on the same basis of charge as other buildings, even though this did not cover the entire cost of those facilities and a part of the cost for the entire city was borne by taxpayers.

The court also pointed out that the city could furnish highways, sidewalks, and fire protection, on a similar basis. The court made it clear that the city could not contribute tax-raised funds for the

support of such an institution or its teachers.

Then the court proceeded to say that the Constitution cannot be interpreted "to exclude individual Catholics, Lutherans, Mohammedans, Baptists, Jews, Methodists, non-believers, Presbyterians, or the members of any other faith, because of their faith, or lack of it, from receiving the benefits of public welfare legislation."

They continued: "We must be careful in protecting the citizens of New Jersey against state-established churches, to be sure that we do not inadvertently prohibit New Jersey from extending its general state law benefits to all its citizens without regard to their religious belief."

Then the court concluded: "The state contributes no money to the schools. It does not support them. Its legislation, as applied, does no more than provide a general program to help parents get their children, regardless of their religion, safely and expeditiously to and from accredited schools."

"The first amendment has erected a wall between church and state. That wall must be kept high and impregnable. We could not approve the slightest breach. New Jersey has not breached it here. Affirmed."

Clearly it was a very close question to decide and it was decided on a basis of the great principle of separation of church and state in which we agree. When the Supreme Court has decided the case it is then my view that it is the part of all the citizens to respect the decision of the Court. I do not consider it to be in keeping with the dignity or the standing or the teachings of my great religious denomination to attack a decision of the Supreme Court after it is made.

If any new case of an attempt to reach beyond the school bus situation were to arise, then clear and vigorous presentation of that new case in the courts would be entirely proper and essential and we may well find in fact that the decision of the New Jersey case would be of great assistance in drawing the line.

As to the other question, it is my view that in this postwar situation of world emergency and suffering and of conflicting ideological views, if President Truman wishes to have a representative at the Vatican, that is not the kind of situation to which it is either constructive or helpful for our denomination to make protest, nor does it serve our supreme objective of reaching men, women and children with the everlasting message of our faith.

Harold E. Stassen.
707 Pioneer Bldg.
St. Paul, Minn.

Editor Answers . . .

Jesus Christ is Our Authority

It was clearly a breach of courtesy to inject your disagreement with the action of the Convention into your address. You were a guest of our Convention, an honor guest, a fraternal guest. It was not within the courtesies and proprieties of the occasion to take issue with actions and decisions of the Convention. The Southern Baptist Convention is an autonomous body and it does not invite guests to pass judgment upon its decisions.

You admit, Mr. Stassen, that the publicity given the actions of the Convention with which you disagreed prompted you to make your statement from the Convention platform. You were apprehensive lest by "inference" you should be "taken to support them." Why the apprehension in the light of said publicity except for the reason that you are a candidate for the Republican presidential nomination.

There is the obvious admission in the fourth paragraph of your letter that political considerations were the determining factors in your decision to make your statement of disagreement. Otherwise, why should you care what people would infer.

Concerning the Supreme Court decision, there should never have been any question as to where that "wall" of separation of church and state "should be placed." That wall was already placed by the Constitution of the United States, and it is not within the prerogative even of the Supreme Court to "place" it or displace it.

A parochial school is a church school where a particular religious group teaches a particular religious faith. Every dollar of public tax funds provided upon any grounds for parochial schools is to that extent supporting from government funds the particular religion taught in such schools.

It is fallacious to reason that to provide the transportation of pupils to church schools is on the same basis of public service as police protection, and water and sewer connection. The public schools are provided upon the same basis as other public services without regard for any particular religious belief or practice. Whereas, to pay the transportation of pupils to parochial schools is to favor a particular group which refuses the benefits of public schools and which insists upon private schools. If this logic were followed, one might insist upon a private water system at public expense.

No distinction is made among public school pupils on the basis of religion. If Catholic children attend the public schools they will receive the same service as Baptist and Methodist children. They

receive this service because of their eligibility as citizens of the community, not because they adhere to any particular religious belief.

But Catholics want to send their children to Catholic schools where they will be taught the Catholic religion. They have made an exception of themselves and they want the expenses incurred by this exception to be paid out of public funds.

If you are following the discussion of the "aid-to-education" bills now pending in the Senate, you are aware of the fact that Catholics have no intention of stopping with the payment of transportation of pupils to parochial schools. Catholics are making vigorous and unrelenting efforts to share in any federal fund which may be granted to the states for educational purposes. Their avowed purpose is to "make mandatory the inclusion of Catholic schools in its benefits" (the benefits of federal aid to education).

If a person or group of persons refuses the public service (the public school) which is provided by public funds and for all citizens alike, then the only fair and honorable thing for such a person or group of persons to do is to pay his own way.

The Supreme Court is not infallible. To supinely accept its decision when that decision violates the conscience of all Protestant and evangelical faiths as well as the Constitution of the United States, is to surrender one's own intellectual freedom as well as one's freedom of conscience. The "dignity," "standing," and "teachings" of our "great religious denomination" rest not upon the decisions of the Supreme Court, nor upon our accepting or attacking its decisions, but upon the revealed Word of God and the commissions of Jesus Christ, our Saviour.

For the President to keep a representative at the Vatican is a recognition given no other religious body on earth. It is the recognition of the claim of civil and political authority by the Roman Catholic Church. It was to forever protect the citizens of the new world from that claim and from the exercise of that claim in any degree and by any religious group that the Constitution of the United States was amended to erect an impenetrable wall separating the church and the state.

Catholics are endeavoring to break down that wall. May I recommend for your thoughtful reading an article, "Preview of a Divided America" by Harold E. Fey in the May 28 issue of the Christian Century,

Editor.

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E D I T O R I A L

UNDER the urging of Nehru, Patel and Gandhi the Congress party voted on June 15 to approve the British plan for setting up two independent dominions in India. Since the Moslem League had endorsed the proposal a week earlier, this vote by the nationalist

India's Partition Draws Closer

party is being widely interpreted to mean that the issue of India's future is now settled. The new states—which the press insists on calling Pakistan and Hindustan, although the latter name will almost surely be rejected by the Congress party—are expected to launch their careers within another six weeks, and Lord Mountbatten, the viceroy, is reported to have purchased his ticket to leave for London on August 15. It may work out that way, but it is still too early to be certain that it will. The Congress party attached to its acceptance of the British plan a proviso that the princely states would not be permitted to proclaim their independence, but must join one or the other of the new dominions. Since the important states of Travancore and Hyderabad have already announced that they intend to be independent, and other princely states are expected to follow their lead, this Congress proviso may still wreck the whole scheme. Yet there is plenty of basis for the nationalist belief that the problems of an independent India can never be worked out if the country is pockmarked with nearly five hundred principalities, most of them pocket despots, breaking up all semblance of physical unity in the proposed dominions.

Congress Continues to Play Politics with Wool

THE STORY was told in these columns last week of how the House of Representatives, in an attempt to garner votes from sheep-growing states in the presidential election next year, had boosted the tariff on wool and thereby threatened the outcome of the International Trade Conference at Geneva. Since that editorial paragraph was written, House and Senate conferees have agreed on the final form in which the bill will be presented to the President. In the face of remonstrances and pleas by Mr. Tru-

man, General Marshall and Undersecretary Clayton the conferees did not have the brazen gall to approve the outright tariff boost passed by the House. But they worked out something which, from the standpoint of a Republican Congress trying to put a Democratic President in a hole, looks almost as good. They have provided that if wool imports threaten to lower the now tremendously high profits of the domestic wool producers the President must either impose the additional import fees of the House bill or gain the same end of keeping up domestic prices by establishing import quotas. The President would thereby be put in a political quandary. If he imposed the fees or the quotas he would wreck his own International Trade Conference; if he didn't he would lose the votes of the sheep-raising states. This may look like slick politics. It is also evidence, from the standpoint of America's world responsibilities, of the dismaying political immaturity of the Congress of the United States. If we exclude other nations from our markets, so that they cannot obtain the money to buy our goods, then our export trade can be kept going only by endless and never repaid loans.

The Cardinal Looks For Trouble

IF Cardinal Spellman really wants an anti-Catholic fight, he can have one. There is none now of any serious sort, and there will be none unless he and his cohorts continue the policy which he illustrated so strikingly in his speech at the Fordham University commencement. The gist of that speech (reported in the *New York Times* to the length of two columns beginning on the front page, flanked by two columns more on other aspects of the Fordham commencement) is that Protestants are "waging a crusade of bigotry against the Roman Catholic Church," with "The Christian Century spearheading the attack." This is flattering but inaccurate. There is no attack. There is, however, the beginning of a spirited defense against certain aggressive policies by which Roman Catholics are trying to get for their church certain special advantages from the government. In that defense, The Christian Century is glad to play its part. If Cardinal Spellman sees fit to

consider that resistance to any program initiated by the hierarchy is equivalent to an attack upon the Roman Catholic Church, he is creating an anti-Catholic movement by definition, and he can easily bring on a real one. The bulk of his address was devoted to discussion of the school bus issue, with collateral reference to Protestant opposition to the demand for public money for Catholic schools. On these topics he has no arguments except those that have been many times answered. The central thesis reduces to this: To refuse to give the church anything it wants is to wage a crusade against it and stir up bitterness between Catholics and non-Catholics. This is bad social philosophy, and it is equally bad Catholic theology. Canon law does indeed declare that "the church is a perfect society," but it does not say that every action performed or every plan projected in the name of the church is perfect and therefore not to be criticized. Even a Roman Catholic layman is within his rights if he opposes the use of public money for the maintenance of Catholic schools or for transporting pupils to them. If he does so he will doubtless be subjected to strong pressure to make him change his mind or keep silent, but he will not be attacking the church. Protestants have the same right. There will not be any "crusade against the Roman Catholic Church" unless its leaders, like Cardinal Spellman, go on denouncing as anti-Catholic "bigotry" and "bias" every criticism of Catholic procedure or every word of opposition to Catholic demands for special privileges.

A Crusade Worth Fighting

THE ONLY CRUSADE The Christian Century is interested in having a part in is a crusade for a better world. In that crusade, Protestants and Roman Catholics ought to be on the same side. They can be on the same side, and to a great extent they are. Cardinal Spellman would agree with this. Indeed, his commencement address at Fordham gets away from the bus question long enough to point out the unhappy consequences that would flow from a revival of religious tensions in the presence of forces which are hostile to all religions and which deny the human values which all religions defend. This is a truth which all should recognize. Those who are on the side of the angels should work together for the things to which they are committed and should postpone their quarrels until some less perilous season. Under what conditions can they do that? Only if each group will refrain from grabbing for special advantages for itself under cover of the common danger. If any group—Roman Catholic or any other—pursues the policy of clamoring for special favors from the government and a unique status in the state, it becomes the duty of others to divert part of their energies to checking such encroachments. The resultant tensions must be charged against the selfish program of the group that grabs, not against those who resist. That is precisely the present situation. If the cardinal sincerely desires a common Christian front against the enemies of God and Christian morality, he can help to gain that end by ceasing to clamor for special advantages for the Roman Catholic Church and by desisting from the folly of finding a "crusade against the Roman Catholic Church" in any

act of resistance to one of its programs of encroachment. Otherwise he may actually get the crusade which he and The Christian Century would alike deplore.

Objectors' Pay May Help Save the Starving

AT A TIME when organized labor is raising the cry of slavery because of some provisions of the Hartley-Taft bill, it is not too late to recall that the treatment of conscientious objectors during the war provided a precedent for forced labor in the United States. Now, however, it appears possible that a modicum of justice will be granted these men. Representative W. Sterling Cole of New York has introduced in Congress a bill transferring \$1,200,000 earned by conscientious objectors to the United Nations Children's Emergency Fund. This money accumulated in the public treasury from the wages paid by farmers for the labor of young men from the Civilian Public Service camps. Polls taken among the men whose "work of national importance" created the fund indicate that they heartily approve this use of the fruits of their toil. The Children's Emergency Fund, set up on recommendation of former President Hoover, will be used to feed and clothe the innocent child victims of war in Europe and Asia. Representative Cole's bill cleared its first hurdle in the race to become law before the expiration of Congress when it received the approval of a subcommittee of the House armed service committee on June 12. It must still win the endorsement of the total committee and of the House. Congressmen will be sure to hear that some of the more benighted veterans' organizations oppose the bill. The legislators should be informed by others that this bill should pass because of the lives this now idle money will save and as a measure of long delayed justice to the men who earned it the hard way.

Rian Reunites with the Presbyterian Church

ON June 10 Dr. Edwin H. Rian, one of the ministers who left the Presbyterian Church a decade ago with J. Gresham Machen to become president of the Westminster Theological Seminary, sought and was granted readmittance to the church and reordination to its ministry. The reasons which led him to return to the church "in deep humility and in sincere repentance" constitute a sweeping repudiation of sectarianism, that abiding scandal of Western Christianity. Dr. Rian is now convinced "that the formation of the Independent Board for Presbyterian Foreign Missions and the separatist movement which it fostered was wrong because it disrupted the unity of the Church of Jesus Christ." Going back to Calvin's *Institutes* and to the Scriptures which they expound, he now believes that "the visible church, which is also catholic or universal under the gospel (not confined to one nation, as before under the law), consists of all those throughout the world that profess the true religion, together with their children; and is the Kingdom of the Lord Jesus Christ, the house and family of God, out of which there is no ordinary possibility of salvation." With the Westminster Confession of Faith he believes that "par-

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EDITORIAL

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AT THE CELEBRATION of Thomas Jefferson's birthday anniversary in Washington, Dr. Frederick May Eliot, president of the American Unitarian Association, was the speaker. Mr. Eliot made a somewhat startling suggestion. He said, "Christianity must abandon its claim to a monopoly of the way of salvation, if it is to play a significant part in creating a sense of world fellowship in which the political instrumentality we know as the United Nations can develop into a true and effective world order and world government." Divested of the verbiage that seeks to link it up with the success of the United Nations, the suggestion is seen to be simply this, that Christianity should cease claiming to be the only true religion. Let us examine that proposition.

Christianity the Only Way of Salvation

In the first place, what is the background out of which this suggestion arises? It is the recognition that the way of salvation in the Christian Church is different from the way of salvation as proclaimed by the Unitarians. Official publications of the Unitarian Association state that they believe in "salvation by character", while the Christian position is that stated by St. Paul, "This is a faithful saying and worthy of all acceptance, that Christ Jesus came into the world to save sinners." As a matter of fact the religions of Unitarianism, Judaism, and blue lodge Masonry (the first three degrees) are very similar. They all teach salvation by character and have no need of Christ as a mediator. Some years ago a pamphlet was issued for free distribution from 25 Beacon Street, Boston, the headquarters of the American Unitarian Association, from which (eleventh printing, May, 1928) I quote the following:

"That the fundamental differences in the principles embodied in the historic creeds of Christendom and those of our modern secret orders has not been clearly

thought out is indicated by the fact that many pledge themselves to both. There are lodge men who, in the churches, subscribe to the doctrine that 'we are accounted righteous before God only for the merit of our Lord and Savior, Jesus Christ, by faith and not for our own works or deservings,' and enthusiastically join in the singing of hymns in which that idea is embodied. Then in their lodge meetings they just as enthusiastically assent to the following declaration: 'Although our thoughts, words and actions may be hidden from the eyes of men, yet that All-Seeing Eye whom the sun, moon and stars obey, and under whose watchful care even comets perform their stupendous revolutions, pervades the inmost recesses of the human heart, and will reward us according to our merits.' A little child, once its attention is called to the matter, ought to be able to see that it is impossible to harmonize the creed statement here quoted with the declaration taken from the monitor of one of our greatest and most effective secret orders, and found, in substance, in the liturgies of nearly all the others. If 'we are accounted righteous before God only for the merit of our Lord and Savior, Jesus Christ, by faith and not for our own works or deservings,' then it cannot possibly be true that the All-Seeing Eye 'pervades the inmost recesses of the human heart, and will reward us according to our merits.' One of these declarations excludes the other. Men cannot consistently subscribe to both."

The pamphlet from which the above paragraph is quoted was put out with the purpose of showing lodge members that they ought to be Unitarians if they wish to be consistent. So the way of salvation in the Unitarian Association is different from the way of salvation "embodied in the historic creeds of Christendom." The suggestion that "Christianity must abandon its claim to a monopoly of the way of salvation" is made from that

background. Christianity is just one religion, according to this viewpoint, and there are other ways of salvation equally valid, for instance, the salvation by character of Unitarians and others.

That raises another interesting question, namely the application of Unitarians and Universalists for membership in the Federal Council of Churches of Christ in America. So far such applications have been denied on the basis of a statement in the preamble to the constitution of the Federal Council which says that these are churches who accept Christ as their divine Lord. But there are denominations in the Federal Council, and individuals in other denominations in the Council, who are favorable to the reception of the "liberal Churches" into membership. In other words, there are individuals in the Federal Council who have so far receded from "the historic creeds of Christendom" (and from the Bible on which those creeds are based) that they see no reason for excluding from the Council the liberal churches, with their way of salvation based on character and not on Christ.

What shall be said, however, to "Christianity's claim to a monopoly of the way of salvation?" Simply this, that Christianity does make such a claim; and when it ceases to make it, it will cease to be Christianity. The Christian religion is not one of several religions, all of which had a human origin. The Christian religion is revealed by God and it is the only one so revealed. If that is not true, then Christianity is utterly false and its Bible valueless. But if the Bible is trustworthy, and especially the New Testament, which is the source, the record, and the authority of the Christian Church, then Christianity is unique, the one true religion which rightly seeks to displace all others in the hearts of all men.

Its God is the one God of all creation. "Look unto me and be ye saved, all the ends of the earth; for I am God and there is none else." (Isa. 45:22).

Its Savior is the one Lord of all nations. "All power is given unto me in heaven and in earth. Go ye therefore and make disciples of all nations." (Matth. 28:18,19).

His Church is the one Church of all peoples. "After this I beheld, and lo, a great multitude which no man could number, of all nations and kindreds and peoples and tongues, stood before the throne and before the Lamb, clothed with white robes, and palms in their hands . . . These are they which came out of great tribulation, and have washed their robes and made them white in the blood of the Lamb" (Rev. 7:9,14).

Its Gospel is the one Gospel for all men. "This Gospel of the kingdom shall be preached in all the world for a witness unto all nations" (Matth. 24:14). "Neither is there salvation in any other; for there is none other name under heaven given among men whereby we must be saved" (Acts 4:12).

What Is Bigotry?

IN NORTH COLLEGE HILL, OHIO, which is a suburb of Cincinnati, a peculiar school situation has developed. The school board is composed of five members. In 1939 the town elected a majority of Catholics to the school board. This board then voted to place the parochial school operated by the congregation of the St. Margaret Mary Roman Catholic Church within the public school system.

Two years later the Protestants got a majority in the school board and discontinued financing the parochial school. But in 1945 the Catholics again got a majority and drew the parochial school back into the public school system. The building is leased for \$6,000 a year and eight nuns are hired as teachers.

The immediate cause of the recent flareup that attracted nationwide attention was a conflict between the school board and Dr. William A. Cook, the superintendent. According to a statement issued by the General Council of the Presbytery of Cincinnati, the superintendent refused to make a promotion desired by the majority of the board members, and "refused to let them engage and dismiss teachers from sectarian considerations. They demanded that he tell them the names of all applicants so they could take selection of applicants out of his hands. When he refused, they told him his contract would not be renewed."

That started the fireworks. Several hundred public school pupils, aided and abetted by their parents, went on strike. Parents of the children demanded renewal of Dr. Cook's contract, then offered to settle if all members of the board resigned and stood for a new election. Both propositions were turned down by the board by a 3 to 2 vote. The National Education Association and the Ohio Education Association investigated the situation and issued a statement declaring the North College Hill schools an "unprofessional place for teachers to work." The NEA accused the board of excessive interference in the operation of the school system. At an uproarious board meeting, 28 of the 33 public school teachers resigned, effective at the end of the school year, accusing the board of "religious bias." A taxpayer, Mrs. Frieda Reckman, brought suit in State Court to enjoin the board from turning over additional city and state funds to the Grace Avenue (St. Margaret Mary) parochial school.

The statement of the Presbyterian ministers of Cincinnati, mentioned above, is quoted in part by the Cincinnati *Times-Star* as follows: "The Roman Catholic clerical program to invade the public school system in North College Hill must be understood as a local spearhead of a nation-wide movement to gain control of and to rule, for their own advantage, the free public schools of America. In practically every community where there is any sizeable number of Roman Catholics, they have entered school board politics to get their members a controlling majority if possible on the school board. They

do this even where they have their own parochial schools and although their primary interest is not the welfare of the public schools. Then they proceed with policies that hamper the school system."

In a long editorial, the *Catholic Telegraph-Register*, organ of the Cincinnati archdiocese, replies to the accusations. We quote a few excerpts from that editorial: "This column categorically denies that the Catholic Church, or any division of it, or any official, or any lay members of it have in any movement whatever encouraged Catholics to move to North College Hill. It also denies, without any reservation whatever, that the Archdiocese of Cincinnati had any strategic planning in the school affairs of North College Hill . . . The mimeographed sheet before us, of the Knox Presbyterian Church of Hyde Park, is to this writer a shameful, disgraceful statement of the North College Hill situation; it is, in the judgment of the writer, calculated to arouse bigotry, strife and hatred in the metropolitan area of Cincinnati. Knox was a contemptible, renegade Catholic priest, whose bitter words and shameful actions against everything Catholic make him stand out in history as an abnormal individual who breathed hatred for everything Catholic. Does the Hyde Park Presbyterian Church draw its inspiration from the Scottish bigot and fanatic whose words and actions are a disgrace to any normal man? We cannot condone the action of parents who encourage their children to stay away from school . . . Religious bigotry should not be implanted in the minds of school children . . . The National Education Association is injecting itself into this controversy . . . The NEA apparently wishes the American public to believe that its voice only can speak for the American system of education. This is an outrageous effrontery."

Three times the Catholic editorial uses the words "bigot" or "bigotry." The dictionary says that a bigot is one who so obstinately holds to his own opinion or creed as to be intolerant of any other. Obviously, there is something wrong with that definition. There are some opinions which are so well based in fact as to allow of no divergent opinion. For example, I believe that two and two are four. If someone were to try to persuade me that two and two are five, I would be decidedly intolerant of his view. Would that make me a bigot? I believe that the earth is a spheroid that revolves on its axis; but Wilbur Glenn Voliva some years ago insisted that the earth is flat. I am entirely intolerant of the latter opinion, and I do not believe that that makes me a bigot. As an American I believe in democracy, the rights of the individual, free speech, freedom of religion, the American way of life. When the threat of totalitarianism loomed on the horizon recently, the whole nation rose to a magnificent effort to preserve our way of life. Does that make us a nation of bigots?

Something must be added to the definition, then. It is not bigotry to hold to an opinion or belief which is supported by all the evidence, and to be intolerant of a divergent or contrary belief. It is bigotry when the facts are *against* me and I nevertheless hold to my peculiar view and stubbornly remain intolerant of any other. Voliva was bigoted because the facts were all against his view, but he stubbornly insisted that the earth is flat and was intolerant of any other opinion. Hitler was bigoted when he thought he was the leader of a super-race, for all the facts of genetics, of history, and of religion were opposed to any such theory; yet he clung to it to the bitter end.

Now there is no more intolerant group in the world than the Church of Rome. Whenever she speaks of religious freedom, she means freedom for Roman Catholicism but for no other religion. She used her influence, for example, to get the Lateran pact of Mussolini and the Vatican incorporated in the new Italian constitution—a pact which named the Roman church as the only recognized church in Italy. Note the way in which that Catholic editorial refers to John Knox, the reformer of Scotland, as a "contemptible, renegade Catholic priest." All the rest of the world may recognize Knox as a sincere and earnest man of God, but the Catholic laity is still taught to think of him as a monster. We who are Lutherans know how Catholic historians have tried to vilify Luther in the same manner. All competent historians admit that Luther lifted the Church—not only the Evangelical Church but Catholicism itself—out of a veritable morass of shame. Everyone knows it but Rome. Everyone is out of step but Rome—holding to an opinion so stubbornly as to be intolerant of any other.

But as soon as a finger is lifted or a word said to protect and maintain our real religious liberty in this country against the maneuvers of Roman clericalism, Rome raises the cry of "intolerance" and "bigotry." When Roman bishops in Spain and Mexico and South America cease persecuting Protestants because they are Protestants, we may begin to believe that the hierarchy really understands what the word tolerance means.

An editorial in the Federal Council Bulletin some weeks ago said: "Tolerance must not be confused with neutrality or indifference . . . It is not a mark of intolerance to be firmly convinced that democracy is sound and communism unsound, or that Protestant doctrine and practice are more consonant with New Testament teachings than are Roman Catholic doctrine and practice. The holding of convictions pro and con in such matters does not itself make one intolerant. Moreover, a man who is neutral or indifferent on such issues contributes to the deterioration of society because he is intellectually and morally irresponsible . . . It is therefore a disservice to the cause of tolerance to cry 'bigot' against a man who with firmness, feeling, and good-will states his position and charges that those who differ are wrong."

Justifiable Suicide

NOT LONG AGO a man leaped from the twelfth story of a building in Columbus, Ohio. The coroner rendered a verdict of "justifiable suicide." The dead man's son had been killed in the Pacific theater during the war and his daughter had died in the European theater. Then, a few months ago, his wife died. So the coroner, feeling that the man had nothing to live for, tried to justify his act by the verdict.

Unfortunately, however (as far as this man is concerned), the coroner does not render the final decision in such cases. "Unto God the Lord belong the issues from death," says the Psalmist David, and his great son declares, "Know thou, that for all these things God will bring thee into judgment."

The question whether human beings may shorten their own lives or the lives of others under certain circumstances comes up again and again. We are not thinking here of capital punishment—that is covered by clear passages both in the Old and New Testament. But we are thinking of cases like that of this suicide, who had lost all interest in living, or of persons who are suffering from ailments which the doctors say are incurable. Should they not have the right to decide to die quickly and painlessly? Or should not physicians have the right to end such lives with the consent of the sufferer? Such mercy killings have been given the name "euthanasia."

The answer of the Church has been a consistent "No." We do not have the necessary authority. The taking of human life is forbidden us except in self-defense or in punishment of grave crimes. These cases we are speaking of do not come within the range of exceptions to the general rule, which is, "Thou shalt not kill."

We do not have the necessary wisdom. It has often happened that people who were adjudged incurable have recovered and lived useful lives. Furthermore, God's purposes in sending pain or loneliness are not to be carelessly thwarted by His creatures who know so little of His plans whose judgments are unsearchable and His ways past finding out. To motion God back in any given case and say to Him, "We will decide in this instance," is an insupportable arrogance on the part of man.

We do not have the necessary righteousness. If we were to put the stamp of our approval on suicide and euthanasia, cowards and crooks would have a wide door opened to them. The cowards would flee to suicide, and the crooks would bring pressure to bear upon physicians to pronounce sick people incurable.

The Church must therefore deplore any such coroner's verdict as "justifiable suicide." Thinking to do a kindness to a dead man's memory, the coroner in this case did an unkindness to hundreds of lonely persons whose temptation to take the issues of life and death into their own hands is thereby strengthened.

Food Juggling

PERHAPS YOU HAVE SEEN in your newspapers pictures of great piles of potatoes gathered for destruction. Critics in Congress claim that the government has bought 87,000,000 bushels of potatoes since July, 1946, and destroyed 22,000,000 bushels. The Department of Agriculture says that it is not to blame, since it is merely carrying out the Congressional price-support program.

To the average person this wilful waste of food is a mystifying performance. How can it possibly be good economics to destroy food in a hungry world? Even if all the arguments in defense of such action are mustered in review—that potatoes are bulky and perishable and that other food can be shipped to Europe more economically; that refrigerated freight cars are lacking, so the potatoes cannot be brought to big city markets; that farm prices must be upheld in order to give the farmer some sort of equality with other workers—when all these defensive arguments have been considered, the average person still shakes his head and says, "It can't be right to destroy food when so many people are hungry."

And I think Mr. Average Person shows more wisdom there than the high-priced agricultural experts who manipulate food supplies. Why do we have a Department of Agriculture, maintained at great expense by all the taxpayers, if not to plan our agricultural economy in such a way that the proper foodstuffs are produced in the proper quantities to feed our people and take care of our foreign obligations? If too many potatoes are grown, simply to give a certain number of farm workers a guaranteed price, and if the potatoes when grown are destroyed, then the whole process of growing them is nothing more than boondoggling, made work, what the kindergarten teacher calls "busy work." There is no sense to it. The planning should have been more wisely done. If the potato growing regions are far from the potato consuming markets, why have not dehydrating plants been built, or plants to produce commercial alcohol, in the neighborhood of the production districts, to take care of the surplus when there is a surplus?

But is there really a surplus in this instance? Mr. August H. Andresen, representative from Minnesota, said in Congress: "While Department of Agriculture agents pour kerosene on huge piles of new potatoes in Alabama, North Carolina, Virginia, and other southern states, potatoes come in from Canada to supply those markets, and at higher prices, for consumers already staggering under the cost of living."

One wonders, how can potatoes be shipped in from Canada, if cars are lacking to bring them up from Alabama? And why does the retail price of potatoes go up to five cents a pound even while millions of bushels of them are being destroyed by government order?

DIXIE MARGARINE

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Of Getting
FROZEN
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FAMOUS

BOOTH
FOODS

Fight the battle of peacetime supply. Save Fats!

Catholic Group Says Taft Bill To Aid Reds

Fear Law Would Lead To Industrial Strife

Washington, June 12 (AP)—The social-action department of the National Catholic Welfare Conference voiced strong opposition tonight to the Taft-Hartley labor bill as one which "will almost inevitably lead to industrial strife and unrest."

It made four specific objections, among them one saying that the requirement that union officers disclaim under oath any Communist Party links would "lead to serious confusion . . . and play into the hands of the Communists."

"It will prove to be very embarrassing to the great majority of sincere anti-Communists in the American labor movement," the social-action department said in an official statement.

"Simply by refusing to sign the required affidavit, a single Communist officer could prevent an otherwise decent and legitimate union from being legally certified for purposes of collective bargaining."

"This provision of the bill is calculated, therefore, to play into the hands of the Communists,"

Church Official Says Labor Bill Is Bad

Frederick, Md., June 12 (AP)—The Rev. Huber F. Klemme, Cleveland, today told the Potomac Synod of the Evangelical and Reformed Church that the Taft-Hartley labor act is a "bad bill" and is "an ill-advised effort to curb labor through oppressive legislation."

Mr. Klemme, executive secretary of Christian social action of the church, said he hoped "the President vetoes the bill and that Congress approaches the problem with less emotion and more statesmanship and imagination."

who thrive on confusion and disorder."

Besides the Communist angle, the department objected to the Taft-Hartley bill on these grounds:

1. To outlaw the closed shop (where only union members may be hired) "is to invite legitimate rebellion on the part of organized labor and consequently to encourage widespread industrial unrest and confusion." Closed-shop contracts, "in the vast majority of cases have operated and are now operating to the mutual benefit of labor and management alike."

2. Provisions directed against unionization of foremen are an "open invitation to foremen and supervisory employees to disrupt industrial relations by fighting a last-ditch battle for the free exercise of a right which they know to be theirs."

3. The bill "would tend to encourage the separate States to enact antilabor legislation. It would do this by going out of its way in a most unprecedented manner to provide that in spite of federal law the States are free to outlaw the union shop."

The statement asked Congress to reconsider the whole matter of labor legislation with an accent on study before legislation. Copies were sent to President Truman, chairmen of the Senate and House Labor Committees, and to the Senate-House conference committee which put into final form the measure now awaiting presidential action.



TWO HEADS may be behind the case, for the kitten is owned by Mrs. Emily Ma. Kittens are said to occur

Earl Carroll With Union

Hollywood, June 12 (AP)—Earl Carroll, closing his show at his lav August 31 because he is announced tonight that he by a representative of the and Labor.

Meanwhile, business agent L. MacQuarrie, who has handled negotiations with Carroll on behalf of Local 47 of the A.F.I. American Federation of Musicians, said tonight he was not prepared to comment on Carroll's announcement, but that he might have something to say later.

Carroll said he received a telegram from W. Manley Sheppard, clerk of the House committee, informing him that Irving McCann, committee counsel

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PROTECTION



Stock

Stassen Is Frank

Former Governor Harold E. Stassen of Minnesota is the only avowed candidate of either major party for the presidential nomination. Of course, there are many others just as interested in the prize and striving for it just as hard but not as frankly. Mr. Stassen has manifested his frankness in other ways that are very commendable in a man seeking favor in public life.

Controversial subjects are studiously avoided by most receptive candidates. Why commit themselves, they presumably argue, and run the risk of losing support. Certain non-Catholic church bodies have seen fit to make a controversial matter of the president's personal representative to the Vatican. One of these asked Governor Stassen to address one of their conventions.

There is no question but that he could have done so without any reference to the resolutions that the convention adopted. One of these demanded the recall of Myron S. Taylor as President Truman's personal representative to the Vatican and another criticized the Supreme Court decision upholding free transportation for parochial school children in the New Jersey school bus case. However, Mr. Stassen did not choose to pussyfoot. He prefaced his formal address with the remarks: "I wish to state simply and directly that I do not agree with the two resolutions but I adhere to the basic American principle of the separation of Church and State."

This is refreshing candor. We propose it as an example to follow by all candidates of all parties for public office.



—Mrs. Roscoe C. Roscoe, Ind., was not general of the American Revolution. She succeeds Y. Talmadge Mrs. George W. Brown, N. D., with as elected a vice president at large.—AP

HERS PUPS

Penny, a mother of her offspring. Her owner, Mrs. Roscoe, gave her the puppy when she produced a litter to care for.

Stassen Rebukes Baptist Request for Taylor Recall

Harold E. Stassen was on the side of President Truman today in opposing demands of fellow Baptists for recall of Myron Taylor from the Vatican.

Stassen sent a telegram to the Northern Baptist convention, meeting in Atlantic City, N. J., criticizing the convention's action in urging "immediate action" by President Truman to recall Taylor.

The telegram was not read to the convention, on decision of convention officers, a press dispatch reported.

Two weeks ago, Stassen told the Southern Baptist convention, meeting in St. Louis, that he opposed that group's action in also demanding Taylor's recall.

Stassen also criticized the action of both conventions in opposing a recent 5-4 supreme court decision allowing use of public buses by parochial school children.

President Truman, a Southern Baptist, has thus far rejected pleas of Protestant groups that Taylor be recalled.

PROPOSAL RATIFIED

LINCOLN, NEB.—(UP)—Nebraska's legislature today ratified the proposed constitutional amendment limiting the president to two terms of office.

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has a seating capacity for 200 people which is adequate on

IMMIGRANT
JERUSALEM
(INS)—Jewish sources
reported today



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WHAT'S IN THE MAGAZINES

By HJALMAR BJORNSON
*of The Minneapolis Morning Tribune
editorial page staff*

HAROLD Stassen is accused of an "egregious error" in his chastisement of the Southern Baptist convention for criticizing the decision of the supreme court in the New Jersey school bus case by E. Hilton Jackson, attorney who represented the losing side in the case, writing in the *Christian Century*.

The New Jersey case validated the use of tax funds to transport children to parochial schools.

Stassen is quoted as saying it was out of keeping with the dignity, standing and teachings "of any great religious denomination to attack a decision of the supreme court." To say any final decision of the court was sacrosanct, Jackson says, is contrary "to the common practice in the development of our system of government."

Only through debate can the court's constructions be revised and corrected and, if correct, confirmed in public confidence, he says.

It is axiomatic, he writes, that the law is the last decision of the last court "but that is a far cry from saying, as does Stassen, that it is not in keeping with the dignity and teaching of the Southern Baptists or any other denomination to discuss critically a final decision of the supreme court."

Appeal to the bar of public opinion, Jackson says, is the only method of overturning such a decision.

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Stassen Taken to Task for Criticism of Baptists

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July

REPORT ON NORTH COLLEGE HILL SCHOOL SITUATION

June 27, 1947

file

Friends outside of Cincinnati who are concerned about the North College Hill School situation will be interested to learn the latest developments.

On Tuesday June 17 the three Roman Catholic members of the School Board, in a surprise move, resigned, asking that the probate judge be requested to take over the administration of the North College Hill schools. Whereupon the two protestant members also resigned concurring in their request.

Probate Judge Chase M. Davies conducted a public hearing in North College Hill on Saturday June 21. On Monday morning June 23 he announced that he had asked Dr. William A. Cook, the present Superintendent of Schools (whose present two year contract the Roman Catholic majority had refused to renew after its expiration July 31) to accept reappointment for a three year term beginning August 1.

In announcing his decision to reappoint Dr. Cook, Judge Davies said that "to defer the appointment until the next election might revive the controversies which have recently existed between the former board members concerning the superintendent. In making the selection of the person who will serve as superintendent, the court is aware of the fact that no decision can be made which will immediately please all the citizens of North College Hill. In making the decision, the court is motivated by a desire to do what is best for the pupils, the faculty and the citizens of the whole community."

The jurist added that the appointment was made promptly because the court needed the assistance of a superintendent to help prepare a budget, which must be adopted before July 15, and also to prepare the schools and staffs for the new term which begins in September.

Judge Davies declared that after reviewing Dr. Cook's record he became convinced that the Superintendent was not the cause of the difficulties which divided the board members and he did not "foment or encourage the ill-advised strike of pupils during the past school term."

Praising Dr. Cook as having "a distinguished career as an educator, a professor and school administrator," Judge Davies added, "I believe him to be capable, honest and tolerant. His character is beyond reproach. I am confident that he can and will cooperate to provide the citizens of North College Hill with an efficient and adequate school system."

It is believed that Dr. Cook's reappointment will cause at least 20 of the 28 teachers who resigned several months ago in support of the superintendent to reconsider their resignations. The superintendent said last night that six of the teachers who resigned definitely will not return to the system. "I expect the number who will return will range between 20 and 22," he said. Leo G. Harrison, former board President who led majority board members in a fight to oust the superintendent said last night he was "keenly disappointed over the appointment, to say the least. However," he added, "I have no intentions of criticizing Judge Davies's actions." Harrison added that, for the present, he had no intentions to run for reelection to the board next November.

After learning of the Judge's decision, Dr. Cook stated: "My utmost efforts will be immediately and continuously given to the restoration of damage the system of schools may have suffered as a result of the past unrest, and to the advancement

of the system to the highest point attainable with the resources at hand. Every attempt will be made to secure the reconsideration of the teachers' resignations and to open school in September with a full and competent staff--the prime element in the success of any school. It is my desire to cooperate with all those who are interested in schools, and of them I in turn ask their earnest cooperation."

Judge Davies has not announced whether he will renew the contract which made St. Margaret Mary Parochial School a part of the North College Hill public school system since January 7, 1946. Such a contract had first been entered into in July 1940 - when after two Roman Catholics had been elected to the Board of Education, the St. Margaret Mary parish notified the Board that it would no longer be able to operate its school. The two members of its parish and one of the non-Romanist members of the Board voted then to lease the school and employ its nuns as teachers. In 1941 North College Hill incorporated as a city and elected a complete new Board, as law required. This board, all protestant, immediately served notice that the contract would not be renewed at its expiration, June 30, 1941. They also announced that the public school was adequate and would be ready to accommodate all the pupils the following Fall. From their point of view the parochial school was not necessary. Deprived of public school funds, the parochial school did not close, but continued four years, until January 1946, when three Roman Catholics, having been elected to the Board, renewed the contract - at much higher rates - once more undertaking to maintain St. Margaret Mary parochial school as one of the public schools - under the name of the Grace Avenue School, but otherwise unchanged.

The City Solicitor of North College Hill, Mr. Geo. W. Rapp, is the attorney for the Board of Education to defend it against the taxpayers suit backed by the North College Hill Schools Improvement League, to test the legality of the use of public school funds to support sectarian religious teaching. He has asked the Common Pleas Court to dismiss that suit, because the Board that entered into the contract with the parochial school no longer exists - its members having all resigned - and the contract expires June 30, 1947. This the Court has refused to do, ordering the defense to file its reply to the complaint without further delay.

One might guess that the Roman Catholic authorities, having run into stiff opposition in North College Hill, would like to withdraw from further efforts to force or even to face the issue on that front, hoping thereby to secure a compromise settlement that would result in the dropping of the law suit. For a decision against them would seriously affect what they have been doing in many other communities in which the friends of religious liberty and of the public schools have not been sufficiently vigilant or well organized.

Indeed the people of North College Hill seem not to have been greatly concerned about the inclusion of the parochial school in the public school system, until the Roman Catholic majority on the Board of Education began their frontal attack upon the administration of the whole public school system in apparent determination to control it for their own purposes. But once aroused by the attack upon Dr. Cook, the whole community has become aware of the larger issues involved. They are determined now to do all in their power to see that public school funds are not used to support sectarian religious teaching of any sort, and to discover and resist any who would attempt to control or to interfere with public education in the interest of any sectarian religious group.

It is possible that Judge Davies may not have to make any decision regarding the renewal of the contract for the least of St. Margaret Mary Parochial School and the employment of its nuns. For it would surprize no one if the parish authorities and the higher-ups who may be assumed to direct them, should indicate that they have no desire to renew the contract under the present circumstances. Thus they might still further seek to escape from the consequences of the deliberate policy they have pursued in this community for years, and from the nation-wide opposition it has aroused; and to avoid if they can the law suit which will bring them into court for a judicial hearing of all the evidence and a judicial decision as to the legality of their actions.

We have every reason to believe, however, that the North College Hill School Improvement League and its supporters, fully cognizant now of the national interest aroused, and of the national issues involved, will not be diverted, but will persist in their efforts to secure a judicial hearing and decision which will safeguard our public schools and public funds from sectarian control; and to limit the help which government at any level gives to religious organizations to such incidental benefits as tax exemption, police and fire protection, which can be given to all without prejudice or discrimination and without making a political issue of religious differences.

The local leaders of this fight in North College Hill have been greatly encouraged and strengthened by the nation-wide interest in their school situation and the many expressions of sympathy and willingness to help which have been received from all parts of the country. They are counting on your continued interest and support; and you can depend on them not to be appeased or diverted, not to falter or fail, until this issue has been carried to a successful conclusion in the courts.

The Council of Churches of Greater Cincinnati
Rev. Kemper G. McComb
Executive Secretary.

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REPORT ON THE NORTH COLLEGE HILL SCHOOL SITUATION

file

July 14, 1947.

My report on the NCH School situation, June 27, told how at the June 17 meeting of the Board of Education the three Roman Catholic members, in a surprize move, accepted the proposal made by the two Protestant members months before, namely that the whole Board resign and ask the Probate Court to take over the administration of the Schools.

It told also how Probate Judge Chase M. Davies, acting as the Board of Education, had reappointed Dr. Wm. A. Cook as superintendent of Schools for a three year term; but had not announced whether the contract whereby the St. Margaret Mary Parochial School had been incorporated in the Public School System would be renewed. I ventured to suggest that the Roman Catholic authorities would not seek a renewal, hoping thereby to secure a dismissal of the taxpayers suit which had been brought to restrain the Board from using public school funds to maintain sectarian religious teaching.

I am able to report now that prediction was correct. Mr. Geo.W. Rapp, City Solicitor of NCH, acting as attorney in defense of the Board, has asked that the taxpayers suit be dismissed on the ground that the Board against which it was filed no longer exists, and the contract for the release of the parochial school and employment of its teachers expired June 30. The Court has not held a hearing, nor given any answer; but it is quite possible that the suit may be dismissed. For it is hard to see how a Board that no longer exists, can be enjoined from doing something that is no longer being done.

There has been some thought therefore about amending the suit to seek restitution of funds paid the Archbishop for the lease of the parochial school and the services of the nuns. But this might not prove satisfactory, because the Court might rule on the secondary issue, that the Board had acted in good faith, within the law as it understood the law, and as former Attorney General, John W. Bricker, had interpreted the law in 1933. This would leave unsettled the question as to the legality of the use of public funds for the operation of a parochial school, the question as to the validity of the interpretation of the law by the former Attorney General, which has never been passed upon by any Court. The one action that seems best calculated to secure a Court decision on this major issue is a taxpayer's suit against the State Director of Public Education to enjoin him from any further use of State funds to lease parochial school buildings, or employ sectarian religious teachers.

The National Education Association has been holding its Convention in Cincinnati this week, with more than 2000 registered delegates. The delegates were greeted upon their arrival by newspaper reports in the POST and TIMES-STAR, Saturday evening July 5, and the ENQUIRER Sunday July 6, of an encyclical letter Archbishop John T. McNicholas had sent to be read at each mass in each parish on Sunday. None of the papers printed the whole letter; and each played up what they considered its sensational elements. But it has since been published in the CATHOLIC TELEGRAPH-REGISTER of July 7. I am omitting what the Archbishop had to say in favor of a minimum wage for teachers, and their right to organize and bargain collectively and quoting in full what he said about released time for religious education, and the use of public funds to aid religious schools:

"On the occasion of the meeting of the Representative Assembly of the National Education Association in Cincinnati during the week of July 6, we deem it our pastoral duty to address you, our priests, our Religious, and the faithful of the Archdiocese of Cincinnati. As the presiding official of the National Catholic Educational Association, we also wish to direct your attention to

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matters of serious import for the good of the children of today, who will be the responsible citizens of our country of tomorrow.

"Among the Association's members are administrators and teachers who have cooperated magnificently with church organizations in meeting the need for religious instruction as an integral part of American education. These courageous administrators and teachers have made many sacrifices for their convictions. We hope that an ever-increasing number of public school administrators will be disposed favorably towards the released time program as a very practical method of eliminate the menace of religious illiteracy, which method cannot reasonably do violence to the most rigorous interpretation of American freedom of religion. Our solicitude for the religious welfare of the three million Catholic pupils in the public schools and our concern for the spiritual values of American education prompt us to urge Catholic members of the Association to be courageous at all times in defending the parental right to withdraw children from the public schools for a weekly period of religious instruction. Whatever minor tensions arise from the released time program, they are less threatening to our democratic institutions than a rampant disregard for religion among our nation's youth. A teachers' association has no right to interfere with a religious instruction program approved by a school board, parents and church organizations. To our knowledge the National Education Association has not opposed the released time program. We hope that the Association will look with favor upon this program.

"Lately many Catholic school administrators and some Catholic school teachers have joined the Association. They want to become better acquainted with their neighbors in the public school system. We cannot emphasize too strongly our conviction that the Catholic and public schools are partners in American education. They must work together in the common task of preparing millions of American boys and girls for the duties of American citizenship. Catholic school teachers would be greatly encouraged if at this convention the National Education Association were to reiterate our belief that there is a genuine partnership between the two major systems in American education, the Catholic and the public.

"During this important meeting in Cincinnati the Association will consider certain broad problems of education finance. We suggest quite frankly that the Association take a conciliatory approach to the highly controversial question concerning the use of public funds in aid of nonpublic school children. It is our impression that, given the opportunity, a large number of delegates would favor legislation authorizing the various branches of government to provide essential school services for nonpublic school children. It is inconceivable that this large body of distinguished educators would recommend that parochial school children be ejected from public school buses, or that health services be denied to these children. We hope that the Association in certain terms will recommend that essential school services be furnished to all children regardless of the school they attend. Without assurance from the Association on this point the administrators of many nonpublic schools probably will not deviate an inch from their position that nonpublic schools complying with compulsory education regulations and meeting satisfactory standards should receive the same tax support as public schools.

"Perhaps in the near future the National Education Association and National Catholic Educational Association may establish a joint committee to coordinate the activities of these two important professional organizations of teachers. The establishment of a joint committee would decrease the deplorable tensions between public and Catholic schools. It is our hope that within the National

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Education Association are members who, out of respect for the great principles of freedom and democracy in education, will spare no effort to bring about a harmonious relationship between teachers in public and nonpublic schools. When their efforts prevail in determining the Association's policies, a new and better era in American education will have begun. And the nation's schools, public and nonpublic, will be the better for it."

You can imagine something as to the sensation this letter caused, timed as it was for release just prior to the opening of the NEA Convention. I called the President of the NEA, Mrs. Pearl Wanamaker, at her hotel Sunday morning to discover her reaction, and what action if any the NEA would take regarding the Archbishop's recommendations. She informed me that the NEA had received no communication from the Archbishop, and would ignore the newspaper report. She further stated that in her presidential address at the opening session of the NEA Monday evening she would set forth in no uncertain terms the position of the NEA in support of the complete separation of Church and State, and in opposition to the use of public funds for the support of parochial schools or private schools of any sort. In reply to further questioning she assured me that if any joint conference is held between the National Education Association and the National Catholic Educational Association the officers of the NEA would certainly see to it that Protestant groups such as the Federal Council of Churches, the International Council of Religious Education and others interested in preserving the integrity of our public school were invited.

The Headquarters Committee of the Council of Churches of Greater Cincinnati was called in special session Monday afternoon, July 7 to consider what action it should take in view of the publicity given the Archbishop's letter. Learning of the attitude of the President of the NEA, and having secured an advanced copy of her address, the Committee released a statement to the papers Tuesday morning, commending the President of the NEA for her "farsightedness, and particularly for her emphasis upon the fundamental principles of separation between Church and State" and "reaffirming its own stand against all influences which would seek to weaken or break down this historical separation anywhere in our country."

You remember that one of the things which had placed a wellnigh insurmountable obstacle in the way of the Roman Catholic majority of the NCH School Board in their effort to remove Dr. Cook and dominate the whole school system in NCH had been the prompt action of the National Education Association in sending Dr. Richard B. Keenan, Executive Secretary of its National Commission for the Defense of Democracy Through Education to investigate the situation, and upon receipt of his report "blacklisting" the NCH School system as "an unprofessional place" for any teacher to work.

That Commission held an opening meeting Thursday morning July 10, prior to making its report to the business session of the NEA that afternoon. The most of the morning was devoted to a discussion of the NCH School situation. Supplementing the printed report which had been included in the SUMMARY OF REPORTS OF COMMITTEES, COMMISSIONS AND COUNCILS OF THE NEA and sent to all delegates prior to the Convention, Dr. Alonzo F. Myers, Chairman of the Commission, sought to bring that report up to date by presenting a mimeographed report telling of the resignation of the NCH Board, the action of the Probate Judge in reappointing Dr. Cook, and the omission from the budget for next year of any provision for the leasing of the parochial school or employment of its teachers.

Chairman Myers introduced Dr. Cook and Mr. Perry the legal advisor of the Commission, who answered many questions asked from the floor; also Miss Amelia

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Di Pilla, President of the NCH Teachers Association, who was one of the Roman Catholic teachers employed in the public schools, as evidence that regardless of religious differences the teaching profession is as Miss Di Pilla declared "united and militant against any threat to public education."

The nearest that anyone came to speaking in defense of the Roman Catholic action in NCH was when the Rev. Wm. McManus, of Washington, D.C., Assistant Director of the National Catholic Welfare Conference, rose in the audience to state that "a parochial school is a school under the direction of the priest of a parish, a public school is one under the direction of a board of education; wherefore the Grace Avenue School in NCH has not been a parochial school during the time it has been under the supervision of the Board of Education and the superintendent of schools." To which Dr. Myers replied that "in this case it was a distinction without a difference." Someone should have asked Father McManus how he would define the situation where both the former parochial school and the former public schools were being administered by a board of education dominated by the parish priest and the Roman hierarchy.

You will be interested in the following excerpts from the address made by Dr. Alonzo F. Myers during the presentation of his report:

"The most unfortunate accompaniment of the North College Hill situation has been the marked spread and increase in tension between certain members of the Catholic and Protestant faiths. This tension has extended far beyond the confines of North College Hill. It has resulted from the fact that the North College Hill board of education was appropriating public funds for the operation and maintenance of a Catholic parochial school. This action was not novel in the State of Ohio, for such action had been taken in a number of communities throughout the state over a period of years. Its extent of legal sanction rests on a decision by former Attorney General Bricker of Ohio in 1933, a decision which has tested in the Supreme Court.
never /been

"As an outgrowth of the North College Hill controversy, a taxpayer's action has been brought in which an injunction is sought to restrain the board of education from appropriating and expending public funds under its agreement relative to the former St. Margaret Mary Parochial School, now known as the Grace Avenue School. When this school was incorporated into the public school system by the local board of education, its teaching staff, mostly members of a religious order, and its curriculum remained unaffected. The plaintiff in this suit alleges that the expenditure of public funds for the operation of a parochial school is not authorized by any law of the State of Ohio, that if any law or laws of the state be construed as authorizing such payments, such law or laws are unconstitutional under Article K, Section 7 and Article VI, Section 2 of the Ohio Constitution; and further, in violation of the Fourteenth Amendment of the Federal Constitution and the First Amendment which the Fourteenth has made applicable to the states. Article VI, Section 2, of the Ohio Constitution provides in part that 'no religious or other sect, or sects, shall ever have any exclusive right to, or control of, any part of the school funds of this state.'"

"It appears probable that the particular taxpayer's action described above, may be dropped as a result of the reported action of the Probate Court in discontinuing the arrangement by which public funds were being used for the operation of the parochial school.

"I am in agreement with Archbishop McNicholas in deploring the increasing tension that is being developed over this controversy relating to the use of public funds

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were being used for the operation of the parochial school. We have here a question of fundamental and basic public policy in which each side is entirely convinced that it is right in its contentions. Archbishop McNicholas proposed that the NEA "take a conciliatory approach to the highly controversial question concerning the use of public funds in aid of nonpublic school children." The Archbishop's statement continues: "We hope that the association in certain terms will recommend that essential school services be furnished to all children, regardless of the school they attend."

"I submit that this question cannot be settled in this manner, regardless of the degree of goodwill and the desire to avoid further development of religious tension that I feel sure exists on both sides. Even if it chose to do so, neither the National Education Association or any other group or organization in this country could set aside the laws and the constitutions of the states and of the nation. The question cannot be settled by conciliation. Either it is in accordance with the laws and constitutions of the respective states and the Constitution of the United States to use public funds for sectarian religious teaching and for the operation of parochial schools, or it is not in accordance with the laws and the Constitution to do so. I propose in answer to the archbishop's proposal that the authorities of the Church and the Defense Commission of the National Education Association agree, in a completely friendly spirit, to cooperate in locating the best possible test case of the fundamental issues involved, and to work together harmoniously in expediting the bringing of this case to the Supreme Court of the United States for a decision.

"It is my considered judgment that if such an agreement can be reached, the tension will be relieved immediately. I do not believe that either side in this controversy desires to violate any law nor to act in violation of the Constitution of the United States. We are in a situation where we literally do not know what latitude, if any, the United States allows to States and school districts in this matter, and until that question is settled in unmistakable terms by the Supreme Court of the United States, there is bound to be a basic disagreement, controversy and strife over this question. No constructive end can possibly be served by a postponement of a definite decision. I urge prompt action on this matter. In the meantime, I urge upon all individuals and groups, including Catholic and Protestant groups and organizations, lay groups and educational organizations, the greatest possible forbearance and tolerance in dealing with this highly controversial matter. This great country cannot afford any intensification of religious bigotry and intolerance. We have an American way of settling fundamental differences. Let us use it."

Thursday afternoon the NEA approved the report of the Commission including its recommendation that "in view of the clearing up of the situation at NCH the 'black-listing' of its schools be lifted, and every possible aid be given the administration to help reestablish the schools."

In this connection I can report that contracts have already been sent the 28 (out of a total staff of 31) teachers who resigned in protest against the treatment of Dr. Cook. Most of them are expected to return; and some at a personal sacrifice, because even the substantial increase in salary offered them will not bring their salaries up to the minimum standard set by the NEA, or the salaries that have been offered or might be procured elsewhere.

The NEA in its final business session Friday July 11, also adopted the following resolution submitted as part of the report of its Resolutions Committee:

"The National Education Association believes that inadequate education in any part of the nation affects every other part. The Association is convinced that national as well as state and local support is desirable and necessary to provide adequate and equal educational opportunity for all American youth. Therefore, the Association urges that Congress take immediate action to provide federal aid without federal control to public elementary and secondary schools in every state, and federal aid to assist the states in meeting immediate housing need. This federal aid should be distributed through the regularly constituted state educational agencies. The Association also urges that Congress take immediate action to provide federal aid to sustain school lunch programs without restriction as to the source of funds used for matching, and federal payments to states to compensate loss of local revenues resulting from federally owned property."

In the discussion preceding this vote, the NEA also defeated with only three dissenting votes an amendment proposed from the floor: - "The NEA urges that Congress take immediate steps to sustain transportation and health services for non-public schools."

It seems providential that the NEA Convention should be held in Cincinnati; and that they should have had the NCH School situation brought so acutely to their attention. For the action of the NEA has certainly helped in straightening out the NCH School situation. And the NCH School situation has certainly helped to strengthen the NEA, by illustrating so acutely the peril to our public schools when school administration is interfered with or dominated by any sectarian religious group, or when school funds become the subject of sectarian religious controversy.

The NCH Schools Improvement Association met Friday July 11 with high hopes for a return of peace to their troubled community, and hope for the reopening of the public schools next fall under the reinstated Superintendent, Dr. Wm. A. Cook, with an adequate, competent and harmonious teaching staff. The harmony and unity of the staff in support of Dr. Cook and in defense of high professional standards of school administration, and the loyalty of the teachers who are willing to return now, even at less salary than they have been offered or might get elsewhere, is most commendable. The Association also heard from one of the attorneys whose firm is handling the taxpayers suit; and gave him unanimous assurance that, whether with this suit or another, they want the issue of public support of sectarian religious schools and teachers, carried to a decision by the Courts, even if it be necessary to carry it to the Supreme Court of the United States. The Association also chose two candidates whom it will support for the election to the two vacancies on the school board, to be filled this November; Mr. Walter Hughes, one of the two Protestant members who resigned recently, and Mr. Peter Standcheff, a former member of the board. The other Protestant who had resigned explained his inability to run again because of circumstances likely to compell his removal from NCH in the near future.

Probate Judge Chase M. Davies, having found himself in a situation without precedent in Ohio, inquired through the City Solicitor of NCH and the Prosecutor of Hamilton County, and has been informed by the Attorney General of the State, Hugh S Jenkins, that it is the opinion of the Attorney General that Judge Davies should proceed immediately to appoint five members of the Board of Education of NCH, without waiting for the November election. For, as Mr. Jenkins pointed out, a Board of Education has duties, such as levying taxes, which it is not proper for a Probate Court to perform. The Court should therefore conduct the school affairs in every respect only until such time as there is opportunity to name a new board.

This decision was announced last Friday, and Saturday morning Judge Davies announced the appointment of five men to serve as the new Board, and to be sworn in Tuesday, July 15, the next regular date for the Board Meeting; for the term beginning immediately and ending the first Monday in January, 1948 (when the members elected in November take office) (1) Mr. Howard A. Wirtz, advertising manager of the Balcrank

Co, former clerk-treasurer of the Board; (2) Mr. Robert W. Markus, officer manager of the Elliott Transportation Co, likewise formerly clerk-treasurer of the Board; and for the term beginning immediately and ending the first Monday in January 1958: (3) Mr. Spencer G. Weber, manager of the Cincinnati branch of Standard Brands, also a former member and clerk-treasurer of the board; (4) Mr. Arthur E. Kluener, ass't vice-President of the main branch of the Central Trust Co; (5) Mr. Ralph C. Jentz, office manager of the Ivorydale Plant of Procter & Gamble, and former president of the North College Hill Board.

There is general public approbation of these appointments, for as an editorial in the ENQUIRER July 14 declared, "The new School board appointed by Judge Davies is made up of men who were temperate in their attitude during the heat of factional quarreling, and who appear to command the confidence of the community." Four of them are men who had served as elected members of the Board in former years. One is a Roman Catholic; another prominent Roman Catholic was asked but found himself unable to serve. None of the recently resigned members was reappointed.

By way of summary and conclusion, let me say that while the Court has not yet answered the request of the City Solicitor for dismissal of the taxpayers suit now pending, it is the considered judgment of competent legal authorities that the case is likely to be dismissed on the grounds that a Board which no longer exists cannot be enjoined from doing something that it is no longer doing. Moreover, any effort to amend that suit to petition return of the money which may have been illegally spent might not provide a satisfactory test case. For the Court would probably decide that the Board had acted in good faith and within the law as it understood the law, and as the law had been interpreted by the Attorney General of the State. What must be done therefore is to bring a taxpayer's suit against the State Director of Education to enjoin him against any further use of public funds to aid parochial schools or employ sectarian teachers anywhere. In this suit he would be defended by the Attorney General and the Court would be called upon to decide whether or not such use of public funds to aid sectarian schools and employ sectarian teachers was legal under the Constitution of the United States and the Constitution and laws of the State of Ohio.

So the end is not yet. But these things at least have been accomplished up to date in the fight made by the NCH Schools Improvement Association and those who have cooperated with them:

1. Dr. Wm. A. Cook, and his professional conduct in the administration of the NCH Schools has been vindicated, by his reappointment for three years. It should be remembered that Dr. Cook had no responsibility for the contract with the St. Margaret Mary Parochial School, and was helpless to do other than recommend the appointment of its teachers, after the majority of the Board had approved that contract. His fight was against R.C. interference with the other schools.
2. The Roman Catholic majority, who not content with securing the full support of the parochial school through its inclusion in the public school system, had also sought to interfere in the proper administration of the bona fide public schools, both in the appointment of principals and teachers and the selection of textbooks, has been compelled to resign, by the local and nationwide indignation aroused by their actions. The two Protestant members had also to resign to insure the resignation of the others.
3. The administration of the Schools by Probate Judge Chase M. Davies, the reappointment of Dr. Cook, the omission from the new budget of any provision for the parochial school, and the quality of the new board which he has appointed, makes possible the

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restoration of peace and goodwill in the sorely distressed community, and the reopening of its public schools next fall with the promise of a competent faculty and harmonious administration.

4. The nationwide interest aroused has made NCH a conspicuous example of what Dr. Harold Foy called "A Preview of a Divided America." It has served as a horrible example of what can be expected if and when the American people permit sectarian interference with their public schools, or make a sectarian issue of the use of public school funds.

I suppose we need hardly expect Archbishop McNicholas or the National Catholic Educational Association, or the National Catholic Welfare Conference to accept the challenge of the NEA that they join in friendly effort to discover a suitable test case and push to a decision by the United States Supreme Court the question as to the legality of the use of public funds to aid parochial schools or private schools of any sort. Nevertheless such a suit can and should be prepared and pushed to a decision by the Supreme Court; and the North College Hill Improvement Association and those who are working with them locally proposed to do just that. In that effort we count upon your interest and support and that of all other like-minded people who may be enlisted to help.

Kemper G. McComb, Executive Secretary
Council of Churches of Greater Cincinnati
819 Transportation Bldg
Cincinnati 2, Ohio

July 14, '47



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