

1959

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Recommended Citation

Tolle, James M., "A Roman Catholic President?" (1959). *Stone-Campbell Books*. 249.
http://digitalcommons.acu.edu/crs_books/249

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PRICES: 10c per copy; \$6.50 per 100;
\$27.50 per 500; \$50.00 per 1000

Published by
JAMES M. TOLLE
Box 189
San Fernando, Calif.

A ROMAN CATHOLIC PRESIDENT?

By James M. Tolle

In 1928 Alfred E. Smith, a member of the Roman Catholic Church, was nominated for the presidency of the United States by the Democrat Party. It is a foregone conclusion that widespread resentment toward his religious affiliation was a leading factor contributing to his defeat in the ensuing election. Obviously, many who refused to vote for him were motivated by religious prejudice. They were not factually informed as to the official stand of the Roman Catholic Church concerning such matters as religious liberty and separation of church and state, but they somehow held to the notion that a Catholic president would hold out a threat to our American way of life; so they refused to vote for a Catholic candidate.

Thirty years have gone by since Smith's defeat. During this time a significant change has been wrought in the thinking of many non-Catholics concerning the idea of a Catholic holding a high political office, recently indicated by their support of Catholic candidates for various offices in the November, 1958, elections. In these elections, two states chose Catholic governors—Pat Brown in California and Mike Di Salle in Ohio; and four Catholics were elected to the Senate—Phil Hart of Michigan, Eugene McCarthy of Minnesota (a predominately Protestant state), Thomas Dodd of Connecticut, and Ed Muskie of Maine.

It is evident that the support given to these Catholic candidates by non-Catholic voters expresses a trend that could possibly lead to the nomination and subsequent election of a Roman Catholic president in 1960. Such a well-known political columnist as Drew Pearson, writing in

his column of November 10, 1958, expressed his opinion that the political trend indicates that the American people have gotten over the idea that a Catholic should not be elected to the presidency. *Time*, November 10, 1958, states, "The 1958 elections went a long way toward laying to rest the notion of Roman Catholicism as a ruinous national political liability." In this same issue of *Time*, Iowa's Congressman Coad, himself a Disciples of Christ minister, is quoted as making the following observation concerning the general public's attitude toward the Catholic issue in politics: "I think the country is 30 years beyond 1928, and I mean that not only from a standpoint of time but from the standpoint of this subject. It's just not an issue."

Although not necessarily agreeing with the basic political views of Alfred E. Smith, fair-minded people lament the religious prejudice which contributed to his defeat, but they also just as strongly lament the Roman Catholic favoring prejudice which refuses to recognize a Catholic issue in politics and which could lead to the election of a Catholic president in 1960. In 1928 many who were prejudiced against the Roman Catholic Church refused to vote for a Catholic candidate, but there is the danger that in 1960 many non-Catholics who are just as prejudiced in favor of Roman Catholicism will vote for a Catholic candidate.

During the past thirty years it has become increasingly fashionable for non-Catholics to manifest an attitude of rather sugary tolerance toward Catholicism. Not that they are informed as to its true political, social, and religious aims, but that they like to think of themselves as being broadminded and unbigoted. Such an attitude has become more common in every strata of American society, with its consequent appearance on the political scene.

To many non-Catholics, as well as to Catholics, any reference made by a person which reflects on the Roman Catholic Church is con-

sidered bigotry. The term "anti-Catholic" has become an exceedingly ugly word. No candidate for a public office can be widely branded with this epithet and be successful in politics. The influence wielded by the Roman Catholic Church has become a powerful force in American politics, and woe be to the political aspirant who outwardly, overtly attempts to resist this force!

We who have given careful attention to the plain facts involved in the matter refuse to accept the Catholic issue in politics as being dead, in spite of utterances to the contrary made by would-be political experts. We are thoroughly aware that in taking this stand we are subjecting ourselves to vilification by many of our fellow citizens who will brand us with such epithets as "bigot" and "anti-Catholic." But we feel duty bound to speak our piece in the face of such vilification, to point out any and all dangers, no matter how remote, which threaten our basic American liberties. We are confident that we are at least partially fulfilling the responsibilities of good citizenship in informing our fellow Americans, not by prejudice but by facts, that the election of a Catholic president would raise certain definite issues threatening our constitutional rights and privileges.

This discussion in no way is intended to be either personal or partisan in nature. We have no personal animosity toward any possible candidate for the presidency, nor do we see fit here to pass on either the merits or the demerits of the political party he would represent. Furthermore, we do not wish to leave any impression on the reader that we disagree with Article VI of the Constitution, which states, "No religious test shall ever be required as a qualification to any public trust under the United States." We insist, however, that it is not the application of any religious test that makes us wary of a Catholic candidate for the

presidency. If it were a matter purely religious in nature, we could accept for the presidency a loyal, capable citizen from any religious group, no matter how strongly we might be opposed to certain tenets he believes. But the aims of the Catholic Church, as we shall see in this discussion, transcend purely religious matters and touch on issues which are political in nature. Thus we have a right to insist that the religion of a Catholic candidate for the presidency must not be used as a shield to conceal his ideas on matters of church-state policy. The citizens of the United States are entitled to know where every candidate for the presidency stands in respect to such issues regardless of his religious belief.

It is the leading thesis of this discussion that it would be impossible for a Catholic president to be loyal to the Roman Catholic Church and at the same time to loyally serve all the American people, regardless of their religious beliefs, and to do his part as the Chief Executive in supporting both the letter and the spirit of the Constitution. We shall point out that the stand of the Roman Catholic Church in certain areas is opposed to the Constitution and the American spirit of freedom and equality before law of all religious persuasions. Such a conflict between loyalties in itself would make any Catholic a poor risk as president, and the very possibility that his loyalty to the Catholic Church would supersede his loyalty to the American people presents a danger to our liberties that we as a nation can hardly afford to accept.

The basic conflict between the American way of life and Catholicism pertains to the church-state issue, practically all points of differences between the two focusing on this issue.

The American Constitution, as planned by the founding fathers and as proving itself in the nation's experience, definitely and positively separates church and state, thus granting full

religious freedom to every American citizen. Article I of the Bill of Rights states, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof . . ."

No amount of sophistry presented by modern Catholic apologists in their attempt to get the citizens of America to believe that the Catholic Church is in favor of the principle of separation of church and state as set forth by our Constitution can invalidate either the historical or contemporary practices of Catholicism, which reveal over and over again the fact that the Catholic Church favors union between itself and the state, with the consequent denial to other religious groups of equal rights before law.

Pope Boniface VIII in the Bull *Unam sanctum* (November 18, 1302) proclaimed, "Surely he who denies that the temporal sword [representing the state] is in the power of Peter [representing the Catholic Church] wrongly interprets the word of the Lord when He says, 'Put up thy sword in its scabbard.' Both swords, the spiritual and the material, therefore are in the power of the Church, the one indeed, to be wielded for the Church, the other by the Church; the one by the hand of the priest, the other by the hand of kings and knights, but at the will and sufferance of the priest. One sword, moreover, ought to be under the other, with the temporal authority to be subjected to the spiritual."

According to the principle set forth in this pronouncement, America itself could be used to carry out the purposes and plans of the Catholic Church. A Catholic president would be bound by loyalty to Catholicism to wield his authority for the Roman Catholic Church "at the will and sufferance of the priest."

Catholic historians have tried to gloss over this pronouncement of Boniface VIII by designating it as a mere "opinion," as being of

“purely historical character” (Catholic Encyclopedia, Vol. XV, p. 126). However, this same reference admits that *Unam sanctum* has had “its incorporation in canon law,” which makes it part of the official body of Catholic law.

To those who insist, however, that Boniface VIII was not presenting official dogma in his pronouncement, that he was not making an *ex cathedra* utterance, their attention is called to the fact that no pope has ever denied its validity in Catholic teaching. Furthermore, Boniface VIII sets forth in *Unam sanctum* what had long been the practice of the Catholic Church, sanctioned by popes who preceded him.

In his Bull *Ad exstirpanda* (1252), Innocent IV declared, “When those adjudged guilty of heresy have been given up to the civil representative, or the Inquisition, the podesta or chief magistrate of the city shall take them at once, and shall, within five days at the most, execute the laws made against them.”

The *Catholic Encyclopedia*, Vol. VIII, p. 34, states, “The civil authorities, therefore, were enjoined by the popes, under pain of excommunication, to execute the legal sentences that condemned heretics to the stake.” Has any pope officially affirmed that the popes mentioned here acted wrongly in demanding, under pain of excommunication, that the civil authorities obey their dictates?

That the pope has the moral right to annul the laws of any nation which are contrary to Catholic dogma, a right implied in *Unam sanctum*, is plainly set forth in the *Manual of Christian Doctrine* of the famous teaching order, the Brothers of the Christian Schools, published in 1926 in Philadelphia with the Imprimatur of Cardinal Dougherty, contained in this passage: “Q. Why is the Church superior to the State? A. Because the end to which the Church tends is the noblest of all ends. Q. In what order or respect is the State subordinate to the Church? A. In the spiritual order and in all things re-

ferring to that order. Q. What right has the Pope in virtue of this supremacy? A. The right to annul those laws or acts of government that would injure the salvation of souls or attack the natural order of things." Needless to say, the laws designated here would be interpreted in light of Catholic dogma, which possibly could be contrary to long standing American principles.

That a loyal Roman Catholic if elected to the presidency would be bound to obey the pope, even if it conflicted with his responsibilities to the American people as set forth in the Constitution, is emphatically taught in the Encyclical Letter of Pope Leo XIII, *Sapientiae Christianae* (1890), on the Chief Duties of Christians as Citizens: "But the supreme teacher of the Church is the Roman Pontiff. Union of minds, therefore, requires, together with a perfect accord in the one faith, complete submission and obedience to the will of the Church and to the Roman Pontiff, as to God Himself. This obedience should, however, be perfect, because it is enjoined by faith itself, and has this in common with faith, that it cannot be given in shreds;—nay, were it not absolute and perfect in every particular, it might wear the name of obedience, but its essence would disappear."

The foregoing teaching is also presented in the *Catholic Encyclopedia*, Vol. XIV, p. 251: "The Church has the right to govern her subjects, wherever found, declaring for them moral right and wrong, restricting any such use of their rights as might jeopardize their eternal welfare . . . all within the limits of the requirements of her triple purpose, as laid down by the Divine Positive Law, of preserving the internal order of faith and morals and its external manifestations, of providing adequate means of sanctification for her members, and of caring for Divine worship, and over all found by the eternal principles of integrity and justice de-

clared in the natural and positive Law of God. In case of direct contradiction, making it impossible for both jurisdictions to be exercised, the jurisdiction of the Church prevails, and that of the State is excluded."

Pope Pius IX in his *Syllabus of Errors* (1864), Section 6, denounced as one of the "principle errors of our time" the statement, "The Church ought to be separated from the State, and the State from the Church."

Referring again to the *Manual of Christian Doctrine*, we note the following: "Q. May the State separate itself from the Church? A. No, because it may not withdraw itself from the supreme rule of Christ."

Many other quotations could be presented from Catholic authorities to show that the Roman Catholic Church is positively in favor of union of church and state, and definitely opposed to our constitutional system of separation of church and state. It is not difficult to see that this conflict between Catholicism and the Constitution would pose a most difficult problem for a Roman Catholic president.

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

John A. Ryan, writing under the Imprimatur

of Cardinal Hayes, as quoted in *The Roman Catholic Church in the Modern State* (Faith Press, Ltd., London), p. 133, has the following to say: "But constitutions can be changed, and non-Catholic sects may decline to such a point that the political proscription of them may become feasible and expedient. What protection would they then have against a Catholic state? The latter could logically tolerate only such religious activities as were confined to the members of dissenting group. It could not permit them to carry on general propaganda nor accord their organization certain privileges that had formely been extended to all religious corporations."

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

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

It is evident that what has happened in these

nations could also happen to America should the Catholic Church ever obtain the political control here.

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

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

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

Not only, then, the history of the Roman Catholic Church proves the threat this organization holds out to our freedom of religion, but also its contemporary relationship with most of the countries in which it has gained the political ascendancy.

The reader is now asked to soberly and seriously consider the following question: *Do Americans who dearly respect the Constitution and the freedoms it guarantees, especially the equality of all religions before law, want a president who accepts the Constitution as a matter of principle or as a matter of expediency?* A Catholic president, if he is loyal to the Roman Catholic Church, would be bound to accept the freedoms set forth in the Constitution only on the basis of the status quo, purely as a matter of toleration and expediency, not as a matter of principle. It is obvious that the writer cannot speak for every American, but speaking for himself and many others, he forthrightly declares that he will have no part in electing any man to the presidency who is not perfectly free from any tie that would keep him from accepting our constitutional system of freedom as a matter of principle and inherent right.

Since the public schools are very much part of our democratic system, any loyal president is bound to give them his wholehearted support. The Roman Catholic aversion, however, toward public education would pose a very difficult problem for a Catholic president. This is not to insinuate that private schools, such as are operated by the Catholic Church and other organizations, are per se un-American, nor that their existence violates any principle of the Constitution. Furthermore, we readily admit that our public schools are not perfect, and no American should be condemned for choosing to send his children to a private school. But the loyal Catholic has no personal freedom in choosing between public and paro-

chial education for his children, the contrary being true of most other Americans.

Canon 1374 of Catholic law states, "Catholic children must not attend non-Catholic, neutral, or mixed schools, that is, such as are also open to non-Catholics. It is for the bishop of the place alone to decide, according to the instructions of the Apostolic See, in what circumstances and with what precautions attendance at such schools may be tolerated, without danger of perversion to the pupils."

Since religious instruction is excluded from the curriculum of our public schools, loyal Catholics must believe that they are wrong. In his *Divini Illius Magistri* (December 31, 1929), Pope Pius XI declared, ". . . the so-called 'secular' or 'neutral' school from which all religion is excluded, is something 'contrary to the fundamental principles of education.'"

It is not difficult to see the dilemma in which a Catholic president would find himself on the issue of education. As a dutiful president, serving all the people, he would be bound to support our system of public education; but as a loyal Catholic he would be bound to reject such a system. What greatly concerns us is which of these loyalties would prove the stronger in him.

One of the greatest contemporary threats to our constitutional system of separation of church and state is the pressure being put on our lawmakers by the Catholic hierarchy for the use of public money in the support of their schools. In an official statement in November, 1948, the bishops of the Catholic Church in America have denounced the Supreme Court's interpretation of the religion clause of the First Amendment and have urged that the Constitution actually permits the distribution of public money for the support of sectarian schools. The leading argument offered by these bishops is that such tax money will be used only for the secular studies in parochial schools. This is a

specious argument. Parochial schools, whether of the Catholic Church or of any other religious organization, exist for one basic purpose: to indoctrinate students in the tenets and doctrines of the organizations operating them. It is evident, then, that tax money used to support parochial schools is money used to disseminate the dogmas and doctrines of religious organizations, violating both the letter and the spirit of the Constitution and the American system of separation of church and state.

A Catholic serving as president would hardly enjoy good standing with his spiritual leaders if he stood against the use of public money for the support of Catholic schools. Would he give his loyalty to the American principle of public money being used exclusively for the support of public schools or to the Catholic policy of seeking public money for the support of private schools? Only a rank visionary would conclude that no Catholic president would ever dare go against the sentiments of non-Catholics and agitate for public support of parochial schools.

Consider the case of Joseph V. Aguiar, Jr., a candidate for representative in the Massachusetts legislature in the 1958 elections. In a paid political advertisement in the Fall River, Mass., *Herald News*, Sept. 5, 1958, Aguiar made the following promise to the voters: "If elected, I will introduce a constitutional amendment, to force the state to pay 50% of the cost of all parochial schools!!! With rising costs our parishes need and deserve help for this worthy purpose. I dare any representative or candidate to fight me on this issue." Here is a candidate who if elected to office would make it so the state, the population of which consists of people following all kinds of religious systems, would be forced to help support Catholic parochial education. And in his advertisement he dares any candidate or representative to fight him on the issue! Why so bold and brazen? He knows that his stand will please most of the Catholic

voters, and he also knows that any non-Catholic who opposes him will be labeled "bigot" and "anti-Catholic." He is also aware that the spirit of false tolerance which many non-Catholics have assumed toward the aims of the Catholic Church will not hinder his political aspirations. Who is willing to affirm that this cannot happen on a national level, that no Catholic president would agitate for a constitutional change that would support Catholic education with public money? Do not future events cast their shadows before them?

Because of the limitation of space, we will be unable to discuss other significant differences between the American constitutional system and the Catholic Church, such as the issue of freedom of the press, which is guaranteed by our Constitution but denied in Catholic teaching and practice, and the matter of this nation sending an official ambassador to the Vatican, which Catholics favor but which we strongly believe violates the American doctrine of separation of church and state—issues and matters involving serious implications if a Catholic becomes president of the United States.

But suffice it to say here, no man can loyally and impartially serve the American people who maintains full and complete loyalty to the Roman Catholic Church. Having a Catholic president is risky business at the very best, and it poses a real threat to the way of life which we Americans so dearly cherish. If any political party ever nominates a Catholic for the presidency—which we sincerely hope never happens—then to the voters will be given the power to make the final decision as to whether or not he becomes president. The writer knows how he will act in such a case. *And you?*