



REPORT FROM THE CAPITAL

★ RELIGIOUS LIBERTY ★ BAPTIST PRINCIPLES
★ PUBLIC AFFAIRS

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January, 1959

North Carolina Report

STEPS TAKEN BUT ANSWER NOT FOUND FOR RELIGIOUS LIBERTY IN WELFARE STATE

By C. Emanuel Carlson

An important progress report on church-state policies, prepared by a special committee of 25, has been approved by the Baptist State Convention of North Carolina.

The Committee was appointed in 1956. They took their assignment seriously and worked intensively on the issues. Their report is important both because of what it says and because of the questions left unanswered. Their report should be the occasion for wide discussion of the principles.

The Committee's assignment was a difficult one. The comments which follow are in no sense an attack on nor a critique of their work. Nonetheless, the conclusions reached by one area bear so heavily on the work of all areas that we must spare no effort to maintain nation-wide communications on these problems. In this spirit we urge careful study of the North Carolina Convention action.

'Separation' Needs Definition

The Committee's statement that there is no such thing as "absolute separation of church and state" is a call for more precise language. It is obviously true that these institutional patterns are not "absolute." But this statement also admits that we must be prepared to show what separation means and why we favor that policy. At this point there is a large gap in the report.

When one proceeds to study church-state relations one soon finds that churches get title to their property from the Register of Deeds, that the church building is erected according to a building code, beside a road built by a local government department, enjoying the protection of the police and of the fire department. These, and the Committee's list, may compel us to discard some ill-chosen vocabulary, but it does not alter the importance of "separation of church and state."

There are at least six facets that have given shape to our Baptist concept in this matter. These are not explored by the Committee's report but are

in the background. In discussing the issues we must keep these fully in view.

Distinct 'Reasons for Being'

1. Separation means that the church has its own "reasons for being" and that these reasons are distinct from those of the state. Both church and state may desire law and order, defense against foreign enemies, an orderly and just economy, the protection of the person, etc., but these are basically functions of the state and not of the churches. The New Testament presents a church that deals in the gospel, in a fellowship of faith, and in love to all mankind. Its members go out to participate as nobler citizens, but the institutions still have separate *raison d'être*.

Each Has Its Own 'Public'

2. Separation also means that each has its own "public." A person is born into the state, and the political community therefore normally includes all the people. Not all, however, accept the gospel, cultivate Christian faith, or seek to nurture the distinctive Christian way of life. The two "publics" overlap, and the churches should strive to win all. Nonetheless, the two publics are and must be "separate." If the church is a fellowship of faith it must of necessity be a voluntary group.

Methods Must Be Different

3. Furthermore, the methods of the church must be distinct from those of the state. Military action, police methods, and tax powers are all appropriate and usable toward the objectives of the state. These do not work as means by which to reach spiritual objectives. In contrast, the churches must rely on instruction, worship, prayer, love, to the end that their members may "put on the whole armor of God," including truth, righteousness, peace, faith, the Word, and the many other spiritual graces.

Separate Administration Required

4. Separation in the above matters requires that there be separate administrations of the two institutions. The church cannot be a "department of ecclesiastical affairs" in the government, and the government cannot be the "action department" of

the church. History is replete with evidence that the "use of the churches" for the "moral and spiritual" purposes of government makes them something less than the church of which Christ is Lord. Likewise, when the churches try to reach their objectives by political action, they still have not done their job.

Separate Sources of Support

5. It follows that the two must have their own separate sources of revenue. The control of the purse represents final control of policy in the life of institutions. Accordingly, institutions that depend on tax funds are basically dependent on government regardless of how the Boards may be chosen. And further, payment of one's taxes involves an experience which is not even similar to Christian stewardship. The qualities of character which are developed by voluntary stewardship cannot be mistaken for those nurtured by the tax collector.

Separate Educational Programs

6. If the above distinctions are valid, it also follows that church and state must each have their own appropriate educational programs. The churches cannot delegate the education of their members and of their leaders to the state. Neither is it in order for the churches to attempt to monopolize the channels of knowledge so as to limit the political and economic order to the scope of the church programs. The former arrangement has always paralyzed the church and the latter arrangement has stagnated the state.

The importance of these broad principles is not difficult to see. The problems arise when we try to show what they mean in practice. Such practical issues as government loans to sectarian dormitories and hospitals, government grants to religiously sponsored medical research, and government aid to the dependent people who are cared for by denominational agencies are difficult to resolve.

WILL CHURCH SCHOOLS REMAIN DISTINCT UNDER NEW DEVELOPMENTS IN EDUCATION?

Church-state problems in the National Defense Education Act of 1958 are beginning to emerge into sharper focus, according to C. Emanuel Carlson, executive director of the Baptist Joint Committee on Public Affairs.

The church-state problems are arising from the provisions of the bill making possible loans and grants to educational institutions, both public and private, both for higher education and elementary and secondary schools, the fellowship program, and the testing, counseling and guidance programs.

In reference to the administration of the Education Act Carlson said, "While the policies being formulated pertain to public educational interests, nonetheless many of them will seek those public objectives through agreements with church-related institutions. He then asked, "When the policies

North Carolina Procedure

In the face of these problems the North Carolina Committee recommended a procedure instead of a position.

"I. The Convention shall require its agencies and institutions to present any programs for government grants or any form of government aid not already authorized in kind by Convention action to the General Board of the Convention for review before agreements are made;

"II. Acceptance of such grants or aid shall be based upon approval of both Trustees of the institution or agency involved and the General Board.

"III. All institutions or agencies operating in cooperation with government as above shall report annually upon such operations to the General Board."

Guidance for the Procedure

For guidance in this procedure three principles were proposed:

"1. There shall be no element of control by the other, either actual or implied.

"2. The Convention will enter no cooperative enterprise with government for the sole purpose of advancing its own interest.

"3. The Convention and/or its institutions and agencies may accept assistance from government only in such cases as will enable it or them to render services commensurate with that assistance."

North Carolina has probably not found the formula that answers the vexing questions how to practice religious liberty in a "welfare state." Nevertheless, they have contributed valuable materials for our denomination-wide discussion.

have been made and the use of the formula has been enlarged, will these schools be church institutions or will they be public institutions?"

Calling attention to the future role of the United States Government in the process of vocational guidance, Carlson said, "There is no concept that is more vital to church interest than that of 'vocation' in the broad sense of life stewardship. Churchmen will do well to keep in close contact with this program."

During the formulation and debate period of the Education Act, Carlson warned, "These cooperative arrangements for 'national defense' and 'to meet critical national needs' may present problems for schools which seek to remain church agencies. How much government supervision will be necessary in order to carry out the 'conditions of agreements,' as specified in the bill and as they will be developed in the administration of the bill, is difficult to conjecture, but the door is open."

READERS MAKE EFFECTIVE USE OF 'REPORT' AND MATERIALS FROM PUBLIC AFFAIRS OFFICE

Dear Sir:

Just received is the November-December issue of the Report From The Capital with the reprint from the United Press International Newsfeature on government aid to parochial schools. I should appreciate very much receiving 10 additional reprints of this feature, if possible, so that I can use them in connection with my classes in American government.

I find each issue of the Report From The Capital interesting as well as useful in connection with my classes in history and political science. Some have contributed to topics considered at a legislative seminar conducted by the South Dakota Council of Churches. I am, therefore, always happy when the day's mail contains a new issue.

Ralph E. Tingley
Sioux Falls College
Sioux Falls, S. D.

Dear Sirs:

I should like very much to use 50 copies of the UPI release on "Government Aid to Parochial Schools" in my American National Government course. Since this is a Baptist related university with a president who has taken strong action in considering this issue in professional meetings, it is particularly appropriate for student debate and study.

Luther Wesley Smith, Jr.
Stetson University
Deland, Fla.

Dear Dr. Carlson:

We are devoting one session of the Christian Life Workshop to the subject of separation of church and state. It is our desire to provide 450 people we expect to be present with a

packet of materials related to each of the subjects that we will have under consideration. This letter is to request 450 copies of your last "Report From The Capital" if these are available. If they are not to be had then this is to request 450 copies of your article written for United Press International concerning government aid for parochial schools. We will be happy to pay whatever costs are involved in getting this very helpful information.

Foy Valentine
Christian Life Commission
of Texas
Dallas, Tex.

Dear Dr. Carlson:

I greatly appreciated the November-December issue of the Report From The Capital. The last paragraph on page four is worth taking to heart.

Stanley I. Stuber
Council of Churches of
Greater Kansas City
Kansas City, Mo.

(The words referred to by Dr. Stuber are: "It could well be tragic that in many Baptist circles and pulpits there is no religious liberty to speak on these moral, and therefore religious, issues. And it could be that, as in the past, God's judgment and retribution will be visited upon us for lack of vision, courage, and declaration in an hour when what God wills, and not what man thinks, is the solution so urgently needed.")

Dear Sir:

Will you please send me \$1.00 worth of the reprints of the UPI Newsfeatures articles on "Should Government Grant \$ Aid to Parochial Schools."

Mrs. J. G. Hanlin
Oklahoma City, Okla.

RELIGIOUS ISSUE IN 1960 PRESIDENTIAL CAMPAIGN BECOMES MORE COMPLICATED

Just what will be the turn of events or the tone of the campaign for 1960 remains to be seen. Complications from the religious angle seem to be developing. The U. S. Constitution says (Article VI, 3) that "no religious test shall ever be required as a qualification to any office or public trust under the United States." However, many are concerned about this problem in view of the campaign to nominate John F. Kennedy (D., Mass.), a devout Roman Catholic, for the office of President of the United States.

Many are opposed to Mr. Kennedy solely on the ground that he is a Roman Catholic. The problem, however, is becoming more complicated by the proposal of a Baptist editor that Congressman Brooks Hays (D., Ark.), president of the Southern Baptist Convention, shall become the democratic nominee for vice president. Editor James O. Duncan of the Capital Baptist affirms that he did not make the suggestion because Mr. Hays is president of the

Southern Baptist Convention, but because he "can give moral and constructive leadership."

The increasing possibility of a Kennedy-Hays team in the 1960 election will inevitably cause many citizens to rethink their position on the relation of religion to politics and public office.

Mr. Kennedy has emerged as the front runner for the Democratic nomination for President in 1960 as a result of an extensive travel and speaking program the past two years. According to the Congressional Quarterly, Kennedy has spoken in 47 of the 49 states in the last two years. Invitations during the first half of 1958 totaled 3,000, and about 2,000 have been received since the elections. He has given an average of two major addresses a week the past two years to groups outside of Massachusetts.

Groups before whom Kennedy has spoken include Democratic party groups, colleges, civic groups, professional societies, National Education Association, governmental groups in many states, farm

interests, labor groups, Chambers of Commerce, religious and ethnic groups.

Six major benefits the Senator has received from his speaking appearances around the country are discussed by the Congressional Quarterly. They are:

1. Kennedy has become one of the best-known Democrats in the country. This is a prime requisite for a Presidential candidate.
2. He has met literally thousands of Democratic leaders and workers, many of whom will be delegates to the Democratic National Convention. In 1960 he will know practically everyone with credentials at the convention.
3. Political support has been broadened by Kennedy's identification of himself with local personalities, issues and sentiments all over the country.
4. Kennedy's extensive travels and speaking engagements have enabled him to become familiar with local issues and problems throughout the nation.
5. His local appearances have given him opportunity to cultivate friendships in groups within the Democratic party, as for instance, labor leaders.
6. Key leaders in each state have become obligated to Kennedy by his efforts in fund raising and in political support. A basic political principle is that every favor granted creates an obligation in return. Kennedy's friends believe that this will pay off at the Democratic convention.

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A HARSH DILEMMA FOR THE CHURCHES

(Note: Christianity and Crisis, a Christian Journal of Opinion, in its Dec. 22, 1958, issue published a penetrating article on the problem of segregation-integration as it is affecting church-state relations. For the information of our readers we are reproducing the article in its entirety.)

By Waldo Beach

Some years ago, when the then Governor Byrnes of South Carolina proposed that the state might look to the churches to take over the function of education in order to avoid integrating the public schools, there was an outcry of protest and disbelief that things would ever come to such a sorry pass. In both Norfolk and Little Rock something of this sort now operates, though on a very limited, makeshift basis. In Little Rock, according to data gathered in late October, some 2,500 of the refugees from the four high schools closed by Governor Faubus were receiving some kind of improvised education and, of these, 585 were studying at various schools established by churches of many denominations, mostly Baptist. In Norfolk about 30 churches have lent their physical facilities for "tutoring

groups," privately taught, in which some 4,000 children are enrolled.

It is not difficult to imagine the chaos and tension that accompany these confused attempts to obviate the inevitable. One of the most ominous aspects of this development, however, is the curious and potentially sinister role that the churches find themselves playing in this conflict. Many of the leading denominations, and the state and national level, have made clear pronouncements protesting the use of churches as a stop-gap device of the states to defy the Supreme Court. From this standpoint, the morality of the matter looks clear enough. To offer a Sunday School building for private schooling or "tutoring" is tantamount to providing "scab" labor in a strike. Such provisions make the church an unwitting instrument, not only of private segregationist forces but of the state itself in its defiance of Federal authority.

It is ironic, incidentally, that it has been the Baptist churches most commonly involved in these programs--the denomination in which separation of Church and State has nearly the status of deity. It should be noted also that the churches are lending their support to a scheme even more unequal than the previous segregated system, for in Little Rock no Negro students are served by the Little Rock Private School Corporation. The moral confederacy behind this program is as worthless as the million dollars in Confederate bills that some Denver citizens, with delicious humor, sent to Governor Faubus in response to his plea for support.

If one looks at the matter from within the local community, however, one can more readily sympathize with the reasons that would lead a local congregation to lend its building and personnel for a school of some kind, or an anxious parent to enroll his son in a "tutoring group." The paramount consideration here is that some schooling is better than none. Why should the innocent be slaughtered in a conflict between state and national governments? One should not judge too harshly a parent or a high school boy who prefer some concrete schooling to the abstract principle of integration--especially when, like as not, that person is opposed to integration anyway. When one takes the measure of these immediate pressures, what is remarkable is not that so many, but that so few churches have fallen victim.

The whole dark matter provides a poignant illustration of the mixture of good and evil in human affairs and the tight bind into which the Christian conscience is put in making its choices between conflicting goods. In this instance, one can only hope that redress will come through the courts, that the whole flimsy contrivance of avoidance will be struck down by court order and the the public schools in these communities will be reopened on a gradually integrated basis. In the meantime, as Secretary Arthur Flemming has soberly reminded the nation, a total of a million pupil days have been lost, and the demoralization of teachers, parents and students is being compounded. This is a heavy price to pay for pride and prejudice.

ROUND-UP ON CURRENT DEVELOPMENTS IN RELIGIOUS LIBERTY

Church-state relations were prominent among the top ten religious news stories for 1958 selected by Richard T. Sutcliffe, Lutheran newscaster, for his weekly radio program "Church World News." Among the top ten were events around the death of Pope Pius XII and the election and coronation of Pope John XXIII, the challenge that all Roman Catholic candidates for the U. S. Presidency or vice presidency make public stands on issues involving their religious philosophies, conviction (but subsequent acquittal) of Italian Bishop Pietro Piorbelli of Prato on charges of defamation of character of a Florence couple not married in the Roman Catholic Church, fight over policy prohibiting dissemination of birth control information to patients in New York City hospitals. Other church-state problems were important in 1958, but did not rate Sutcliffe's top ten stories.

Reprisals against the church! Criticism of his regime has brought threats to future church-state relations in Portugal by Premier Antonio de Oliveira Salazar. Bishop Antonio Ferreira Gomes of Oporto has publicly criticized the government for its failure to deal with widespread poverty in the country and charged that the present economic system in Portugal favors only the rich. The Catholic Church in Portugal enjoys a favored position, but if criticism of the present dictatorship continues the picture may change.

A program of supplying information on activities of the 1959 Minnesota legislature to all Protestant ministers in the state has been adopted by the legislative committee of the Minnesota Council of Churches. An information sheet will be distributed bi-weekly during the legislative session. Measures under consideration by the legislature will be discussed at the 1959 Minnesota State Pastor's Conference. A set of legislative principles as a guide to Christian political action has been drawn up and will be provided to the ministers.

Pope John XXIII said Catholics should take an active part in politics and it is the "right and duty" of the Church to give them moral guidance in such activities. He urged a united stand on matters of common interest. At all times, he added, the ecclesiastical hierarchy has the right and duty to call upon the faithful, in the interest of souls, to defend the Church and Christian principles.

State supported church education. England's Conservative government's recent White Paper announces a plan to spend \$340 million in a five-year period on secondary schools in England and Wales, with \$280 million more in Scotland. In England and Wales only one-half of the building costs of Catholic schools are paid by the state, while in Scotland the Catholic schools are entirely financed by the state. Other denominational schools are similarly state-supported.

"So far as the school building program is concerned," the White Paper said, "the government recognizes that the churches may need some further help if they are to be enabled to play their full part in carrying out their share."

Praise for American Catholics for their "unparalleled sacrifice" to build Catholic schools has been voiced by Cardinal-designate Amleto Giovanni Cicognani, for 25 years Apostolic Delegate to the United States. He said that "fifty years ago bishops had to insist that a parish build a school and had to exert all their influence to see that there was a good attendance." He continued, "Now it is just the opposite; it is from the lay people that the pressure comes. If a parish does not have a school, they come to the priest and insist that they must build one." Cicognani also pointed out that American-Vatican relations have greatly improved as evidenced by President Eisenhower's official delegation to the funeral of the late Pope Pius XII and the deputation to the coronation of the new Pope John XXIII.

Baptists in Little Rock continue their efforts to provide education for children out of schools closed due to efforts to avoid integration. Trustees of Ouachita Baptist College operate a Baptist High School which meets in First and Second Baptist Churches. Efforts are being made to secure accreditation from the State Department of Education. Now a Baptist Education Foundation has been formed to operate other schools.

A Baptist leader recently wrote describing church-state problems in his state: "The integration matter threatens to some extent the public school system and encourages the opening of schools for operation by our churches, which could, in my thinking, draw us into serious problems in the matter of church and state."

Roman Catholic nuns may wear their religious garb while teaching in public schools of Ohio according to an announcement by the Ohio State Board of Education. The Board's opinion was governed by an opinion by the state attorney general. Roman Catholic nuns have been employed by some public school systems in Ohio due to the shortage of lay teachers.

A Southern Baptist leader has been employed by the Department of Health, Education and Welfare of the U. S. Government. R. Orin Cornett, former secretary of the Education Commission of the Southern Baptist Convention, will serve as a consultant in the education division and will counsel with schools of higher education in working out adjustments in administration and internal affairs. Eighty per cent of his work will be with church-related colleges and universities.

Nativity scenes on public school property are legal in New York according to a New York Supreme Court ruling on the Ossining Junior-Senior High School, White Plains, N. Y., case. The plaintiffs charged that the creche violated the principle of church-state separation. Members of the board of education said the display did not come under the Constitutional principle because it depicted an historical event.

Public schools should be committed to a fundamental faith in God but they cannot be required to teach in a formal way any concept of God, an unofficial study document of a National Council of Churches committee declared in New York. The paper asserted that churches and public schools "must think clearly" concerning religion in the schools, and "the American way is to keep the churches as institutions separate from the state and the state separate from the churches." The NCC's Committee on Religion and Public Education, Dr. Rolfe Ianier Hunt, executive director, prepared the study.

Much current criticism of American education, though partly justified, results from free people exercising their right to "blow off steam," declared Dr. John O. Gross of Nashville, Tenn., general secretary of the Methodist department of secondary and higher education. He said that when people ask, "What is right with American education?" they discover again "the most successful experiment in mass higher education the world has ever known."

Laws restricting Sunday sales are constitutional, according to an interpretation of recent United States Supreme Court rulings. The Court has rejected two constitutional appeals from business firms convicted of violating Ohio's Sunday laws. In rejecting the appeals of Coleman Ullman of Hamilton, O., and William Kidd of Cincinnati, O., the Court settled, as firmly as can be settled in American law, the fact that it is constitutional for the states to enact such laws as they see fit, restricting the right of businesses to operate on Sunday--or any other day of the week. The appeals were made on the basis of church-state separation and that Sabbath legislation denied equal protection of the laws and favored one religious group over another. The Court ruling denied that a Federal question was involved and turned a deaf ear to the arguments of the plaintiffs.

State legislators in Arkansas have joined efforts with the Arkansas Baptist Convention to raise moral standards. The Baptists have recommended an interdenominational civic morality foundation. The movement is to inform state legislators about the desires of Arkansas Christians. The law makers reportedly welcome this move because the non-Christian elements in society are most vocal in making their views known. Objective of the plan is for the churches to become effective through legislation, rehabilitation and education.

Protestants join Pope John XXIII in decrying persecution of Christians around the world. In the Pope's Christmas message he referred to the persecution of Christians in Communist countries that are making it difficult for Catholics. Protestants would extend the concern for persecuted Christians to Protestants in Catholic countries such as Colombia and Spain. Religious liberty is a universal human right and should be guaranteed for all by the dominant power in every nation.

Persecution of Protestants in Latin America by Roman Catholics "is a hard reality that should disturb deeply all freedom-loving people," declared Dr. Jerome J. Russell, missions editor of the Evangelical and Reformed Church. He said that "far from being exaggerations, the full story has not begun to be told...While persecution does not occur in all Latin America and while it fluctuates in those countries where it is found, it is none-the-less a dangerous reality. As long as it continues religious liberty will remain in jeopardy."

Baptist Memorial Hospital of Oklahoma City is the first hospital in the nation to receive a government loan under new provisions of the Hill-Burton Act. Congress in 1958 amended the Hill-Burton Act to provide for loans to hospitals as well as outright gifts. The Oklahoma loan is a 40-year, \$500,000 loan at 3-3/8 per cent interest.

The Baptist General Convention of the State of Oklahoma operates 10 hospitals, five of which are municipally-owned but under lease to the Convention. The 11th hospital will be acquired by Oklahoma Baptists this year. It is being built by city officials at Sulphur, Okla., and will be leased at \$1-a-year for 25 years. The Baptists are making no investment in its construction but some of the funds are coming from Hill-Burton Act appropriations to the city government.

Figures on the California vote on taxing the property of parochial and private schools have been released. The measure was defeated by a "no" vote of 3,446,829 against a "yes" vote of 1,608,122. Working for the measure were Protestants and Other Americans United for Separation of Church and State, the San Francisco Masonic Grand Lodge, the Northern California-Nevada Methodist Conference, the San Francisco Presbytery of the Presbyterian Church, and the Commonwealth Club of San Francisco. Outspoken against the measure were the Roman Catholic Church, the California Diocese of the Protestant Episcopal Church, a number of Lutheran bodies and the Seventh-day Adventist Church, all of which operate private schools.

Special brand of citizen? Should a minister be allowed to serve on a jury? Maxwell J. Smith, pastor of Woodlawn Baptist Church, Pawtucket, R. I., claims his right to perform this part of his civic duty but all do not agree with him. Attorneys in a "driving-while-intoxicated" case called for a new trial because the law says that clergymen "shall be excused" from jury duty. However, Judge Eugene L. Jalbert denied a motion for a new trial. He denied that exemption from jury duty disqualified a clergyman for service, and said that "exemption is a personal privilege which can be waived or not."

Methodists want to be included in the Independence National Historical Park at Philadelphia. Christ Church (Episcopal) and Gloria Dei (Old Swedes) Church have already been declared national historic sites. The Methodists want Old St. George's Church also to be included. This is the oldest building in continuous use by the Methodists. The churches in the Park have remained under denominational control with no expenses assumed by the government.

RULES FOR EXCISE TAX EXEMPTION FOR NONPROFIT EDUCATIONAL INSTITUTIONS

Temporary rules relating to registration and exemption from excise, communications and transportation taxes for nonprofit educational institutions have been worked out by the Internal Revenue Service, Department of the Treasury of the United States, and published in the Dec. 25, 1958 issue of the Federal Register. These rules have to do with the administration of the Excise Tax Technical Changes Act of 1958 (Public Law 85-859). The Act provides for the exemption from the retailers excise tax, manufacturers excise tax, and the excise tax on transportation and communications applicable with respect to nonprofit educational institutions, and for schools operated as an activity of a church, parish, or other religious body.

Rules regulating the registration of the institution or school, qualifications for exemption, exemption certificates, and procedures to follow are available from the Internal Revenue Service, Department of the Treasury, Washington, D. C., or from a district Internal Revenue Office of the United States.

From a church-state standpoint, as the details of the administration of this law are worked out, another illustration is seen of the manner in which the Federal government is seeking to be of assistance financially to the churches and their institutions. The trend is noted also in the administration of the National Defense Education Act of 1958 by making certain funds and services available to all institutions of higher education, by the Hill-Burton Act that makes Federal funds available to sectarian hospitals for public health purposes, and by other services available to church institutions through the departments of the Federal government.

POAU LEADER URGES KENNEDY TO DECLARE HIS BELIEF IN SEPARATION OF CHURCH AND STATE

If John F. Kennedy (D., Mass.) should become the Democratic nominee for the presidency of the United States, he should publish a "credo" declaring his political independence and his belief in the American tradition of separation of church and state. This is the opinion of Glenn L. Archer, executive director of Protestants and Other Americans United for Separation of Church and State (POAU).

Archer's view was expressed in response to Professor Edmond A. Moore of the University of Connecticut, who criticized Al Smith for making such a declaration when he ran for president in 1928. Moore's criticism of Smith was made during a meeting of the American Catholic Historical Association in Washington, D. C., Dec. 29, 1958.

Archer's insistence on a statement from Kennedy is especially appropriate since Pope John XXIII only last month claimed control over the political consciences of Roman Catholics.

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**RELIGIOUS LIBERTY IN SPAIN CONTINUES
TO BE A SERIOUS WORLD PROBLEM**

The new year was ushered in with the religious liberty situation in Spain getting no better. By the end of 1958 it has been reported that eight Baptist churches have been closed since 1947 along with several other evangelical churches. Spanish evangelicals report that they have faced greater difficulties in 1958 than in any year since the Spanish civil war.

Although there has been little actual violence or physical persecution, opposition to evangelicals has taken on several forms, the most common of which is the closing of churches. Other forms of hardship reported by Spanish evangelicals are restrictions on the publication and use of evangelical literature, denial of the privileges of evangelism, restriction of religious activities to private worship, refusal to grant evangelicals their own schools, persecution and harassment of children in public schools, forcing of members of the armed forces to participate in public (Catholic) religious functions unless excused by their officers, denial of commissions in the army to evangelicals, restrictions from Government positions and from low-rent housing projects, loss of job or boycott of his business when a person joins a Protestant church, denial of the right of a Protestant burial service, and refusal of marriage licenses to young people who were born Catholics but who have renounced their Catholic ties.

Triggered by the closing of three Baptist churches by the Spanish Government during the latter part of 1958, representatives of the Baptist World Alliance, the Baptist Joint Committee on Public Affairs, and the Southern Baptist Foreign Mission Board met in Richmond, Va., on Dec. 4 to discuss ways to help the Baptists of Spain secure religious liberty. These Baptist leaders reviewed some recent acts of religious oppression in Spain, and considered possible steps for the relief of Spanish evangelicals whose only offense has been assembly for private worship.

The middle of December Dr. Arnold T. Chas, general secretary of the Baptist World Alliance, expressed the hope that the 10th anniversary of the Universal Declaration of Human Rights would result in lifting restrictions on religious liberty in Spain. He referred specifically to Article 16 of the Declaration, which deals with the right to marry and found a family, and to Article 18, which provides for full religious liberty including the right to change one's religion.

The Spanish civil war closed in 1939 with the victory of General Francisco Franco. From the beginning Franco had manifested his intention of favoring the Roman Catholic Church. In a statement to an American newspaper reporter in 1937, he said, "Our State must be a Catholic State in the social and spiritual sense, for the true Spain has been, is, and will be Catholic." As soon as his regime was in power he began the re-establishment of the Roman Catholic Church as the official State religion and the assumption that every loyal Spanish citizen will also be a member of the Catholic Church.

In 1953 a Concordat between Spain and the Vatican was signed. It reveals clearly the partnership of Church and State which results in a denial of freedom to those who are not in the dominant church. The first article states: "The Apostolic Roman Catholic religion continues to be the only one of the Spanish nation and will enjoy the rights and prerogatives which it should have in conformity with divine law and canonical law."

(Of the 42 churches in the Spanish Baptist Union eight are closed at present. The churches and dates of closing are: Lerida Baptist Church, July, 1953; Second Baptist, Madrid, July 17, 1954; Elche Baptist Church, October, 1955, Second Baptist, Valencia, May, 1955; Malaga Baptist Church, June, 1958; Third Baptist, Barcelona, Sept. 15, 1958; Third Baptist, Madrid, Sept. 23, 1958; Seville Baptist Church, Nov. 10, 1958. Figueras church cannot enter its new building without further permission, and the Denia church building program has been suspended six years on a technicality.)

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