



REPORT FROM THE CAPITAL

★ RELIGIOUS LIBERTY ★ BAPTIST PRINCIPLES
★ PUBLIC AFFAIRS

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SENATOR KENNEDY'S VIEWS ON CHURCH-STATE RELATIONS EVOKES CONFLICTING REACTIONS

Much of the reaction that has been set off by the views of Senator John F. Kennedy (Roman Catholic) on church-state relations as reported in the March 3 issue of LOOK magazine has ignored the remainder of the article. The article seeks to prove that the 1960 Democratic convention will nominate a Roman Catholic as a candidate either for the presidency or the vice-presidency.

Before setting forth both Roman Catholic and Protestant reactions to Kennedy's statement we summarize the main points of the LOOK article on the possibility of a Democratic Catholic candidate in 1960. Propositions set forth by Fletcher Knebel, writer of the article, are:

Why A Catholic Candidate In 1960?

1. So many Catholics now hold strategic offices, traditional steppingstones to the White House, that the 1960 convention would have to go out of its way to keep from nominating a Catholic for the presidency or the second slot.
2. The Democratic party now has almost as many Catholics as Protestants in its membership.
3. The Democrats are beginning to believe that a Catholic candidate has more political assets than liabilities. For every vote lost because of religious reasons, more than one would be picked up from religious and racial minorities restive at the Protestant monopoly of the White House.
4. The results of the 1958 elections are being interpreted to mean that the nation no longer will make a religious test for its candidates. For instance there are now more Catholics in Congress than any other religious group, and the Democratic party now has eight Catholic governors.
5. Politicians believe that most of the opposition to Catholic candidates comes from the Protestant pulpit, but that the few votes without consideration of a man's religion. Politicians will pay more attention to the voice of the voters.

6. The pre-convention polls relating to potential candidates and voter reactions indicate that the voters will ignore the religious question in the next election.

Kennedy States His Views

The LOOK article quotes Kennedy's views on Church-State relations as follows:

1. "Whatever one's religion in his private life may be, for the officeholder, nothing takes precedence over his oath to uphold the Constitution and all its parts -- including the First Amendment and the strict separation of church and state."
2. "I believe as a senator that the separation of church and state is fundamental to our American concept and heritage and should remain so."
3. "I am flatly opposed to appointment of an ambassador to the Vatican. Whatever advantages it might have in Rome -- and I'm not convinced of these -- they would be more than offset by the divisive effect at home."
4. "The First Amendment to the Constitution is an infinitely wise one. There can be no question of Federal funds being used for support of parochial or private schools. It's unconstitutional under the First Amendment as interpreted by the Supreme Court. I'm opposed to the Federal Government's extending support to sustain any church or its schools. As for fringe matters as buses, lunches and other services, the issue is primarily social and economic and not religious. Each case must be judged on its merits within the law as interpreted by the courts."

In other interviews Kennedy is reported to have said that it is quite proper for a candidate for the presidency to be questioned about his views on separation of church and state. Although he has been bitterly attacked by some sections of the Catholic press for his position as stated in LOOK magazine, Kennedy believes that his views represent the views of the majority of Roman Catholics in this country. He says that the problem of church-state relations is one on which Catholics may have and do have a divided opinion.

Catholic Reaction Reviewed

Roman Catholic reaction to Kennedy's views ranges all the way from embarrassment to applause, from sharp criticism to high praise. While COMMONWEAL, a lay Catholic journal, says "we see no reason to believe that these are not his sincere convictions," AMERICA, the Jesuit voice on public affairs refers to Kennedy's statement about the Constitution being supreme and declares, "Mr. Kennedy doesn't really believe that."

Criticism of Kennedy's position of seeming to put his oath of loyalty to the Constitution above conscience is almost universal in the Catholic press, but some seek to explain what he meant by saying that he was inadequately quoted or by saying that he is being misunderstood.

COMMONWEAL criticized the Senator because he seemed to be saying that he did not take the position one might expect from a Catholic, but took instead the "Constitutional" and "First Amendment" position. The magazine asserted that there is no "Catholic position" on these questions and that all Catholics believe in separation of church and state although there is a question as to what that concept means.

AMERICA was "impatient" at the Senator's willingness to "appease bigots." Referring to questioning of Roman Catholic candidates, AMERICA said, "This kind of cross-examination, directed as it is solely to Catholics, is discriminatory, insulting and without pertinence in terms of the U. S. Constitution."

Richard Cardinal Cushing of Boston, to whom the Kennedy family gave \$2,609,000 for the archdiocese, says that the Kennedy incident is an example of the misunderstandings that can be caused by unintentional confusion. He says that the Senator's meaning "has given way to other people's interpretations."

While commending Kennedy as a man who would fulfill the oath of public office in obedience to the highest standards of conscience, Cardinal Cushing joined most of the other Roman Catholic commentators in deploring the fact that it was necessary for Catholics to answer questions concerning church-state relations and loyalty to their country.

While most of the Catholic reaction to Kennedy's statement was against his apparent elevation of the Constitution above conscience and the fact that he yielded to pressure to be questioned as a "Catholic candidate," there was considerable qualified agreement with the positions taken by the Senator. One felt, however, while reading these assertions that they were being made with the tongue in the cheek and with unique interpretations of the meaning of church-state separation.

On the other hand, Virgil C. Blum, Jesuit lecturer at Marquette University in Milwaukee, and advocate of the education certificate and tax credit plans for aid of parochial schools took sharp issue with Senator Kennedy. He posed three questions of his own for the Senator to answer. They are:

1. "Does he mean to exclude tax credits or grants made directly to parents (as violating separation of church and state)?"
2. "Does he mean to exclude the possibility of the Federal government giving grants to denominational institutions to perform a specific educational task? If so, what about the National Defense Education Act of 1958, for which he voted?"
3. "If he excludes the latter, I would like to raise the question whether the Senator, by adopting the strict separation position, did not violate his oath of office by voting for it?"

Senator Kennedy, Blum charged, "has failed to make the necessary distinction between support of private or parochial schools and direct support to parents who bear the primary responsibility for educating their children."

While most of the Catholic papers bemoan the fact that Catholic candidates are under pressure to face certain questions of church-state relations and public funds for parochial schools, and while they about "why, why, why," none of them make any effort to give an explanation for non-Catholic apprehension on these points. It might be sobering for the Catholics to face realistically exactly why so many people feel as they do.

Non-Catholic Reaction To Kennedy

Protestant reaction to Senator Kennedy's statement has been restrained, for the most part has been favorable, but shows much misgivings about the relationship of a Catholic officeholder to his church. Knowing the American traditions in church-state relations, the history and practice of countries under Catholic domination, and the basic theological positions of the Roman church, Protestants feel that they must ask which will prevail in the actions of a Roman Catholic president -- loyalty to his church and its position or loyalty to the United States Constitution and the American way of life.

Protestants and Other Americans United for the Separation of Church and State, the organization that has most vigorously agitated the question of a Catholic candidate for the presidency, through its associate director, C. Stanley Lowell, said, "We are very highly pleased with Senator Kennedy's statement. His statement will do much to reassure Protestants who have had honest doubts about a possible conflict of interest involving a presidential or vice-presidential candidate of Catholic faith."

Lowell added that he hopes the Roman Catholic Church will support the position taken by the Massachusetts senator, and that the church will not disclaim his disclaimer of clerical control over civil actions, but will support loyally the courageous stand he has taken.

Expressing appreciation for Mr. Kennedy's statements THE ALABAMA BAPTIST said, "We do hope, if Mr. Kennedy runs for president, he will make his statements more categorical and in detail.... We are not

against a Catholic's being elected president but.... knowing the doctrinal position of the Catholic church in relation to the church and state does cause us great concern about a Catholic's being elected president.....We hope Mr. Kennedy will make clear cut statements which lack ambiguity." The Alabama editor also differed with the Senator on the use of tax monies for parochial school lunches, bus rides and other fringe benefits.

Kennedy's statement, "Whatever one's religion in his private life may be, for the office holder, nothing takes precedence over his oath to uphold the Constitution and all its parts," is severely attacked in CHRISTIANITY AND CRISIS, a Christian Journal of Opinion, in an article by Robert McAfee Brown. To say that religion is a private affair with no relationship to the holding of public office, Brown points out, "is in point of fact to be denying one's faith and declaring it to be a sheer irrelevancy."

Brown asserts that if a secularist were to make Kennedy's statement he would be sowing the seeds for totalitarianism; if a Protestant candidate were to say it, he would be guilty of violating the commandment that forbids him having any other gods before the true God and thus would be an idolater; and when a Roman Catholic says it, his position must be challenged because he is a Catholic, because Catholics are also subject to the first commandment.

In conclusion Brown says, "The State cannot com-

mand the Christian's total and unqualified loyalty, even if that state be the United States of America. Senator Kennedy seems to have forgotten this. And in his attempt to do a minor service to his constituency, he has done a major disservice to his faith."

The CHRISTIAN CENTURY commended the Senator for his forthright statement, but said "it is regrettable that the position of the Roman Catholic Church is so equivocal in relation to the issues mentioned by the Senator and to related questions that it is necessary for non-Catholics to ask, and for Catholic candidates for high office to answer. But that is the situation, and questions concerning issues which go to the very heart of American democracy have to be raised and have to be answered."

"The fact that these questions have to be asked," the CHRISTIAN CENTURY concluded, "does not prove that the askers are bigots. The fact that such questions have to be answered does not prove that those who answer must demonstrate that their patriotism is above suspicion. Imputations of bigotry or lack of patriotism are equally out of order. The difficulty and embarrassment are not of that sort. Rather they derive from the presence and growth in our secular political order of a church which does not accept the pluralism which is essential for the separation of church and state. Since that is the case, we have to settle these issues without the help that that church should provide."

OUR PUBLIC SCHOOLS INDISPENSABLE

(Editor's note: During recent years the American public school system has experienced unprecedented difficulties. The Nation is being forced to rethink the significant values of these schools to the democratic way of life. We are here sharing with our readers a recent vigorous editorial by Ervin L. McDonald, editor of the ARKANSAS BAPTIST, published in Little Rock, Ark.)

With the hope of Little Rock reopening her public high schools on a segregated basis becoming dimmer and dimmer, the people of Arkansas face a fateful decision. It becomes more and more apparent that we must accept the limited integration as ordered by the Supreme Court of the United States or do away with our public school system altogether.

Let those who would even think of the drastic alternative to the reopening of the schools as public schools be reminded that one of the gravest tragedies of the Civil War was the lack of public schools. Many of us are old enough to have known personally relatives and friends whose whole lives were blighted by the lack of education because schools which they could afford to attend simply did not exist.

Little Rock has demonstrated this year that there is no real substitute for public schools open free to children and young people of rich and poor alike. As valiant as is the effort of our Little Rock private high schools which have entered the

field to do the best they could to meet the emergency of no public high schools, who could say that the private schools have solved the problem? Hundreds of pupils, both white and Negro, have had to go away to school, at considerable expense to their families, or have had to forego school temporarily if not permanently because of the disruption of the school system.

Our public school system is the very bulwark of our democracy. We cannot afford under any conditions to destroy what it has taken us many generations of sacrifice to build. Only in recent years has the South had anything approaching an adequate school system. And we are still far behind the nation as a whole in this most important provision. For example, our own dear Arkansas, according to U. S. Census Bureau figures released for the year 1957, stood at the bottom among the 31 states financed through local school districts, in the amount of money spent per pupil.

Let us not waste time trying to assess blame for the deplorable condition that prevails. But let us not willingly sacrifice the lives and careers of many of our fine children and further cripple Arkansas and the South. The thought of the possible permanent closing of our public schools in the event that legal and due-process methods of avoiding compliance with orders of the Supreme Court fail should call all of us to use all our strength to keep the schools functioning as free, public schools. There simply is no way for a system of private schools to replace the public system. Public schools must continue to be the bulwark of democracy.

UNEMPLOYMENT INSURANCE FOR NONPROFIT ORGANIZATIONS IS BEING PROPOSED

One of the latest church-state problems is the proposal from the Department of Labor to extend unemployment insurance to employees of nonprofit organizations. In an address on Feb. 13, 1959, by Maxwell Brown, Assistant Secretary of Labor, a trial balloon was sent up to test the reaction of various groups to this proposal.

At present 80 per cent of all wage and salary workers are covered by unemployment insurance. Last year benefits totalling almost \$4 billion served to cushion the impact of unemployment. However, 13 million workers and their families are not now protected. Of this number 1.3 million are excluded because they work for nonprofit employers. Half of these work in hospitals and a third in schools. This leaves 216,000 workers in other nonprofit categories.

A Look At The Arguments

Mr. Brown has attempted to state the arguments in favor of including workers in nonprofit organizations. Some of these may have validity but some also need careful study.

1. He says these workers do the same kinds of work and have the same risks of unemployment. This seems to call for more analysis since schools and hospitals are not closely tied to the ups and downs of our economy.

2. He presents figures to show that these workers have "more employers" and less "year-round employment" than workers do on the average. These figures do not prove unemployment. They may represent incidental work by housewives and students, shifts by nurses, and 9-month teaching contracts.

3. He assumes that these non-profit institutions should help carry the risks of unemployment caused by the fluctuations in our economy. The needs of the people must be met, he explained, so this should be viewed as a "cost of operating" charitable service.

4. Some of these organizations are in direct competition with profit-making institutions which pay this tax, he says. Just how the schools and hospitals compete with industry is not clear.

5. He argues that since non-profit organizations are already taxed for some purposes this would not be a violation of the religious liberty of those who choose charitable work without this protection.

6. Elective coverage has not worked, he says.

Church-State Questions:

1. The proposal suggests that all charitable workers be included except ministers, rabbis, priests, and members of orders. Here again is the problem of discrimination based on religious categories. A church education worker would be included because she wears an ordinary dress while another is excluded because she has taken vows and wears nun's garb.

2. The term "non-profit organization" is such a broad term that it includes under one tent the agencies such as schools and hospitals which are closely related to community culture, together with those which need a complete freedom for a prophetic ministry. What is desirable for hospital orderlies may not be desirable for directors of religious education.

3. Would such legislation affect the patterns of motivation with which people work in the organizations traditionally focussed on human values and service?

4. Would this legislation limit the freedom of such organizations in accepting the volunteer and contributed services of people who want the satisfaction of doing something for somebody?

This proposal is still in the formative period. These and other aspects of the idea should be studied both from the viewpoint of providing for the physical needs of people and of preserving the values involved in free churches and a religiously free people.

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