



REPORT FROM THE CAPITAL

★ RELIGIOUS LIBERTY ★ BAPTIST PRINCIPLES

★ PUBLIC AFFAIRS

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ROMAN CATHOLICS WORRY ABOUT PUBLIC IMAGE, PLAN CORRECTION IN FUTURE

Roman Catholics are so concerned about "the image of the church, the way the Catholic Church appears to the general public," that they are being advised to do something about it the next four years and beyond.

In an article on "Lessons from the Election" in Our Sunday Visitor, National Catholic Action weekly, Donald J. Thorman said, "More than one American Catholic was jolted out of his complacency during the past few months. Somehow since 1928 many of us have gotten the idea that our non-Catholic neighbors all see the Church as we do--a spiritual organization concerned with the salvation of souls and not a political power group seeking dominance over the government of the United States."

One of the lessons from the campaign, bemoaned the article, is the fact that the Roman Catholic Church has "failed to project the true image of the Church to a large segment of our fellow Americans." A large part of the blame, according to Thorman, lies at the feet of Catholic laymen who have not interpreted their church to their neighbors as they should and who have failed to understand what they have been told by the Pope and their bishops.

Analysing the situation further, the article said that the reason the Catholic laymen are not projecting the true image of their church to the public is that "most Catholics simply do not know what the Church is....The average layman has failed to grasp the total picture of the Church himself; therefore, he cannot project the real image of the Church because he does not have it."

Two major steps to correct the situation for the Catholic laymen are suggested: (1) the Church must impart the true image of the Church to all Catholics, especially those out of school, and (2) the adult Catholic must make use of many sources of information available to him to fill in the empty spots in his knowledge of the Church.

"Our work is cut out for us at least during the next four years--and beyond," the article concluded. "We must first of all learn for ourselves what the Church is. And then we must communicate this image to our non-Catholic friends."

The article in Our Sunday Visitor is only one of several appearing in the Catholic press dealing with the "Catholic image" in America.--(BP)

ARGUMENTS ON SUNDAY CLOSING LAWS PRESENTED BEFORE SUPREME COURT, DECISION IS PENDING

Sunday closing laws are no different than other legislation to protect the health, safety, and welfare of workers, according to argument before the Supreme Court of the United States.

The high court is reviewing four cases which challenge Sunday closing laws in three states--Massachusetts, Maryland and Pennsylvania. Its decision in these cases could affect all Sunday laws, however, and even give Sunday a new legal status. It is expected that the nine justices will take two or three months to study the briefs and write their opinions.

Attorneys for the three states denied that Sunday closing laws constitute a violation of separation of church and state, despite the religious nature of such provisions originally. Even the attorneys for the appellants agreed that the states have a right under their police powers to require that business establishments observe a day of rest for both proprietors and employees.

When the Supreme Court last faced this issue more than 60 years ago it resolved it by accepting the argument that Sunday closing laws are basically civil rather than religious in nature, designed to provide a respite in the work of the community.

If this line of reasoning is continued by the Court, it may be that a decision will be handed down upholding Sunday closing laws with the provision that exceptions can be made for those who observe another day for reasons of conscience.

The basic decision in the cases seems to have narrowed down to whether it is constitutional to require everyone to observe the same day of rest, insofar as possible, and to select Sunday as that day.

Appellants in the cases are the Crown Kasher Super Market of Springfield, Mass., and the supermarket chain "Two Guys from Harrison," of Harrison, N. J.

Amicus Curiae (friend of the court) briefs were filed by the Retail Clerks' International Union (AFL-CIO), by the General Conference of Seventh-Day Adventists and by the American Jewish Congress. The labor union cited a variety of reasons ranging from double-header baseball games to family picnics, as to why their 750,000 members want Sunday off. The other briefs said that undue economic loss was suffered by those who conscientiously observe Saturday, if in addition they are forced to close on Sunday.

During the arguments considerable discussion was exchanged between the attorneys and the justices. It was indicated that exemptions from certain legal requirements for conscientious objectors are not inherent constitutional rights, but they are privileges granted by the Congress.

The problem of Sunday closing laws has been made more complex in recent years by a hodge-podge of rulings and exceptions, leading to conflicting lower court decisions on the legal issues. It was such exceptions that led to the current cases before the Court.

The knotty question now to be decided by the Supreme Court justices is: How far does religious liberty go in conferring a right to be exempt from Sunday laws, if they are otherwise within a state's power to enact?--(BP)

SUPREME COURT REFUSES TO REVIEW ACTION AGAINST CHURCH PARKING LOT

The United States Supreme Court has refused to review a ban by the city of San Marino, Cal., against a parking lot used by parishioners of Santa Felicitas y Perpetua Church, known locally as Old Adobe Mission.

The Court, without opinion, turned down an appeal from James Francis Cardinal McIntyre, Archbishop of Los Angeles, whose attorneys contended that in this motorized age, a church in the Los Angeles area which does not have a parking lot is, in reality, denied freedom of assembly for worship.

After a long dispute, the town fathers of San Marino told parishioners at Old Adobe Mission that they could not have an exception to zoning regulations to permit use of the lot as a playground for the parochial school on weekdays and parking lot on Sunday.

The historic parish, which grew from 150 members in 1939 to 3,000 in 1960, said use of the lot, which had been condoned for many years, has become essential to its operation. The parishioners also argued that other churches and commercial establishments had been granted zoning variance.

They failed, however, in their appeal to California state courts, and the U. S. Supreme Court apparently did not agree that an important issue of religious freedom was involved.--(RNS)

MISSOURI BAPTISTS MAY DISOWN HOSPITAL FOR RECEIVING HILL-BURTON GRANT FUNDS

JEFFERSON CITY, Mo.--Unless certain conditions are met, Missouri Baptist Convention may sever its ties with a hospital in St. Louis.

The convention's executive board voted here to recommend ending all connections with Missouri Baptist Hospital if three conditions are not met by the hospital. The convention would vote on the matter next October.

Terms, as given by the board, were:

1. The hospital must "reject the Hill-Burton grant of monies" recently announced;
2. The hospital must "return the pledge of the Anheuser-Busch Foundation, or any other pledges or monies received from like interests;"
3. The hospital must "agree to become a member of the Missouri Baptist Convention family of institutions."

The board's action was taken following recent announcement that the Missouri Baptist Hospital in St. Louis had accepted a grant of \$662,351 from Hill-Burton funds. The grant was accomplished through a foundation, but according to the board's resolution, "It is evident that Missouri Baptist Hospital is the benefactor of this governmental grant."

The resolution further stated that the acceptance of the Hill-Burton grant "is in complete violation of the principle of separation of church and state, which we, as Missouri Baptists, have repeatedly enunciated. The executive board of the Missouri Baptist Convention is embarrassed that this institution with which we have had a working connection in the past would so callously disregard a sacred principle which Baptists generally have so strongly supported."

The board also took notice of recent news releases on the matter by stating that "the news releases relating to the hospital's acceptance of this governmental money might be interpreted by the public as indicating that the Missouri Baptist Convention was in agreement with and a party to this transaction. We, hereby, declare that neither the Missouri Baptist Convention nor its executive board had any knowledge of the hospital's application for government funds, and were not asked for advice regarding this proposal."

The Anheuser-Busch Foundation had pledged \$30,000 to the hospital. Anheuser-Busch is one of St. Louis' big breweries (Budweiser beer).

For many years, the Missouri Baptist Convention has had a working relationship with the St. Louis hospital. Since its beginning, the hospital has been operated by a self-perpetuating board of managers but the Missouri Baptist Convention has contributed each year in varying amounts toward the support of the hospital.

Last October, the convention in its annual meeting in St. Louis adopted a recommendation of its executive board omitting Baptist Memorial Hospital in Kansas City and Missouri Baptist Hospital in St. Louis from sharing in convention funds for operating needs in 1961. At the same time, the convention voted to consider giving assistance in future capital needs of the hospitals.

The convention's action in regard to the operating needs of the hospitals was based on the fact that present-day hospitals can make their own way as far as operating needs are concerned.--(BP)

TAX EXEMPTION FOR OKLAHOMA BAPTIST
GOLDEN AGE HOME IS CHALLENGED

OKLAHOMA CITY, Okla.--An opinion by the Oklahoma County attorney's office has challenged the tax-free status claimed by the Baptist General Convention of Oklahoma (Southern Baptist) for its Golden Age Home here.

W. C. Kessler, civil assistant to County Attorney James W. (Bill) Berry, contended that the Golden Age Home project did not come under the "gift" classification, and that the homes for elderly persons should go on the ad valorem tax rolls.

Attorneys for the convention, in a letter to Henry Ford, county assessor, held that the home was a benevolent project and not subject to taxation. Mr. Ford asked the county attorney's office for an opinion.

Property for the Golden Age Home was removed from the ad valorem tax rolls at the time of its purchase several years ago. Three individual homes already have been constructed.

Under the plan, individual couples finance construction of a home, giving it to the convention. In turn, they may live in the home. At their death, the home would be used by the convention for another elderly couple.

Mr. Kessler, in his opinion, said that "the operation fails to meet the requirements imposed by our constitution for tax exempt status. We feel the objective of the project is commendable, however it is neither exclusively religious nor charitable."

The occupancy agreement, the opinion went on, "which is entered into by the Baptist General Convention and the individual provides that upon making a gift, which shall not be less than an unspecified amount, the Baptist General Convention will build a residence for the individual."

"It further provides that the individual and his survivor will have a life tenancy in the residence, but in the case of the death of both the individual and the survivor, the property reverts back to the Baptist General Convention," the statement continued.

Mr. Kessler added in his statement that "we feel the word 'gift' is not in accord with the rest of the instrument. A gift is the voluntary transfer of property from one person to another without any consideration or compensation."--(RMS)

VIRGINIA BAPTISTS OPPOSE UNRELATED
CHURCH BUSINESS, ASKS TAX EXEMPTION STUDIES

BRISTOL, Va.--Virginia Baptists are opposed to churches and denominational agencies participating in business enterprises that are not directly church-related."

This position was taken in a pronouncement on religious liberty approved by the Baptist General Association of Virginia in annual session here.

The report of the Virginia Baptist Religious Liberty Committee, headed by Stewart B. Simms, discussed the church-state issues involved in taxation of church property, Sunday laws, religious instruction in public education and the use of public funds for church-related institutions.

Four reasons were given to support opposition to unrelated church business enterprises:

"First, it is a deviation from the everlasting important purpose for which the church was established, and to which its undivided thoughts and energies should be devoted.

"Second, that it may well get the church involved with unchristian persons in unscrupulous practices.

"Third, that it is taking unfair advantage of legitimate business enterprises of a like nature, and will inevitably result in damaging anti-clericalism.

"Fourth, that it will adversely affect the biblical practice of individual personal, liberal, cheerful, regular material stewardship for the support of kingdom enterprises."

Although the Virginia Baptists did not arrive at a clear position on the taxation of church-owned properties and businesses, they did say that "there is a principle, an ideal, that towers beyond the material needs of economically pressed cities and the materialistic losses that could be sustained by religious groups. This we must find, and to this we must hold."

The committee encouraged further study and prayer "in an effort to know the course of Christian wisdom with regard to the taxation of all business profits earned by churches and religious groups."

On the matter of Sunday laws establishing a day of worship the Virginians said that "Christians should need no support from the state in observing with reverence, thanksgiving, and public gatherings for worship and Bible study the first day of the week."

Pointing out that those who have advocated Sunday laws have said that they were doing so on other grounds than sectarian or religious considerations, the Religious Liberty Committee said that, "we cannot escape the opinion that Sunday laws represent an effort to use the police power of the state to enforce a religious holiday and provide by law one day in each week for the worship of Almighty God."

The action of Virginia Baptists in regard to religious instruction in public education repeated positions taken in previous years. In Virginia there is a program of Bible teaching in the public schools in some areas, but the Baptist denominational position in Virginia is opposed to the practice, although some Baptist churches cooperate in the program.

Urging the "Baptist people of Virginia to desist from support of teaching the Bible in public schools," the association said, "the teaching of the

Bible as a religious subject in public school buildings and during school hours is a violation of the principle of church-state separation."

Virginia Baptists reiterated their position on the use of public funds for church-related institutions by recommending "that Baptist institutions and agencies secure needed loans from other than government sources." This action was based on the report of the Religious Liberty Committee that said, "to accept a Federal loan at a low rate of interest, and with long terms for repayment is, in effect, to accept a subsidy from the public treasury."

The committee in its report further warned about the possibilities of an increasingly intense campaign in the nation to secure Federal funds for the support of parochial schools.

Pointing out other threats to separation of church and state the committee named Baptist complacency in their convictions and practice on the matter, the spread of communism, the position of the Roman Catholic Church, and the outcroppings of intolerance toward minority groups.

The committee urged Baptists to "take a careful look at our own behaviour" and to use every honorable means to guard religious liberty.--(BP)

NORTH CAROLINA BAPTISTS DISCUSS TAX EXEMPTIONS AND BUSINESS RELATIONSHIPS

RALEIGH, N. C.--Baptists will take the initiative in re-examining their policies regarding separation of church and state even though this may prove costly to their far-flung program.

This assertion was made in the report of the North Carolina Baptist Convention's Committee on Public Affairs to the meeting of the annual convention. The committee headed by W. W. Finlator, pastor of the Pullen Memorial Baptist Church, Raleigh, confined its report to "tax policies as related to religious freedom and separation of church and state."

The report specifically stated that its findings were "tentative formulations and that it was intended to stimulate "sustained and constructive

thinking on the part of our people" with regard to tax policies in relation to church property and church businesses.

The North Carolina committee approved the exemption from taxation of all church properties used exclusively by the church for its religious function. This is in keeping with the constitutional provision for church-state separation, the report said.

Likewise the committee approved tax exemption for a church "occasional business operation," such as meals served by a church group at a county fair and for a "service business operation," such as a publishing house whose end product is used by the church exclusively, should be tax exempt, according to the committee.

On the other hand "a business both directly and indirectly related to a church" should be judged for taxation or exemption "upon the principle of the motive involved, and a proration of taxes should be made according to the purpose which is served." For instance a church business that partly serves the church and partly is in competition with other businesses for the purposes of income should be partly taxed and partly exempt.

"Indirectly related businesses," such as an apartment house, that is operated for the public but is owned by the church and the income from which is received by the church, should be taxed, in the opinion of the committee.

Commenting on the practice of churches receiving income from business operations, the committee pointed out that church support should come from voluntary contributions, that churches engaged in businesses may be departing "from the function they were designed to perform," and that church businesses in competition with other businesses should be taxed.

On the subject of income tax deductions for gifts to churches and to church causes it was the opinion of the committee that inasmuch as the taxpayer had a choice in many areas of charitable donations, the "persons who avail themselves of this kind of deduction should not be considered to be enjoying a preferred status."--(BFA)

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