



# REPORT FROM THE CAPITAL

★ RELIGIOUS LIBERTY ★ BAPTIST PRINCIPLES

★ PUBLIC AFFAIRS

This monthly newsletter is published by the Baptist Joint Committee on Public Affairs, 1628 Sistrunk Street, N. W., Washington 9, D. C. Subscription price, \$1.00 per year. C. Emanuel Carlson, executive director; W. Barry Garrett, associate director.

August 1961

## PEACE CORPS PROPOSAL FACES MANY CHURCH-STATE PROBLEMS

Legislation to make the Peace Corps a permanent program will, no doubt, occupy the attention of both Houses of Congress by the time this newsletter reaches the reader, or shortly thereafter. This issue of the Report From The Capital presents a survey of some of the issues involved.

The Peace Corps idea is the result of a number of developments. The success of the foreign mission program of the churches has played a substantial part in stimulating ideas. Other forerunners have been the Point Four program, people-to-people aid, a proposed Point Four Youth Corps, and activities of a number of voluntary American agencies. Even before the Peace Corps idea was popularized by Senator Kennedy during the campaign for President, similar proposals had been made in the Congress.

On March 1, 1961 President Kennedy issued Executive Order 10924. This established the Peace Corps on a temporary pilot basis. Legislation is pending to establish the project on a permanent basis.

The basic idea behind the Peace Corps is to send Americans abroad to work with the nationals of developing countries. This is to be done sacrificially by those who go, working only at a living wage, living among the nationals and sharing their life. It is to show friendliness and concern for human welfare on the part of the American people.

Although the Peace Corps idea has been well received in church circles, many church-state questions are being raised. Can the Government contract for the services of church or missionary agencies to accomplish the "works of love" without doing injury to both the cause and the agency? What happens to the quality of compassion when it is voted by Congress from tax funds, and administered by the authority of the Chief Executive of the Nation who is also the Commander in Chief of the Armed Forces?

Can activities and projects be so clearly described as to prevent out Government's participation in the propagation of religious ideas, or in the development of the strength of particular religious institutions? Can this kind of idealism be made practical without relating it to those agencies and

those forms of service which are now generally known? In short, the question is how do we practice our national commitment to "separation of church and state?"

### Seven Projects Announced

To date seven projects have been announced by the Peace Corps office.

1. Chile. The Chile project consists of an agreement between Notre Dame University, acting for the Indiana Conference of Higher Education, and the Chilean Institute for Rural Education. The agreements are for a two-year project. Training is in progress at Notre Dame preparing the volunteers for service by October.

The volunteers are selected under policies approved by an Advisory Board representing the Peace Corps, Notre Dame, and the Chilean Institute. Notre Dame will name the director and be responsible for the project. The volunteers will work in Operating Centers of the Chilean Institute of Rural Education, teaching and demonstrating in animal husbandry, crop cultivation, horticulture, family education, organized recreation, and rural carpentry.

2. Colombia. The Colombia project is to be carried out by the Colombian government's Community Development Department in collaboration with C.A.R.E. This American private voluntary agency will donate \$100,000 worth of tools and equipment, provide supervisory personnel, and be the agent of the Colombian government for the project. Sixty-four men with K-H experience are training at Rutgers University before going to Colombia to assist in teaching small farming, handicrafts, rural construction and sanitation. Farm-to-market roads, small schools, well digging, livestock improvement, and fish ponds are some of the needs to be met. C.A.R.E. is already established in Colombia distributing milk and cheese to schools and hospitals, and promoting a self-help program.

3. Tanganyika. For the Tanganyika project four civil engineers, four geologists, and twenty-four surveyors are training at Texas Western College. They will work under Tanganyika's Ministry of Communication and Ministry of Commerce and Industry helping to survey farm-to-market roads, geological surveying, and engineering of roads.

4. Ghana. In Ghana the purpose is to teach math, English, chemistry, physics, biology, general science, and French. About seventy men and women will train for 60 days at University of California (Berkeley). After another month at Ghana's University they will teach in the secondary schools under the Ministry of Education.

5. Nigeria. Forty-five Peace Corps candidates have begun training at Harvard University and will continue there until September 7. When the announcement was made (July 20) the formal agreements with the Nigerian Government were not complete, but University College at Ibadan, Nigeria was expected to cooperate with Harvard to polish off this group of American teachers for Nigerian secondary schools. English, math, physics, chemistry, biology, and history are the subjects scheduled for them.

6. St. Lucia. The St. Lucia project will use a dozen volunteers "to increase livestock production, to develop irrigation systems for small farms, to introduce soil conservation techniques, to encourage newly established 4-H Club organizations, and to improve vocational and health education." The project will be jointly administered by Heifer Project and the Government of St. Lucia. Many of the 1-man assignments are planned to gear in with the activities of Heifer.

7. Philippines. For the Philippines project the Peace Corps plans to recruit 300 volunteers to serve as aides in the schools of the Philippines. They are not to replace the Filipino teachers but to provide "an added resource which the Filipino teacher can use effectively." As a model of English vocabulary and usage, as an assistant in science courses and laboratories, and as a community helper in scouting, parent-teacher meetings, recreation programs, and the like the aide will make himself generally useful. He will work under the supervision of the Filipino Bureau of Public Schools.

Obviously, all of these projects read in general terms as being both needed and desirable. That some Americans desire to help in these kinds of need is undoubtedly true. Furthermore, the need for some machinery by means of which such motivation and such need can be brought together is apparent. Underneath these broad premises, however, lie many problems and considerations to which no easy answers are available. The problems range all the way from philosophy to practice. Some have to do with effective group dynamics. Some are related to sound educational policies. Some involve problems of foreign policy, and others call up discussions of constitutional law. For our purposes, however, we limit our problem-awareness to the questions of church-state relations.

#### More Church-State Questions

Will the Peace Corps arrange contracts with foreign mission boards and assign volunteers to their stations? Will the churches help recruit their young people for the Peace Corps? Will a religious test or tests be used as a criterion of selection for a particular project? Will the volunteers be expected to do an ideological public relations job for the United States while demonstrating their human compassion? Will volunteers paid by U.S. tax funds be assigned to

church operated schools abroad? Will their instructions include indoctrination which produces conformity to the national culture in which they serve? These and many more are waiting for policy answers and for a firm legal formula in the legislation.

In the face of such questions the Peace Corps officials have developed their church-state policy. The following is the tentative statement.

#### Policy on Peace Corps Relationship with Religious Agencies

QUESTION 1: "What is the policy of the Peace Corps with regard to entering into agreements with religious agencies?"

ANSWER: "The Peace Corps analyzes each proposal coming to it from a private voluntary agency or university to see if it conforms to certain specific criteria established by the Peace Corps. The Peace Corps will not enter into any contract with any agency which violates constitutional provisions or departs from the Peace Corps' standards of operation. For example, the Peace Corps will not contract with any U.S. voluntary agency for any project involving religious proselytizing or propagandizing among either Peace Corps members assigned to that agency among the citizens of the host country. Nor will it permit selective recruitment which would limit volunteers to the membership of one faith or race or exclude members of any race or faith. Moreover, on this point the Peace Corps reserves to itself final authority and supervision with respect to the recruitment, selection, training programs and overseas operations of the Peace Corps volunteers no matter under what auspices they may be serving.

"We recognize that as an agency we may not give financial aid for religious undertakings or to promote religious dogmas. We are sensitive to our obligation to uphold the Constitution and intend vigorously to do so.

"The closest to a contract with a 'religious agency' negotiated by the Peace Corps to date is an undertaking with the Heifer Project, Inc. The Peace Corps upon the advice of its legal department, is of the opinion that this project does not violate any constitutional provisions. A resume of this project is available from the Peace Corps office.

QUESTION 2: "Does the question of constitutional law enter into the picture since it was mentioned in the New York Times article of April 19 and was referred to in Mr. Shriver's testimony before the Senate with respect to the First Amendment?"

ANSWER: "The administration of the Peace Corps has always been aware of and sensitive to the constitutional questions involved in the establishment and operation of this agency. This fact is illustrated by our original public statement, dated March 1, wherein the policy is set forth that the Peace Corps will not become involved in projects permitting religious proselytizing or propagandizing. This includes, as noted above, any such effort directed at the Peace Corps volunteers or the host country. The Peace Corps is alert to these constitutional questions inasmuch as the Peace Corps is an agency of

the U. S. Government and must, of course, act in accord with the U. S. Constitution.

**QUESTION 3:** "Are there any specific provisions in the contracts with voluntary religious agencies which deal with the point of religious activities?"

**ANSWER:** "All of our contracts state that: "Merit alone must determine admission to Peace Corps Programs. Selection requirements must be clearly functional. A person must not be discriminated against because of race, religion, or other similar considerations. Political influence is not to be considered in selection."

"We have the specific right in all of our contracts to terminate them immediately for any reason. Since it is the policy of the Peace Corps to prohibit religious proselytizing by Peace Corps volunteers at home or abroad, we would terminate the services of any volunteer or contractor who fails to adhere to this policy."

**QUESTION 4:** "Will not the restrictions because of religious reasons deny the Peace Corps collaboration of many voluntary religious agencies?"

**ANSWER:** "Some religious agencies will not accept the Peace Corps requirements of open recruitment and no proselytizing. Those agencies will not participate in the Peace Corps program. However, many private non-profit voluntary agencies with religious affiliations appear to have no objection to our requirements and may be considered for Peace Corps projects."

**QUESTION 5:** "Are any agreements with voluntary religious agencies now under negotiation by the Peace Corps and if so what contractual or policy criteria will be applied?"

**ANSWER:** "No contract with any religious agency has been concluded by the Peace Corps. A number of religious agencies have submitted projects which are under consideration. Our policy will remain:

1. "No religious proselytizing.
2. "Merit alone must determine admission to Peace Corps programs. Selection requirements must be clearly functional. A person must not be discriminated against because of race, religion, or other similar considerations. Political influence is not to be considered in selection.
3. "In order to ensure full compliance with the policies of the Peace Corps on religious matters, there will be close supervision by the Peace Corps of all such projects during the training period in this country and during service overseas.
4. "Immediate termination if violations take place."

Legislation In The Making

Identical bills (H. R. 7500 and S. 2000) were introduced by Rep. Morgan (D., Penna.) and Sen. Humphrey (D., Minn.). The Senate Committee on Foreign Affairs has reported favorably on S. 2000 as amended. The House Committee on Foreign Affairs is expected

at any time to report its bill.

The purpose of the proposed act is stated in this way: "To promote world peace and friendship through a Peace Corps, which shall make available to interested countries and areas and to international organizations men and women of the United States qualified for service abroad and willing to serve under conditions of hardship to help the peoples of such countries and areas in meeting their needs for manpower; to provide broader opportunities for men and women of the United States and United States private organizations, through service abroad, to contribute actively to their country's efforts in the cause of world peace and friendship; and through the service abroad of the men and women participating in Peace Corps programs, to promote a better understanding of other peoples on the part of the American people and a better understanding of the American people on the part of the peoples served."

With such broad objectives in mind the bill simply says, Sec. 3. (a) "The President is authorized to carry out programs in furtherance of the purposes of this Act, on such terms and conditions as he may determine." The bill sheds no significant light on the problems of church-state relationship, leaving such policy making to the authority of the Chief Executive.

Likewise the kinds of projects, the functional activities permissible, and the kinds of working relations available for our government abroad, seem to be administrative detail. This bill gravely underestimates both the difficulty of the policies and the importance of the issues, not least in church-state relations.

While there is every indication that the present Administration would not do so, there is nothing in the bill which would prevent the Peace Corps from recruiting elementary school teachers in the United States, hiring religious teachers from abroad to instruct them how to teach in religious schools abroad, assign the American teachers to religious schools abroad, pay their travel, a small salary and their keep, just so they do not teach religion nor engage in proselytism. Certainly many Americans would feel that such actions are as much a violation of the First Amendment when done abroad as when done at home, yet the legal recourse to restrain the authority of the State Department in such a program is virtually non-existent.

To point out these inadequacies does not mean taking exception to the aspirations of the program nor to be critical of the conscientious efforts being made to solve the problems. In fact, the problems are much deeper in the structure of the American government than the Peace Corps.

The First Amendment with its defense of religious liberty by forbidding enactments for any "establishment of religion" or for restraints in "the free exercise" of religion was written for the American scene. The body of constitutional law which interprets and applies these limitations upon government pertain primarily to American situations. Governmental agencies that deal with other nations face different situations and have developed their own codes for the practice of separation of church and state.

**BJCBA EXECUTIVE ASKS CONGRESS  
TO EXERCISE CAUTION ON PEACE CORPS**

C. Emanuel Carlson, executive director of the Baptist Joint Committee on Public Affairs, in a communication to the House Foreign Affairs Committee, urged Congress to exercise caution in making the Peace Corps law.

The Committee had full scale hearings slated. But suddenly "due to lack of time" the hearings were limited to one day and only two witnesses. They were Sargent Shriver, Peace Corps director, and Andrew J. Bie Miller, director of the legislative department of AFL-CIO. Others who wished to testify had to submit written testimony to be printed in the committee's records.

The Senate Committee on Foreign Relations already has reported favorably on a bill to provide for a Peace Corps. Hearings there were held earlier in the year.

Carlson said that the current Peace Corps proposals both in the Senate and the House "are lacking in precision by neglecting to provide basic policy in a number of areas." He made suggestions for more precise legislation, for rules on church-state practice, for policy in relation to foreign missions and for the democratic process.

The Baptist executive pointed out that unless Congress is more "precise" in its Peace Corps law it would:

- (1) "Open the doors to charges of discrimination, intervention, waste, and ulterior or partisan objectives;
- (2) "Leave the doors open to competition and friction among the institutional agencies on the American scene;
- (3) "Leave the course of Peace Corps policies to the determinations of future administrators who may or may not see the program in its present frame."

A number of church-state rules should "be firmly established by law so they can be seen and respected

for the importance they hold," Carlson said. He suggested four ideas.

- (1) Projects that represent the democratic process "should be favored over comparable projects which are paternalistic in nature."
- (2) No religious tests should be involved in any project.
- (3) No proselytizing activities should be accepted as Peace Corps projects, nor should volunteers be assigned to agencies under church auspices or for religious purposes.
- (4) No restraints on the personal freedom of religious practice and witness should be imposed on Peace Corps volunteers. Nor should they be sent to areas where this freedom is denied them.

Carlson urged that the Peace Corps not be identified in any way with the foreign mission program of the American churches. Three suggestions were made to implement this precaution.

- (1) No contracts should be arranged with churches or their overseas agencies. Exceptions to this rule should be widely discussed among all church groups to prevent the breakdown of church-state relations.
- (2) Exchange or loan of missionary personnel with Peace Corps personnel would confuse the images of both the missions and the Peace Corps.
- (3) Native democratic institutions offer the best channels for the understanding of the principles of freedom.

Carlson further urged the legislators to set up a Peace Corps that would reflect the American concern for effective use of the democratic process. "As Americans we believe that the social and material needs of people can be met while giving full respect to all human beings. This requires effective free institutions."

He said that current administration policy written into the law would make for a more stable situation.

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issued by  
Baptist Joint Committee  
on Public Affairs  
1628 16th Street, N.W.  
Washington 9, D. C.

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