



REPORT FROM THE CAPITAL

★ RELIGIOUS LIBERTY ★ BAPTIST PRINCIPLES

★ PUBLIC AFFAIRS

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March 1962

AMERICAN BAPTIST CONVENTION TAKES STEPS TO STRENGTHEN PUBLIC AFFAIRS COMMITTEE

The American Baptist Convention has taken steps to strengthen the work of the Baptist Joint Committee on Public Affairs, according to Edwin H. Tuller, general secretary of the convention.

The explanation was made to the semi-annual meeting of the Baptist Joint Committee on Public Affairs March 12-13.

In the recent reorganization of the American Baptist Convention a semi-independent organization, the Council on Christian Social Progress, was absorbed into the General Council of the convention. It is now the Division of Christian Social Concern. The American Baptist Public Affairs Committee has become a department of this new division.

The practical effect of this change is that the Baptist Joint Committee on Public Affairs now has a channel to the American Baptist Convention through its General Council rather than through an agency of the convention.

Tuller told the Baptist Joint Committee on Public Affairs that this new move in no way changed the 1956 agreement of the American Baptist Convention which was also approved by the Southern Baptist Convention and the other Baptist bodies working through the Joint Committee. He said that the new arrangement sets up a method of appointing the American Baptist Convention's 15 members of the Baptist Joint Committee on Public Affairs.

"There is no attempt to minimize but rather to increase the total impact" of the Baptist Joint Committee on Public Affairs on American Baptist life, Tuller said. "You will have in the future a much clearer and direct route than in the past," he concluded.

BJCPA TO PRODUCE LEAFLET ON RELIGION IN PUBLIC SCHOOLS

A leaflet on the issues involved in religion in the public schools will be produced by the Baptist Joint Committee on Public Affairs.

The committee in semi-annual session March 12-13 instructed the executive director, C. Emanuel Carlson, to prepare a paper setting forth a Baptist "ra-

tionale" in an approach to the problem of Bible reading, prayer and religious programs in the public schools.

The study will be reviewed by the Baptist Joint Committee on Public Affairs next October before it is published for general distribution.

The issue of religion in the schools is coming into sharp national focus as two cases on the problem are considered by the United States Supreme Court. The Court will rule on a New York case involving a nonsectarian prayer approved by a school board and on a Pennsylvania case involving daily Bible reading in public schools.

In presenting this problem to the Baptist Joint Committee on Public Affairs, Carlson said, "The growing popularity of 'religion' in all forms, the rising excitement usually called 'anti-communism,' the juvenile delinquency statistics, etc., are giving rise to an urgency in many minds for the inclusion of 'religion' in the public school curriculum."

"At the same time," Carlson continued, "minority groups such as the Unitarians, the Jews, the Ethical Culturists, et. al., are pressing for the exclusion of 'religious' practices and observances which have been largely traditional in the American public schools."

Carlson has worked on this problem previously. He was a consultant with the Committee on Religion and Public Education of the National Council of Churches. This committee spent several years conducting studies and conferences on the subject and produced a study document on the "Relation of Religion to Public Education," which has been widely read and commended in Baptist circles.

More recently Carlson has worked with the Council of Churches, National Capital Area, in preparing a position paper on religion in the schools to be presented to the school boards in the District of Columbia and surrounding suburbs.

To date, however, there has been no similar study made on the Baptist "rationale" for an approach to the problem. It is this vacuum that the Baptist Joint Committee on Public Affairs is seeking to fill by its projected leaflet.

**PROGRAMS TO MEET HUMAN NEEDS
MUST SAFEGUARD RELIGIOUS LIBERTY**

Religious liberty principles in programs to meet human need involving both the government and the churches should be safeguarded, according to the Baptist Joint Committee on Public Affairs.

At the same time the Baptist group insisted that help to needy persons should be an important concern both of the government and of the churches.

The action was taken at the semi-annual meeting of the Baptist Joint Committee on Public Affairs as it considered the report of the fifth annual Religious Liberty Conference which met in Washington last fall. The conference studied "Church-State Aspects of the Churches' Involvement In Human Need."

Although the committee did not adopt the conference findings as the position of the Baptist Joint Committee on Public Affairs, it did "receive" the report and "approved it in general" as a guide for the staff.

Baker James Cauthen, executive secretary of the Southern Baptist Foreign Mission Board, discussed the role of the churches during national emergencies and in the distribution of governmental supplies and services abroad. He reported for Edward B. Willingham, general secretary of the American Baptist Foreign Mission Societies, who is chairman of the World Issues Committee. Cauthen presented a four-fold recommendation of the World Issues Committee which was approved as follows:

- (1) The churches should refrain from becoming an instrument of the government;
- (2) The churches should assert their purpose to serve to the maximum in meeting public disaster;
- (3) The churches should assert their basic purpose in making known the message of redemption; and
- (4) The churches should address themselves to the task of cultivating a strong Christian faith to meet any emergency.

The Baptist Joint Committee on Public Affairs agreed that in cases of national or international emergencies the churches and their agencies should cooperate with governments to provide for human needs. But "in the conduct of its long range ministry," the committee said, "we would not look to the government to supply the means for Christian charity."

Courts Redford, executive secretary of the Southern Baptist Home Mission Board, reported for the Domestic Issues Committee, which reviewed the conference report on church-state problems in caring for dependents and the aging and in programs related to health.

The report identified the church-state problems in this area as seen (1) in providing financial means for institutional care, (2) in determining religious instruction of dependent children, (3) in cooperating with courts in various fields, and (4) in setting up receiving homes.

The committee agreed that there are areas of meeting human need where the church and state can share in mutual responsibilities, that the state should establish basic health standards for institutional care, and that grants to individual children for short term services in church institutions would not violate separation of church and state.

It was further agreed that "direct grants or subsidized loans which increase the capital assets of the church at the expense of the taxpayers are to be rejected."

**INDEPENDENT PRESBYTERIAN CHURCH
LOSSES FIGHT TO RETAIN PROPERTY**

The United States Supreme Court has declined to review a decision by the state courts of Florida that members of a Presbyterian church who withdrew from their parent denomination cannot claim ownership of the church property.

The Court's action leaves standing as final word in the dispute over control of the Miami Beach (Fla.) Presbyterian Church a decision by the District Court of Appeals for Dade County. In effect the decision says that a different rule of law is required for a church with an "ecclesiastical" form of government than for churches with a congregational form.

The decision emphasizes that when members of a local congregation are chartered by a national governing body and accept its Book on Church Order, they sacrifice control over their local church in event of a disagreement.

The legal dispute arose when members of the church voted 139 to 6 to disaffiliate with the Presbyterian Church in the United States (Southern) because they objected to its membership in the National Council of Churches and other ecumenical bodies. The vote took place on August 2, 1954, the eve of the Second Assembly of the World Council of Churches at Evanston, Ill. The members of the church made it plain they did not want delegates of the Presbyterian Church in the U.S. to represent them.

They changed the name of the congregation to Miami Beach Independent Presbyterian Church and continued to worship with the Presbyterian order of worship.

However, minority members of the congregation, and the Presbytery of the Everglades, local governing body of the Miami area, sought a court injunction to bar Willis E. Garrett, the pastor, and members of the congregation from conducting an "independent church" on the premises.

Circuit Judge Pat Cannon ruled in favor of the minister and the majority of members, holding that they were conducting a Presbyterian church and observing that when it came to such matters as adopting a revised confession of faith "the majority rules."

Judge Cannon was overruled, however, by a unanimous opinion of three judges of the District Court of Appeals. They ruled in favor of the Presbytery despite the existence of an article in the 1941 charter of incorporation of the church specifying that upon

a vote of three-fourths of the members its affiliation with the Presbyterian Church in the U. S. could be severed and it could connect itself with any other synod it chooses.

The judges held that when founders of the church applied in 1935 to the Presbytery of the Everglades for permission to establish a church and when they organized that church, they made themselves subject to the Book on Church Order and "the ecclesiastical government recognized thereby."

"The majority who withdrew were no longer members of the mother church and, therefore, after withdrawal, had no right to the use of the church property," the judges held, with respect to the \$187,000 edifice.

"In a representative form of church government, individual members of a particular church or congregation are free to withdraw their membership at any time from such church or congregation," said the judges, "but they are not permitted to take the church property with them."

The Florida Supreme Court reviewed the case, but said it could find no constitutional issue and affirmed the Court of Appeals.

In their appeal to the U. S. Supreme Court, attorneys for Garrett and the congregation said their religious liberty was violated by Florida which insisted that they must accept "the overbearing...hierarchy of the Presbytery" and "integrate against their free will with national organizations" or lose their control of their church property.

However, refusal of the high court to accept the appeal means the case is closed and will be remanded to the original local court for issuance of an injunction ousting the pastor and congregation.

SUPREME COURT TO HEAR AMICUS CURIAE BRIEFS IN NEW YORK PRAYER CASE

Amicus curiae (friend of the court) briefs will be submitted to the Supreme Court by major national Jewish organizations who are challenging the constitutionality of prayer in public schools.

The Court agreed to admit argument by the Synagogue Council of America and the National Community Relations Advisory Council. Another brief will be filed on behalf of the American Jewish Congress and the Anti-Defamation League of B'nai B'rith. The American Ethical Union will also submit a brief.

Although no date has been set, the Court has agreed to hear arguments this spring against the use of a one-sentence nonsectarian prayer approved by the Board of Regents of the New York public schools.

The suit was filed by parents of seven children in a New Hyde Park, N.Y. school. Two of the parents are Jewish and one is a member of the Society for Ethical Culture.

The New York state court upheld the prayer as constitutional.

The prayer required by the New York school board

is as follows: "Almighty God, we acknowledge our dependence upon Thee, and we beg Thy blessings upon us, our parents, our teachers, and our Country."

Some observers of the Supreme Court are of the opinion that the admission of the "friend of the court" briefs indicates that a major decision is in the making. This decision may have far-reaching significance in other cases now rising in the nation on religious observances, Bible reading and other practices in the public schools.

SUPREME COURT REJECTS APPEAL OF SCRIPTURE PRESS FOUNDATION

The United States Supreme Court has refused to rule that the Scripture Press Foundation of Wheaton, Ill., is entitled to tax exemption.

The Court made no comment in rejecting the appeal of Scripture Press.

Attorneys for Scripture Press argued that the decision would affect the tax-exempt status of many denominationally-owned publishing houses. Whether it will or not must await further rulings by the Commissioner of Internal Revenue.

Scripture Press, an independent foundation, publishes nearly \$2,000,000 a year worth of educational materials for churches, many of which are affiliated with the National Association of Evangelicals.

The Commissioner of Internal Revenue in 1953 revoked Scripture Press tax exemption because the manufacture and sale of its materials is a business of a kind generally carried on for profit. The nature of the materials and the religious function of the churches using them did not affect the opinion of the Court nor of the commissioner.

SENATE BILL INCLUDES CHURCH CAMPS IN EXPANDED LUNCH PROGRAM

A bill to include church-sponsored summer camps for children in the National School Lunch program has been introduced in the U. S. Senate.

Sen. Jacob K. Javits (R., N.Y.) introduced a bill (S. 2821) to amend the National School Lunch Act to extend its provisions to nonprofit summer camps for children.

The school lunch program has served to help dispose of surplus agricultural products as well as to provide a balanced diet at low cost to the nation's school children. The program operates in both public and private schools.

The summer camps already have available to them certain agricultural surpluses under programs of the Department of Agriculture. This new program would give more extensive aid than is presently allowed.

NEW AIR FORCE REGULATION MAKES MORE RIGID RULES ON SCHOOL RIDES

The United States Air Force has issued a new regulation governing the transportation of dependent children to public and private schools.

The new rule (AFR 214-13) authorizes transportation at Air Force expense for dependent children to the nearest private school under certain conditions. The old regulation did the same thing, but the new one sets up more rigid conditions.

It is the viewpoint of the Air Force that military life makes demands on families that would not be made in normal life. Hence, the effort is made to provide as nearly as possible the same educational opportunities for their children as they had before being required to move around by the military.

The new regulation prohibits transportation at Air Force expense to private schools beyond 20 miles or within one mile of the installation, or if the school "is readily accessible by regular means of public transportation." Transportation is also prohibited unless the school offers instruction in the faith of the parent and unless it provides equal or better education than the public school.

The new rule requires the base commander to keep transportation of children to school at Air Force expense at an absolute minimum. The Air Force will not furnish transportation either to public or private schools until it has been determined in writing that such rides are not available at the expense of the local educational agencies or through the U. S. Department of Health, Education and Welfare.

Wherever possible the Air Force is directed to seek reimbursement from the local public or private school or from the U. S. Commissioner of Education for expenses incurred in providing school rides.

The new regulation has been issued after several years of discussion both by the Air Force and in civilian circles concerning the propriety of rides to parochial schools at Air Force expense. The result has been a tightening up of the rules on transportation of children to both public and private schools.

PORTUGUESE AMBASSADOR IGNORES RELIGIOUS LIBERTY PROBLEMS IN ANGOLA

The Portuguese ambassador to the United States claims that there is a friendly relation between his government and the work of the churches in Angola, both Roman Catholic and Protestant.

His statement, however, is in conflict with other reports from the West African colony of Portugal.

Senhor Pedro Theotonic Pereira's evaluation of the religious situation came during the question period following a speech to the National Press Club. In his speech he defended the history and actions of Portugal in Angola, Mozambique and Goa. He heatedly condemned those who, he claimed, are interfering with the internal affairs of his country and who are making false reports of events in Angola.

Ignoring reports of restriction on religion, Pereira paid tribute to the role of the Roman Catholic Church in civilizing Portuguese territories.

Likewise, he said that "Protestant missions have been welcomed in Angola for many years." He indicated that 25 such mission centers have been working there for a long time.

The ambassador only nodded his head in the direction of the religious tensions in Angola. He said that Portugal had to expel four (Protestant) missionaries and one Roman Catholic priest. The missionaries, he said, "had not done honor to the hospitality" they had received in Angola. He had no comment on the priest who had been expelled.

Reports from Protestant missionaries contradict the ambassador's position. Baptist mission stations have been closed. Protestant missionaries have been accused of fomenting rebellion. Numerous atrocities have been reported.

Baptists have been accused by a Portuguese official of being communists because there is a Baptist church in Moscow.

The Baptist Missionary Society in London said, "Either the government of Portugal does not know what is happening in Angola, or knowing thinks it is best to deny it emphatically. But facts are facts, and nothing is changed by emphatic denial."

The executive committee of the Baptist World Alliance last year expressed "shock" and "grief" at reports "of offenses against basic rights, dignity, property and life itself" in Angola. Other religious groups have also expressed alarm.

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