



REPORT FROM THE CAPITAL

★ RELIGIOUS LIBERTY ★ BAPTIST PRINCIPLES
★ PUBLIC AFFAIRS

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Baptist Newsman Sent To Rome To Report On Vatican Council

A Baptist news reporter has been sent to the Second Vatican Council in Rome by the Baptist Joint Committee on Public Affairs, according to action taken in its semi-annual meeting here. C. Emanuel Carlson is executive director of the Baptist agency.

Since religious liberty will be considered by the Council, the Public Affairs Committee felt that it should have an "on-the-spot" newsman present to provide first-hand reports to the Baptists of America. The Committee made it clear that this step is not in response to an invitation from the Vatican for an "observer." It was taken solely to secure information for better understanding of developments within Roman Catholicism.

The Public Affairs Committee said that by having a Baptist reporter on hand "we can provide our Baptist communications channels with objective analysis and interpretation." The decision to send a Baptist newsman was made after conferring with those in charge of communications in both the American and Southern Baptist Conventions. Each said they would welcome such a source of news from the Vatican.

W. Barry Garrett, Washington regional editor for Baptist Press and associate director of the Baptist Joint Committee on Public Affairs, was selected to go to Rome. He is accredited in the press galleries of the House of Representatives and the Senate of the U. S. Congress and is an accredited White House news correspondent. Prior to going to Washington in 1968 Garrett was for 11 years editor of the Baptist Beacon in Arizona.

Conference Says Freedom Must Be Guarded In Use of Mass Media

Government controls are necessary for the protection of the rights and liberties of all in the mass media of communications, according to a report from the seventh annual religious liberty conference here, sponsored by the Baptist Joint Committee on Public Affairs.

Referring to radio and television the Conference said that "the airways are public but the facilities are private to be regulated by the government for the public good." But, the conferees said, "we believe that such controls should be kept to a minimum."

One hundred and forty Baptist leaders from seven national Baptist bodies met for a three-day conference on "Church-State Relations in Mass Communications." The five sections of the conference discussed the rights of people, the freedom of the churches, the economy, society and the nation.

The conference is an "unofficial" meeting called by the Baptist Joint Committee on Public Affairs of which C. Emanuel Carlson is executive director. Its findings express only the views of the conference. The reports are referred to the Public Affairs Committee for study and distribution.

An eighth conference will be held in Washington, D. C., October 7-9, 1964. The subject will be "The Meaning of the Free Exercise of Religion." Attendance at these conferences is by invitation after nomination by responsible Baptist executives, editors and other Baptist leaders.

One question studied by the con-

ference was, "Does a radio speaker or commentator have a right to be 'irresponsible' through the mass media?" In reply the conference said:

"A radio speaker or commentator must be responsible in order to have the right to speak through the mass media. A clear distinction must be made between the denunciation of other religious ideas and groups and the enunciation of one's convictions."

The conference recognized that the mass media "has a tremendous influence in forming and shaping the level and quality of conscience." However it continued, "we need to stress the importance of the work that is done and ought to be done in the home, church, and school in developing and nurturing the free conscience of the individual."

Appreciation was expressed to all those in the newspaper, radio and television fields who make contributions to high standard programs, to equitable amounts of time for religious coverage, and to the improvement of public morals.

The churches have a right to communication through the mass media, according to the conference report. In the exercise of this right the churches should exert a "positive affirmation of truth rather than the negative criticism of error," the report said. Likewise, the exercise of such right "will demand programming that always is in good taste."

The Baptists spoke out for a fair presentation of divergent and minority viewpoints. Not only did they wish "to safeguard the rights of equal access to mass media for other

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CONFERENCE SAYS

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groups," but they encouraged "their full use of those rights."

"The Baptist concept of liberty calls for a free marketplace of ideas," the report said. "Every individual confronted with the claims of a church can make most meaningful response if he is aware of alternate options open to him. Truth ultimately will prevail," it continued.

On the subject of ownership of the facilities of mass media the conference said that "it is not necessarily good for a church to own stations." A minority report, however, said that for the missionary purpose it is good for the church to own stations.

The reason given for not owning stations was that "the church would have a tendency to develop self-interest and to promote itself as over against the rest of the Christian community. The group said that "the church should not be in the

business of owning stations on a commercial basis" but that neither should the church "be deprived of the opportunity to own a station."

No objection was expressed to the ownership of radio or television stations by the educational agencies of the churches.

Concerning the place of the Federal Communications Commission in relation to freedom and the mass media the conference said, "The proper role of the Federal Communications Commission is regulatory, and it has a valid reason for existing as a function of government in this area. There is no abridgment of the principle of separation of church and state" by the existence of the Federal Communications Commission.

"There is no abridgment of our American concept of the separation of church and state in the free use of mass media for the dissemination of religious truth," the conference said. "The government, however, must not use religion to promote its

policies, and it should not restrict or promote any religious system."

Addressing itself to the churches the conference said, "The Christian community must consider whether it is possible to communicate effectively through media that are governed by economic necessity and standards of entertainment rather than standards of instruction. Therefore, the Christian citizen must keep open for further study the question of whether voluntary and responsible use of the mass media under government regulation will meet the needs of people, or whether some alternative means must be found."

The seven groups represented in the conference were the Southern Baptist Convention, the American Baptist Convention, the North American Baptist General Conference, the Baptist General Conference, the Baptist Federation of Canada, the National Baptist Convention, USA, Inc., and the Seventh Day Baptist General Conference.

Binns Named Chairman of BJCPA

Walter Pope Binns, former president of William Jewell College, Liberty, Mo., is the new chairman of the Baptist Joint Committee on Public Affairs here. He succeeds Bryan F. Archibald, who is now pastor of the First Baptist Church, Haddonfield, N. J.

At the semi-annual meeting of the Public Affairs Committee the Seventh Day Baptist General Conference was received as a participating member. This makes eight national Baptist bodies that cooperate through the Baptist Joint Committee on Public Affairs.

A special committee of the Public Affairs Committee was appointed to join discussions of possible plans for a Baptist building in Washington to house the Baptist World Alliance, the District of Columbia Baptist Convention and the Baptist Joint Committee on Public Affairs. The present Baptist building and adjacent property is owned jointly by the District of Columbia Convention and the Baptist World Alliance. No definite plans for a prospective new

building have been approved by any of the three groups.

In another action the Baptist Committee expressed "grave concern" about legislation on federal aid to higher education pending in Congress. The point of concern in the bills is the provision for federal grants to church-related colleges. The House of Representatives has passed a bill providing loans and grants to public and private colleges for construction of academic facilities. The Senate bill also provides loans and grants, but it limits them to certain categories such as buildings for physical sciences, engineering and libraries.

Plans were made by the Public Affairs Committee for an eighth annual Religious Liberty Conference in Washington, D. C., to be held in the fall of 1964. The subject will be "The Meaning of the Free Exercise of Religion." This conference will discuss such problems as religious practices in public schools, the chaplaincy, and other church-state problems now troubling the nation,

The Public Affairs Committee reviewed the activities and interpretations of its staff in reporting the decision of the Supreme Court regarding required devotionals in Pennsylvania and Maryland public schools. C. Emanuel Carlson, executive director, and W. Barry Garrett, associate director, positioned themselves in favor of the Court's decision and reported them to the Baptist people in a favorable light. The Committee commended them for their work and for their viewpoints.

Other officers of the Public Affairs Committee are Mrs. Carl W. Tiller, Washington, D. C., first vice chairman; Charles B. Deane, Rockingham, N. C., second vice chairman; Harry A. Renfree, St. John, New Brunswick, Canada, recording secretary; Miss Nona Saturday, Washington, D. C., assistant recording secretary; C. Emanuel Carlson, treasurer, and Miss Alice Moody, Washington, D. C., assistant treasurer.

The next meeting of the Baptist Joint Committee on Public Affairs will be in Atlantic City, N. J., March 5-6, 1964. Its fall meeting in 1964 will be in Washington, D. C., October 6-7.

Baptists Need Report On Vatican Council II

By W. Barry Garrett, Associate Director
Baptist Joint Committee on Public Affairs

Baptists, if they are to be effective witnesses for Jesus Christ, must understand the major developments among other Christian communions throughout the world. What other Christians are doing has a direct bearing on Baptist strategy and planning for the implementation of their own obedience to the Great Commission. This is especially true if major changes are in the making in the Roman Catholic Church that claims a constituency of 50,176,000 in North America and a grand total of 550,356,000 which is more than half of all the Christians in the world.

For the first time in nearly 100 years the Roman Catholic Church is engaged in an Ecumenical Council in which all the bishops of the world are invited to participate. (Vatican Council I was held 1869-1870.) When Pope John XXIII was asked to explain his purpose in calling the Council, he opened a window and said, "To let some fresh air into the Church!" This was his dramatic way of saying that the Catholic Church was too burdened with medieval encrustations and that if it is to win its way in the 20th century and the centuries to follow it must make a new approach and must make itself relevant to the new age into which the world is emerging.

The most often heard expression of the purpose of Vatican Council II is that it is convened "for the renewal of the church." This means that there are many "reforms" needed within the life of the church. Although no one expects any changes in the basic doctrines of the church nor any new pronouncements on dogma to come from the Council, there are being proposed many basic changes in attitude, in structure, and in approach to other Christians and to the world. These are among the items which Baptists must understand and evaluate.

One of the items on the agenda of Vatican Council II of major interest to Baptists is "religious freedom." This problem has caused concern to

Catholics and non-Catholics alike through the years. Catholic theologians are struggling with the old idea that "error" has no rights and must be suppressed. Likewise, the old theory that where Roman Catholics are in the minority, they ask for religious freedom, but when they are in the majority, they oppose external freedom of other religious beliefs, is being challenged within the inner circles of the church.

The entire world is waiting to know how the Vatican Council II is going to implement and interpret Pope John XXIII's views on the right to worship God according to one's own conscience as set forth in his encyclical "Pacem in Terris." He said, "Every human being has the right to honor God according to the dictates of an upright conscience, and therefore the right to worship God privately and publicly."

Hans Kung, professor in the University of Tubingen and a theological adviser to Vatican Council II, emphasizes that the teaching authority claimed by the Catholic Church cannot set aside the freedom of the Christian conscience. He says that "it is universally held in Catholic moral theology that conscience is the immediate norm of conduct in every case." He applies this to "inerrant papal and conciliar decisions." How much of Hans Kung the church will approve remains to be seen.

In the matter of church-state relations the Roman Catholic Church has not arrived at dogmatic positions. Its practice in this regard varies from nation to nation and from age to age, adjusting its practice to a wide variety of political circumstances. A number of Catholic theologians hold liberal viewpoints on the subject of religious liberty and church-state relations. Baptists could hope that the church as a whole will follow their lead rather than the objectionable practices of the past years.

It is significant that the American bishops are at the forefront in the insistence on serious consideration

of the problems of religious liberty. They are aware that Catholic restrictions on Protestants in Spain, Colombia, and other so-called Catholic countries are an embarrassment to the church and are a hindrance to the growth of Catholicism in the world.

Likewise, a liberalization of the church regulations on the marriage of Catholics to non-Catholics has been proposed to the Vatican Council II. These restrictions and requirements have been a source of sharp tension between Catholics and others. Baptists will watch developments along these lines with intense interest.

The reunion of Christianity is a matter of top concern for Vatican Council II. One of the ways the Catholics state the purpose of the Council is that it is "to renew the church and prepare for the reunion of separated Christians." Although the bishops are under no illusion that the "return" of the "separated brethren" is to be expected in the foreseeable future, they think in terms of centuries and they are confident that the time will come eventually when the Body of Christ will be reunited.

In order to assist the Roman Catholic Church to make preparation for this supposed eventual reunion Pope John XXIII created a Secretariat for Promoting Christian Unity and appointed Augustin Cardinal Bea as its president. Repeated contacts have been developed between the Roman Catholic Church and the World Council of Churches. The ecumenical movement is taking on a more comprehensive aspect. Previously it was confined largely to Protestant communions.

Baptists are not uniform in their response to the ecumenical movement. Some have refused to become involved in the discussions and in membership in national and world councils. Others have joined the councils and participate in the discussions. Regardless of one's personal opinions on the subject and

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Protestants Defend Public Schools

Six religious leaders argued against federal aid to parochial schools in testimony before a House education subcommittee. -

C. Emanuel Carlson, executive director of the Baptist Joint Committee on Public Affairs, and leaders of other religious groups, appeared at a hearing on a general elementary and secondary school aid bill.

Others on the panel were: Gerald E. Knoff, executive secretary, Division of Christian Education, National Council of Churches; H. B. Sissel, secretary for National Affairs, United Presbyterian Church in the United States of America; Robert E. Van Deusen, Washington secretary, Division of Public Relations, National Lutheran Council; and Dean Kelley, director, and George LaNoue, consultant, Department of Religious Liberty, National Council of Churches.

Carlson told the House committee that Baptists are "friends of the public school movement." This friendship, he said, is based on the concern for "free access to knowledge on the part of all people."

If the federal government sets up an aid program which builds up private and parochial schools with tax funds, it "becomes a party to the parochial or private systems in competition with the public educational programs of the several states," Carlson stated.

In his testimony the Baptist leader quoted resolutions opposing tax support of church schools from the Southern Baptist Convention, the American Baptist Convention, and the North American Baptist General Conference.

"A federal-parochial system of schools will not help the total cause of education," Carlson stated. "Rather, it represents an obvious violation of separation of church and state."

The interests of the state and the church are best served "when the religious education of children is conducted by the church and financed without recourse to public funds," Van Deusen stated. Congress should deal with the question of federal aid to education in its own merits and not penalize the 85 per cent of the

nation's children in public schools "for the difference in viewpoint between religious groups," he said.

In discussion following the panel's testimony, Rep. John Brademas (D., Ind.) asked for the position of Protestant churches on certain points. He asked if they favor (1) federal aid to church-supported colleges and universities, (2) Hill-Burton funds for church-related hospitals, (3) federal funds for church projects in housing for the elderly, and (4) loans for church schools for science, mathematics and foreign languages as provided for in the National Defense Education Act.

In a question directed to Carlson, Rep. Brademas asked, "Do the Baptists support receipt of federal funds from the Hill-Burton Act?"

Carlson said that he knew of some independent hospitals that are called Baptist hospitals that have received such funds. "I know of no Baptist hospital owned by a Baptist convention which has taken the Hill-Burton funds," he said.

Gerald Knoff, of the National Council of Churches, said that this is not true of all denominations. He cited Baptists as being the most "consistent" and "self-sacrificing" at this point.

Knoff indicated that there would be close agreement in positions of the groups about military chaplaincy and limited aid to higher education. There would be less agreement in the positions on aid to hospitals, housing for the elderly, and on loans, he said.

The panel agreed that a shared-time plan could be a possible solution to the problem of aid to education. In such a plan, students attending parochial schools take some of their courses in public schools. Public school students could also elect to take some courses in parochial schools.

Carlson pointed out that in a shared-time plan it would be necessary for the public school to maintain a comprehensive program. It should not come to the point that public schools carry only the sciences and manual arts, he said.

At an earlier hearing before this committee Roman Catholic spokes-

men pressed their demands for education legislation that includes parochial elementary and secondary schools. Magr. Frederick G. Hochwalt, director of the department of education, National Catholic Welfare Conference, re-emphasized the official statement of the American bishops "against any form of general federal aid to education that discriminates against children attending nonpublic schools."

Hochwalt stated that a number of experiments are being made across the country in a shared-time plan but he did not see it as a possible solution within the next ten years. He said shared time is a compromise and they are seeking a total approach in the schools.

Members of the House subcommittee are not agreed on the question of federal funds for use in parochial schools. Rep. Hugh L. Carey (D., N. Y.), a Roman Catholic, strongly favors aid to parochial schools through tuition grants to parents. Rep. Carl D. Perkins (D., Ky.), chairman of the committee, said it is difficult to see "how the federal government can maintain more than one school system."

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regardless of the position of any one denomination of Baptists, it is imperative that Baptists know and understand the ecumenical movement. Most certainly what the Roman Catholic Church does in this regard in the decades and centuries ahead cannot be ignored by any responsible group of Christians.

A long list of other points of interest to Baptists in Vatican Council II could be discussed, many of which will be reported during the course of the Council. Among these are the role of the laity in the church, Catholic strategy for world missions, the clash between Christianity and a materialistic, atheistic philosophy, the relevance of the faith to social, economic and political conditions, reform in the liturgy, the sources of divine revelation, the nature of the church, and the authority of the bishops in relation to that of the pope.

Parochial Schools Face Shortages

Parochial schools may be forced to close unless federal funds are made available to them as well as to public schools, according to Roman Catholic spokesmen here in another attempt to get their schools included in federal education legislation.

Msgr. Frederick G. Hochwalt, director of the department of education, National Catholic Welfare Conference, told a House subcommittee on education that if a federal aid bill excluding parochial schools is passed by Congress, "the drain on our financial resources will be such that we will be unable to expand and perhaps even forced to retrench."

"If our schools were forced to close," he said, "the burden of educating these children would fall on the public schools."

A panel of Catholic leaders presented testimony to the education subcommittee in a hearing on a general education bill that would limit federal aid to public elementary and secondary schools. Members of the panel were Msgr. Hochwalt; William R. Considine, of the legal department, National Catholic Welfare Conference; Msgr. John B. McDowell, superintendent of Catholic schools, diocese of Pittsburgh; and John G. Deedy, Jr., editor of the Pittsburgh diocese's official newspaper.

A panel of Protestant spokesmen at a later date appeared as witnesses before the same committee to present their view on limiting public funds to public schools. They contended that federal support of parochial schools violates the first amendment of the Constitution by establishing religion and by denying the free exercise thereof.

The Catholic leaders told the subcommittee that to deny federal aid to nonpublic schools would jeopardize the national interest and severely handicap the educational effort of the American people.

In his testimony Hochwalt held that the existence of the Catholic school system has been a financial boon to public education. In terms of teachers' salaries, classrooms, etc., he said the Catholic schools save the taxpayers \$2.5 billion yearly. This, he continued, constitutes a "subsidi-

zation of local public schools by our system."

Msgr. McDowell said the parochial, private and public schools have been partners in education. Aiding only public schools would dissolve that partnership, he said.

McDowell asked if parochial schools had been excluded from federal aid to education proposals because they also teach a sectarian religion or because the state has no control over parochial schools. He said that no one "has asked for aid to teach sectarian religion. But many do wonder why aid cannot be given for those subjects which are required, accepted, and approved by the state." He further stated that control is exercised over parochial schools by zoning regulations, building permits, type of construction, required subjects, etc. "It is fiction to say that there is no control by the state," he said.

Msgr. Hochwalt pointed out that parochial schools (1) meet all the educational requirements of each state, (2) measure up to the highest academic standards, (3) render the same service as do public schools, (4) instill sound patriotism and a deep love of country. He said it is "penny-wise and pound-foolish" to stymie the growth of a system that has aided the taxpayers and the national educational effort.

Hochwalt re-emphasized the official statement of the American bishops made in 1961 "against any form of general federal aid to education that discriminates against children attending nonpublic schools."

Rep. John Brademas (D., Ind.) asked, if Catholic educators insist that federal aid to parochial schools is constitutional and appropriate why they failed to press for state and local tax funds.

Msgr. Hochwalt pointed out a history of failure by the church in such attempts. Considine, legal advisor for the group, said that most state constitutions contain barriers to the support of private and church-related schools. The federal constitution, he said, is broader and does permit such aid.

Other constitutional lawyers are equally as adamant that such aids violate the First Amendment.

Catholic Congressman Hits Parochial Survey

A Roman Catholic Congressman sharply challenged a recent public opinion poll that says that the American people are opposed to federal aid to parochial schools.

Rep. Hugh L. Carey (D., N. Y.) charged that the Harris Survey is a "hothouse homegrown Post-Newsweek pollster" that is not as accurate as the Gallup Poll. In a speech before the House of Representatives he said, "When poll meets poll, make mine Gallup."

The New York Congressman predicted that soon the Congress will pass legislation that will provide federal aid to parochial schools.

On February 9 the Gallup Poll announced a shift in public opinion on the question of tax aid to parochial schools. It said that 49 per cent of the people favor federal aid "not only to public but Catholic and private schools as well." Only 44 per cent, said the Gallup Poll, felt that financial aid should go to public schools only.

On September 9 the Harris Survey, sponsored by the Washington Post and Newsweek Magazine, reported that "the clear weight of public opinion is opposed to federal aid to parochial schools." It reported that 62 per cent of the people expressing an opinion were opposed to such aid. Only 13 per cent of the people hold no opinion on the matter according to the Harris Survey.

Carey is a member of the national board of Citizens For Educational Freedom, an organization that is dedicated to securing tax aid both on the state and national levels for private and parochial schools. The organization takes an active part in politics and seeks to elect to public office those who pledge to fight for aid to church schools.

In his attack on the Harris Survey, Carey said, "One is moved to inquire whether those polled speak clearly and think fairly for the majority of Americans or is it possible that some of their voices were muffled under hoods as they stood with their sheets blowing in the wind?"

Educators File Suit To Test Tax Aid To Church Colleges

Four prominent educators have challenged the constitutionality of Maryland laws that give \$2,500,000 of state tax funds to four sectarian colleges for construction of three science buildings, a classroom building, a dining hall and a dormitory.

Edgar Fuller, executive secretary of the Council of Chief State School Officers, speaking for the Committee on Constitutional Law of the Horace Mann League, explained the objective of the legal action of the group. He said:

"We are not dealing with the politics of education legislation. We are dealing with the constitutional rights of American citizens and taxpayers to have their funds used for public purposes. Our concern is for tax funds for sectarian use. The politics of it are irrelevant. We have a principle here that is not for sale."

A lawsuit was filed September 10 in the Circuit Court of Appeals of Anne Arundel County at Annapolis, Maryland contesting 1962 and 1963 laws passed by the General Assembly. The news was released to the public at a press conference in the Horace Mann room in the national headquarters building of the National Education Association in Washington, D. C.

The case comes at a time when there is widespread talk in the nation that tax aid to parochial schools violates the United States Constitution but that church colleges are in a different category and so are eligible for tax aid. The decision in the case could affect pending legislation in Congress that provides for federal loans and grants to both public and church-related colleges.

Four colleges are involved in the lawsuit. They are: Western Maryland College, Westminster (Methodist); The Saint Joseph College of the Daughters of Charity of St. Vincent DePaul, Emmitsburg (Roman Catholic); Hood College, Frederick (United Church of Christ); and The College of Notre Dame of Maryland, Baltimore (Roman Catholic).

The case was filed by the Committee on Constitutional Law of the

Horace Mann League on behalf of 10 residents and taxpayers of the State of Maryland. These 10 persons represent a cross section of the religious groups of Maryland. None of them is an atheist.

Other members of the committee bringing the suit are: John L. Buford, superintendent of schools of Mt. Vernon, Ill., and a former president of the National Education Association; Willard E. Givens, former executive secretary of the National Education Association and now educational consultant for the Scottish Rites; and William A. Early, former president of National Education Association and presently director of personnel for the public schools of Montgomery County, Maryland.

The Horace Mann League, an independent organization of educators and other citizens was founded in 1922 and is dedicated to the principles of Horace Mann. He was a famous Massachusetts lawyer, educator and statesman who is commonly regarded as the father of public education in the United States.

The 1962 and 1963 Maryland laws that are involved provide matching grants from tax funds for the four church-related colleges—\$500,000 to Western Maryland College for a new science wing and a dining hall; \$750,000 to St. Joseph College for a new science building; \$500,000 to Hood College for a new dormitory and a new classroom building; and \$750,000 to the College of Notre Dame of Maryland for a new science building.

In its bill of complaints the Horace Mann League charged that the laws are invalid for five reasons:

1. They compel taxpayers to contribute to a place of worship and a ministry.
2. They tax citizens for a religious and therefore a nonpublic purpose.
3. They violate the First Amendment to the Constitution of the United States, applicable to Maryland by the Fourteenth Amendment, by establishing a religion and prohibiting the free exercise thereof.
4. They deprive taxpayers of

property otherwise than in accordance with the law of the land.

5. They deprive taxpayers of their property without the due process of law.

Leo Pfeffer, nationally known constitutional lawyer in church-state relations, has been employed as chief counsel for the Horace Mann League. Other attorneys are Walter R. Tabler and Melvin J. Skyes, both of Baltimore.

Pfeffer explained the reason for the suit at this time. He said that the recent decisions of the United States Supreme Court in the New York Regents' prayer case and the Maryland and Pennsylvania Bible reading cases made it crystal clear that the use of federal funds for sectarian institutions would be unconstitutional.

Fuller further pointed out that this is not an issue involving religious conflict but that it is an educational issue. He indicated that this is the reason educational leaders are bringing the suit. He also said that in all probability other similar cases would be brought to the courts since this is a fertile field for legal activity.

Constitutions of 42 of the states prohibit the use of tax funds for sectarian institutions. The other eight states have laws that place some restrictions on the use of tax funds for such purposes.

A press release from the Horace Mann League points out that "it is now contended by some that the prohibition against the use of tax-raised funds for the support of sectarian schools does not apply to colleges and universities, particularly where the appropriation purports to be earmarked for what is asserted to be a non-religious purpose."

It continued, "Because this alleged distinction between higher and lower levels of education is entirely novel, there have been no decisions on this point in either state or federal courts. The current action would challenge the assumption of the Maryland Legislature that the Maryland and federal constitutions permit the use of tax-raised funds for the construction of academic and other facilities for sectarian colleges."

New Poll Shows Nation Against Parochial Aid

Sixty-two percent of the voters in the nation who have an opinion on the subject are opposed to federal aid to parochial schools, according to "The Harris Survey" released here through the Washington Post, prominent daily newspaper. Only 13 per cent of the nation's voters said that they are not sure what they think about aid to parochial schools.

The Harris Survey is a public opinion fact finding agency similar to the Gallup Poll. It is conducted periodically on various subjects by Louis Harris and published in the Washington Post. The Gallup Poll and other opinion agencies are occasionally found to be in error. The Harris Survey was developed by the Washington Post to find facts for itself.

The finding of the Harris Survey on parochial school aid is in direct conflict with that of the Gallup Poll in February of this year. At that time the Gallup Poll reported that since 1961 public opinion had shifted from heavy opposition to widespread support of federal aid to parochial schools.

The largest shift, according to the Gallup Poll, was in the Protestant community. This poll reported that in 1961, 63 per cent of Protestants opposed aid to parochial schools but that in 1963 only 50 per cent were in opposition.

The Harris Survey contradicts this finding and announces that at the present time 71 per cent of the Protestants oppose such aid. A significant finding of the Harris Survey is that while 83 percent of Roman Catholics favor federal aid to education, only 67 per cent of them favor such aid to their schools.

In its report to the Washington Post the Harris Survey found that 70 per cent of the nation's voters who held an opinion on federal aid to education are in favor of Congress providing massive federal aid to public schools. Only 14 per cent had no opinion on the subject. On the other hand, the survey found that the people are not in favor of minorities, such as Roman Catholics and Negro groups, successfully blocking federal

aid to education programs for the general public unless their own special interests are cared for.

The survey listed three chief stumbling blocks to congressional passage of school aid legislation: (1) conservative opposition to any federal assistance to local education; (2) Catholic opposition to federal aid unless it is given to parochial schools as well as to public schools; and (3) Negro groups who want no federal aid to go to segregated schools.

Here is the conclusion reached by the Harris Survey: "Our latest survey of a cross-section of the American voters shows clearly that a majority of the public does not want either the parochial school or integration questions to stand in the way of federal aid to education. By approximately a 3 to 2 count, the American people reject the idea of offering federal aid to parochial schools and reject proposals to withhold such aid from schools that segregate children by race."

Asks New Policy On Foreign Church Gifts

Contributions to foreign charitable and religious programs by American citizens should be deductible from federal income taxes, according to Rep. Thomas B. Curtis (R., Mo.).

The Congressman's views were made known in a speech to the House of Representatives as he introduced a bill to make contributions to foreign charities tax deductible.

The nondeductibility of such gifts was called to Curtis' attention by a constituent and his wife who make contributions to "Christ Church in Japan." Present law confines such deductions to contributions given to organizations in the United States, any possession of the U. S., the District of Columbia, or under special provision by U. S. law.

In his inquiry to Mortimer M. Caplin, Commissioner of Internal Revenue, Curtis learned the basis of exemption of taxation of gifts to domestic organizations. In a report of the House Ways and Means Commit-

tee in 1936 the reasoning of Congress was set forth in the following words:

"The exemption from taxation of money or property devoted to charitable and other purposes is based upon the theory that the government is compensated for the loss of revenue by its relief from financial burden which would otherwise have to be met by appropriations from public funds, and by the benefits resulting from the promotion of the general welfare. The United States derives no such benefit from gifts to foreign institutions and the proposed limitation is consistent with the above theory."

However, the report continued, "If the recipient is a domestic organization, the fact that some portion of its funds is used in other countries for charitable and other purposes (such as missionary and educational purposes) will not affect the deductibility of the gift."

Curtis declared that the situation is different in 1963 from what it was in 1936. In recent years the nation has been engaged in many foreign aid programs such as mutual security programs, Point 4, Peace Corps, student exchanges and others.

The Missouri Congressman strongly urged the Ways and Means Committee to reconsider the current national policy in regard to foreign contributions. His point emphasized the use of foreign religious and charitable institutions to bolster American foreign policy. He said:

"We have written a great many tax incentives into our Internal Revenue Code to encourage the development of certain policies. This could well be an area where the Congress should take a long look to determine whether or not this impediment to contributions to foreign charities should be changed or eliminated."

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Battle Continues On Church School Aid

Controversy continues over the question of tax aid for church schools at the elementary and secondary, and higher education levels.

Senate and House conferees have agreed on a compromise higher education bill that would provide federal grants and loans to church-related colleges as well as public institutions. The measure approved by the conference committee is a compromise on differing bills passed earlier by the House and the Senate.

The Senate version included a provision for a possible court test on the constitutionality of federal funds for church-related colleges. The judicial review provision was added to the bill when the Senate adopted an amendment offered by Sen. Sam J. Ervin (D., N. C.) and Sen. John Sherman Cooper (R., Ky.). The House rejected such an amendment to its bill in a heated debate on the church-state issue in higher education. Opponents said such a provision would endanger the entire college aid program.

The Senate and House bills also differed in how the funds should be used and in the amounts appropriated. The Senate version authorized \$1,895,000,000 over five years, while the House version authorized \$1,195,000,000 over a three year period with re-examination of the program before appropriating for the two remaining years.

The difference in how the funds were to be used was in the Senate's limitation to categorical grants. It would limit the funds to construction of facilities for use in science

or engineering or for libraries. The House bill provided grants for general construction of academic facilities. The idea behind categorical grants, according to Sen. Wayne Morse (D., Ore.), chairman of the Senate subcommittee on education, is that such grants go to the specific uses related to the defense of the country, based upon a contract with the institution. Both versions prohibited funds for facilities used for sectarian instruction or place of worship, and for facilities as a part of a divinity school.

In the compromise bill the Senate provision for judicial review was thrown out. As approved by the committee, the bill would authorize \$1,195,000,000 for the first three years of a five-year program. The program would be re-examined before authorizing funds for the remaining two years.

Both grants and loans would be available to private and public colleges. The funds would be limited to construction of academic facilities for science, engineering, mathematics and modern foreign languages, and for libraries. The compromise bill must be approved by both the House and the Senate.

Another education measure ready to go to a conference committee for a compromise version is the vocational education bill. The bill passed by the House would authorize \$450 million in additional funds for vocational education over the next four years. These funds could be used for public agencies, for contracts with private schools and for research

in both public and other "nonprofit" schools.

The Senate passed a so-called "little omnibus bill" in the field of vocational education. It expanded the vocational education proposal of the House to include also a three-year extension of the National Defense Education Act and an increase of the student loan fund of the Act, and a three-year extension of aid to public schools in federally impacted areas, including the District of Columbia for the first time.

The only elementary and secondary school aid measure currently under consideration is pending in a subcommittee of the House Education and Labor Committee. The bill, a general assistance proposal, would limit federal aid to public elementary and secondary schools.

The church-state issue evolves around federal funds for parochial schools. In recent testimony before the subcommittee, Roman Catholic spokesmen renewed their demands that parochial schools be included in any general education aid to elementary and secondary schools. Protestant spokesmen, also in testimony before the subcommittee, defended the public school system and argued against any government aid to parochial schools.

Still another bill passed by the Senate would extend the loan forgiveness feature of the National Defense Education Act to teachers in private, nonprofit schools or in institutions of higher education. Presently up to 50 per cent of a student loan can be canceled if the borrower becomes a full-time teacher in a public elementary or secondary school.