



NOVEMBER-DECEMBER 1965

# REPORT FROM THE CAPITAL

## Cover Story

### Bill of Rights Protects Us Against Government

Some civil libertarians assert that if the Bill of Rights were to be presented to the American people for approval today it would not be endorsed. If this assertion is true, it would be well for the people to review the nature of the Bill of Rights, its history, and the protection it provides.

The Bill of Rights is as much a part of the Constitution as those sections delegating powers to Congress. The rights clauses of the Constitution protect people from the actions of government and stand as a bulwark against totalitarianism.

The problem of reconciling the order and security of society with the freedoms of the people is not new but it is intensified by the age in which we live. The stresses of technology, the problems of war, economic depressions, unpopular ideologies, revolutionary conditions, growing world interdependence, and the quest for national security in an atomic age pose serious problems for individual liberties.

The fact that the problems of freedom are more difficult than formerly does not mean that the rights of the people are less important. The first ten amendments to the Constitution, commonly called the Bill of Rights, enumerate many of the rights of the people as over against the powers of government. There are other rights not listed here, but it is well to take a fresh look at these in order to keep our viewpoints in proper perspective.

Article I assures freedom of religion, of speech and of the press. It protects the right of the people peaceably to assemble and to petition the government for a redress of grievances.

Article II states the right of the people to keep and bear arms for the maintenance of "a well regulated militia."

Article III protects the people against unlawful quartering of soldiers in the homes of the people.

Article IV explains the right of the people against unreasonable search and seizure.

**REPORT FROM THE CAPITAL**—a bulletin published 10 months during the year by the Baptist Joint Committee on Public Affairs, 200 Maryland Ave., N.E., Washington, D.C. 20002. A purpose of the bulletin is to set forth information and interpretation about public affairs that are relevant to Baptist principles.

The Baptist Joint Committee on Public Affairs is a denominational agency maintained by the American Baptist Convention, Baptist Federation of Canada, Baptist General Conference, National Baptist Convention, National Baptist Convention, Inc., North American Baptist General Conference, Seventh Day Baptist General Conference, and the Southern Baptist Convention.

## Cover Picture

Each year thousands of people view the original copies of the Declaration of Independence, the Constitution of the United States and the Bill of Rights at the National Archives Building, Washington, D. C. These precious documents, sealed in bronze and glass cases filled with helium, are screened from harmful light rays. They can be lowered at a moment's notice into a large fireproof and shockproof safe.

Copies of a booklet, "Charters of Freedom," and a large facsimile of the Bill of Rights can be secured for 25c and 45c each respectively from General Services Administration, National Archives and Records Service, Washington, D. C.

Article V prescribes the "due process of law" relating to criminal prosecution, double jeopardy, witness against oneself, and seizure of private property for public use.

Articles VI and VII regulate the right of trial by jury.

Article VIII forbids excessive bail, fines and cruel punishments.

Article IX retains for the people other rights not enumerated in the Constitution.

Article X reserves to the States and to the people the powers not delegated to the United States by the Constitution.

These rights are in large part made applicable against the state governments by the fourteenth amendment.

Closely related to the above, the United Nations Charter pledges the United States, along with other members, to promote and encourage "respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion." As a step toward fulfilling this pledge, the United Nations General Assembly, in December, 1948, adopted the Universal Declaration of Human Rights. Efforts are continuing in the United Nations for the elimination of all forms of religious intolerance throughout the world. —W.B.G.

## Housing Act of '65 Has Church-State Problems

The Housing and Urban Development Act of 1965 affects church-state relations at three points: first by making available for some purposes low interest loans to private, non-profit corporations or cooperatives for low income housing; second, by reducing the interest on college housing loans.

In both cases the interest rate on governmental loans will be 3 percent. A highly technical debate will be raised as to whether the 3 percent figure is a subsidy. In the past, some church-related agencies have accepted government loans because apparently no subsidy was involved.

The Act affects church-state relations at a third point in a section which has as yet received no appropriation. By it the Federal Housing Administration is empowered to supplement the rents paid by low income persons. The FHA will pay the difference between "the fair market rental" and one-fourth of the tenant's income as determined by the FHA.

Conceivably, a church agency could build or buy housing for low income persons with the 3 percent mortgage and obtain rent subsidies from the FHA for tenants with low incomes. By this means, a church-related agency could provide cheap and reasonably adequate housing for a limited category of people and in the process acquire equity in the buildings. In some states, this housing would be tax exempt.

The combination of the 3 percent mortgage and rent supplement plan is treated as "experimental," and only 10 percent of the rent supplement money can go into housing built with the 3 percent loans. Other loans are available at the present standard FHA rate (5¾ percent), however, and for housing built with these, the supplements would be available.

Church-related agencies have in the past been active in providing nursing and retirement homes for the elderly, but under this act they could expand their housing efforts to aid the poor, the handicapped, persons displaced by government action (mostly urban renewal) and victims of disasters. —W.H.P.

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# Washington Observations

*News — Views — Trends*

November 29, 1965



**THE SECOND SESSION OF THE 89th CONGRESS** will convene at noon, Monday, Jan. 10, 1965. The first session met from Jan. 4 to Oct. 23, 1965. Members of the House and Senate introduced a grand total of 16,882 measures, of which 3,084 were in the Senate and 13,798 were in the House.

**DURING THE FIRST SESSION** the Senate approved 967 proposals, the House 1,129. As of Nov. 2 President Johnson had signed 307 new laws.

**THE CONGRESSIONAL RECORD** for the first session of the 89th Congress contained 15,640 pages of Senate proceedings, 11,978 for the House, 1,058 more for the Record's Daily Digest, plus more than 6,000 pages for the Appendix.

**THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965** shifts the church-state problems from the federal level to the local and state levels. Many highly competent legal authorities say that the Act as passed by Congress does not violate the religion clauses of the First Amendment.

**HOWEVER, SINCE SOME OF THE FEDERAL AID** to education is channeled to school children enrolled in parochial schools, there inevitably will be church-state complications in the administration of the various provisions of the programs. These programs will be largely worked up and approved by the local and state school agencies.

**THE EDUCATION LAW AS ENACTED BY CONGRESS** is a public school law and a poverty law that makes benefits available to needy children, even though some of them may be enrolled in private schools. But to these children the aid must come through public agencies and under public administration and control.

**INTEREST RATES ON SOME FEDERAL LOANS** to private colleges have been changed. This will force a re-thinking of the church-state issues that are related to loans through federal agencies. Before the changes on loans for dormitory housing and academic facilities construction, the interest was set by the fluctuating cost of interest on federal bonds plus 1/4 of 1 per cent for administrative charges.

**RECENTLY THIS FORMULA RESULTED IN 3 3/4 per cent rates.** Now the law drops the rate to 3 per cent. At present federal bond rates, this means that funds borrowed by the government will cost more than the government charges for these loan programs. A surplus fund and continued small profits on old loans will carry the dormitory program for a few years without need for subsidization from taxes. There is no such surplus, however, to support the academic facilities program. This fact may mean one program is governmentally supported in a way the other is not, thus possibly affecting church-state considerations.

## Toward Stating And Solving Church-State Problems

Recently a prominent Baptist asked me, "Why don't you tell us what the answers are?"

He meant, of course, that our office should spell out the answers to a myriad of questions which he, along with numerous others in his state, faced on a specific issue.

Not long before his abrupt question, another Baptist, but one not so prominent, said to me with great emotion, "How dare you try to tell us what we should believe about this issue!" He was grievously wounded because I had not supported his position in a discussion period in his church.

These two viewpoints are related most acutely to the times in which we live. Baptists are once more becoming aware of the need for answers to problems which are pressing in upon all of us in our day. These church-state problems, seemingly the same as those of yesteryear, find yesterday's answers will not always bring adequate solutions to complex problems.

Yet, we Baptists of the twentieth century, are surely just as competent to structure both answers and actions to meet the crises of our day as were men like John Leland, Roger Williams, James Ireland and others of the nineteenth century.

### Discovering Adequate and Valid Materials

It is obvious that, first of all, we must become involved in studying the problems before we can hope to find the answers. If we do not know the equation or, worse still, how to construct the equation, we cannot handle the problem. Such areas of knowledge as the history of the problem, the Baptist principles rooted in the gospel, the situation to which we speak, and the alternatives open to us are all part of the background we must have before we can go to work on the formula for solution.

Such background requires adequate resources. Resources may or may not be readily available. The biblical as well as the historical basis of the issue may require library facilities which your church or community does not provide. Writings by qualified persons on the current issue may not be readily available.

This could mean turning to your pastor or a denominational leader for help in locating resources. He may point you to existing literature published and distributed by a denominational agency or department. He may refer you to some timely material available upon request from a church agency which deals with church-state problems. If not, such resources can be determined by communicating with your state or national denominational offices.

Your own denominational literature is dealing more and more with current public affairs. Actions of your denominational conventions are speaking to these issues in almost every annual session. Your associational leaders are receiving and reviewing materials which deal with church-state tensions.

Therefore, it becomes your responsibility to seek for responsible Baptist resources which are available to you as background information.

Most Baptist material on current public affairs issues are based on a long history of Baptist insights into religious liberty as seen in the gospel. The biblical basis for solutions to church-state tensions is the norm, rather than other considerations. Such considerations as the historical political premises or constitutional case histories are secondary rather than primary for Baptists.

### Testing Our Conclusions

After involvement with study of adequate materials based on sound Baptist principles comes a second important step for the dynamic we call the democratic process. This is a testing of our premises.

If we are to find satisfactory solutions to which Baptists will subscribe, we should not be afraid to hesitate to test them with fellow Baptists in our community. This calls for discussion of individual or small group answers with larger groups or organizational meetings on current public affairs. These are easily arranged within one's own church. Possibilities which suggest themselves are the church men's meeting, the church woman's society, Bible class meetings, training organization sessions. The pastor might even be willing to lead such a discussion series at the mid-week prayer service.

While this is an excellent beginning, it is just a beginning. A larger scope is needed if dialogue is to be effective with city, state and national lawmakers. Therefore, it seems most desirable for our testing of valid answers to specific problems to be conducted in the context of the association.

Members of several Baptist churches, pastors and lay persons, should be enlisted in the testing process. In other words, a cross section of the Baptist constituency of a given area should be sought to prove out the formula arrived at for pronouncements and attendant actions.

This procedure will enable those Baptists of professional and educational background in related fields to give you the benefit of their knowledge and experience. For instance, one church may have a city, county or federal judge in its membership. Another may have some school teachers or administrators. Still another may have some attorneys who understand Baptist principles as well as legal concepts. Others could provide Bible professors, political scientists, government experts, Christian statesmen and so on.

This cross section of backgrounds, knowledge and views will provide valid testing of premises. It can prevent stepping into pitfalls which we have discussed previously such as bad timing, invalid arguments, conclusions already unaccepted, and irrelevant and extraneous language.

## Church and State in the Air

# Religious Broadcasting — Static On The Air Waves

By *Walfred H. Peterson, Director of Research*  
*Baptist Joint Committee on Public Affairs*

Turn your radio dial almost anytime on Sunday, or twist your TV dial on Sunday morning. You will hear hymns sung, the Bible read and preachers exhort. Why so? Does the public demand religious programs? Do churches clamor to sponsor them? Do broadcasters think that this is the way to win friends? Probably, all these factors combine to promote religious broadcasts.

Another force that promotes religious broadcasting was described last January by Mr. Lee Loevinger, member of the seven-man Federal Communications Commission. He is interested in religious broadcasting, because this Commission must pass on applications of potential broadcasters for radio and TV licenses. Once a license is issued, its re-issue comes up for review every three years. Then the Commission studies the station's performance.

Lawyer Loevinger has himself been studying the work of the FCC. He has found that the Commission's standards for broadcasting "in the public interest" include a category called "religious programs." Further, he has found that the Commission regards this as such an important category of programming that it influences the decision respecting the issuance or re-issuance of a license. In short, the FCC expects stations, to include religion in their schedules.

Perhaps, this power of the Commission comes as a surprise to the reader. Governmental power to influence programs? Is this censorship? Why does a Commission have power to tell broadcasters anything about programming? To answer such questions we need some background on the government's regulation of radio.

### Federal Control of Broadcasting

Originally, the Wireless Ship Act of 1910 was aimed at the promotion of maritime safety. World War I taught the military the uses of radio, and it became concerned about space on the wave bands. When KDKA broadcast the returns of the 1920 Presidential election and captured public imagination, hopeful enterprisers thought that commercial uses of the new gadget were possible. So many broadcasters appeared that by 1926 the Commerce Department's unofficial efforts to assign wave lengths broke down. A Chicago station "jumped"

to a preferred location on the band. Alarmed radio manufacturers and stations called for government controls. The Federal Radio Act resulted.

Faced with the same problem, European states chose some form of government ownership and operation of stations. The American solution was different. It permitted private ownership and operation and protected that privilege by assigning specific wave lengths. Exclusive use of the assigned position was protected by law. By assigning a band, the government gave a very valuable and protected asset to the broadcaster.

The new Act exacted a price for this asset: stations that received a license were told that they must broadcast "in the public interest." To insure that this was done, a Federal Radio Commission was set up with power to review broadcaster's intentions and performance when licenses were issued or re-issued. Congress gave few guidelines in the Act to aid the Commission to define "the public interest," except to insist that the Commission was not to exercise any censorship. The Act did not spell out policy on religious broadcasting.

Obviously, the Commissioners had to devise some standards of "the public interest." By 1929 they had decided that "the public interest" required seven kinds of programs to be present in a station's offerings. These included news, education and religion. Nothing specific was mandatory, but stations knew that it was easier to win the Commission's approval if programs showed a sort of balance that included what the Commissioners liked.

When in 1934 the Act was revised and the Federal Communications Commission replaced the Federal Radio Commission, Congress did not see fit to modify these administrative standards. The new FCC continued to use them and add to them so that by 1960 there were fourteen suggested elements of acceptable programming with religious programs still on the list. This bothers Commissioner Loevinger.

### The Constitutional Issue

The Commissioner maintains that by suggesting that stations carry religious programs, *the FCC is actually promoting religion. But clear federal law holds that government*

*cannot promote religion.* Repeated over and over again by Federal and state courts are the words of the 1947 Everson case:

*The 'establishment of religion' clause of the First Amendment means at least this: Neither a state nor the Federal Government can set up a church. Neither can pass laws which aid one religion, aid all religions, or prefer one religion over another. . . . (italics added)*

And more recently in the Schempp case the Supreme Court added,

*The place of religion in our society is an exalted one, achieved through a long tradition of reliance on the home, the church and the inviolable citadel of the individual heart and mind. We have come to recognize through bitter experience that it is not within the power of government to invade that citadel. . . . In the relationship between man and religion the State is firmly committed to a position of neutrality. (italics added)*

The tension is then obvious: first, the FCC is promoting religious broadcasting by its rules; second, the law says that the government cannot promote or aid religion; third, Lee Loevinger took an oath to uphold the laws.

Informed observers of the actual process of government might ask if the Commissioner really needs worry. Often such rules as the ones that here seem to promote religion are mere administrative window dressing. Does the record show that a station ever suffered because it did not have religious programs? Being a practical man, Commissioner Loevinger has studied the record. He concludes that, "inclusion of a significant percentage of religious programming is a practical necessity for applicants and licensees."

The most striking case proving this point comes from the island of Puerto Rico, which as an American commonwealth is subject to FCC powers. The Constitution of Puerto Rico, originally approved by Congress, forbids that its governmental agencies promote religion. Thus, when its Department of Education applied for a license to broadcast, the FCC chose a private group instead,

because the Department had to say that legally it could not broadcast religious programs. The FCC thought that this lack would create, "a void in the over-all program structure." Paradoxically, the Puerto Rican Constitution's clear demand for separation of church and state cost its educational system a radio station!

Thus, the problem is real, not hypothetical. The FCC does what it constitutionally cannot do.

### Unpopular Groups and Atheists

Other issues are closely related. They concern the meaning of religion and the rights of unpopular religious groups or atheists to broadcast.

Most defenders of liberty will insist that the rights of one should normally be the rights of all. If one group can broadcast its religion, all groups should have the same privilege. But "all religions" in America is a term that includes a great many belief patterns—Adventist, Catholic, Baptist and on through the religious alphabet to Zen Buddhism.

Yet, they do not all have the same rights! Why? Because the FCC has indicated its preference for the "established faiths." In a 1947 decision on an FM station the Commission regretted that WAIT had set aside no time for carrying religious services "on a sustaining basis from the churches of established faiths in the Chicago area." (italics added) Is there an "established faith" in America? Obviously, the FCC should not have blundered on that unhappy phrase.

This bias of the Commission and the station's understandable reluctance to give time to unpopular groups erodes the ideal of equal rights for all. On at least two occasions, the FCC has been unwilling to give orders to stations to put specific religious groups on the air when they demanded time. The Commission allows broadcasters freedom to turn groups down. This inevitably works to the disadvantage of the unpopular groups.

Up to this point, we have talked about religion in a traditional sense. But there are some beliefs which are similar to religion, yet hostile to it. Some forms of atheism, for example, might be called a secular religion. Atheists insist that their beliefs should be freely heard by the society. Their partisans have demanded radio time, and on occasion when they failed to get it, they appealed to the FCC.

The FCC recognized that the atheist had a right to broadcast in the abstract. Indeed, it spun some pretty good theory on the nature of liberty:

Freedom of religious belief necessarily carries with it freedom to disbelieve, and freedom of speech means freedom to express disbeliefs as well as beliefs. If freedom of speech is to have meaning, it . . . must be extended as readily to ideas which we disapprove or abhor as to ideas which we approve.

Nevertheless, the Commission was unwilling to give stations orders that they carry the atheistic programs.

In practice then, unpopular religious groups can say that while the FCC promotes religion, its policy of allowing freedom for stations to exclude any given group means that there is next to no freedom to broadcast for people with unpopular beliefs. Is this not following policies that the Supreme Court has said were forbidden—the aiding of religion in general and aiding some religions over others? One can understand why Commissioner Loevinger is asking if the Federal Communications Commission is not in need of some new policies.

### What Are the Prospects?

Being in need of new policies and finding satisfactory new policies are two different things. Perhaps, the finding of new policies will prove so difficult or the new policies will involve so many new problems that the FCC would be well advised to leave things as they now stand.

The alternative of letting present policy stand is not without support. There is advantage in established ways. Religious groups have in general not been so dissatisfied with the status quo that they have raised much complaint. Radio and TV supply considerable amounts of time for religion. Many groups take advantage of this provision. Why upset an apple cart over "minor" grievances?

On the other hand there will be pressure for change. Militant atheists and unpopular religious sects are dissatisfied. These can appeal to the Constitution in a way that will persuade many other people that the supreme law must be defended. Some devout Christians, who make a wide separation of church and state their touchstone, will agree that present FCC policy is wrong.

If pressures for change are loud enough, the Commission will feel the necessity of some sort of action. Though the Commissioners are appointed for seven year terms, they are subject to tides of public opinion as befits administrators in a democracy.

One alternative is self evident: the FCC could simply drop its suggested category of religious programs and allow stations to in-

clude religion under a broadened heading of education. Then the Commission would not give any more weight to religion than to other elements of education, and a station would be free to offer religious programs or not as it chooses. This alternative would relieve the FCC of the charge of promoting religion, and it would also protect the Commission from the charge of discriminating against religion. What would this do to present religious programming?

Some radio program directors say that there would be no important change in time devoted to religious programs if the stations were left free to carry them or not. They say that the FCC really does not determine present time spent on religion, because the stations know that their publics want some religious programs, and this want roughly corresponds with what the Commission suggests.

Other program directors disagree. They insist that time allotted to religious programs would drop substantially if the FCC stopped suggesting so strongly that religion was important in its licensing reviews. These directors point out that some stations aim at very narrow publics. For example, in many areas there is a station or two devoted to the passions of rock and roll teenagers. These have no listener pressures for religious programs and would drop them.

When the Commission held hearings in June of 1964 on its programming requirements, testimony given by representatives for the United Church of Christ, the United Presbyterian Church, and the National Council of Churches urged the Commission to suggest that stations expand time for religious programs. Thus, some church leaders apparently think that a neutral posture toward religion would be harmful to church interests.

The program directors interviewed for this article saw little hope that the unpopular groups will get much time from stations unless the stations are forced to accept such groups. None of them thought the FCC should have power to force specific religious groups on commercial stations. These same directors agree that there are too few wave bands to allow any religious group the right to operate a station. Thus, the problem of the unpopular group is perhaps more difficult to solve than the problem of the FCC's promotion of religion.

Possibly, the pressures will become loud enough so that the master of the FCC, the United States Congress, will respond with new legislation which will guide the Commission in its policies. Congress can intervene at any time. But Congress is ordi-



narily reluctant to open such an administrator's Pandora's box as this.

Prediction and suggestion are difficult on such matters, for there are so many potentially conflicting values at stake. Freedom of expression for all groups by all means of communications; separation of church and state in an area where some governmental regulation is inevitable; freedom to hear what the individual wants to hear; freedom to enter and leave the broadcast business; freedom to manage radio and TV stations with minimal governmental interference.

With this list in mind and the pressures on the FCC understood, the church and the influential Christian has an obligation to begin to weigh carefully what wise public action should be. There then is the duty to use influence to promote wise action before the FCC and Congress.

## Recent Developments

(Continued from page 8)

tion's entire policy on separation of church and state. The action came in a resolution in which the convention reaffirmed its belief "that church and state should be separate."

The committee of not more than 15 persons is to study all implications of church and state cooperation with special emphasis in the area of government grants to aid Baptist agencies and institutions. (BP)

**TORRINGTON, Conn.**—The Connecticut Baptist Convention approved a resolution urging churches "to involve themselves in the implementation" of the new Federal Elementary and Secondary Education Act of 1965 which "has provided a new approach to church-state cooperation in the field of education, based on the mutual accomplishment of public policy in a pluralistic society."

The resolution stated that the traditional position of Baptists has been to resist the involvement of the church and state and the Baptists should continue to be vigilant to see that government funds are not used for strictly religious purposes. But the education act "does offer Baptists an opportunity to become involved in the implementation of the provisions of this law in their local communities to the end that the purpose of the act—to provide Federal funds to aid in the education of disadvantaged children—shall be affected." (ABNS)

**COLUMBIA, S. C.**—The general board of the South Carolina Baptist Convention has sharply criticized trustees of Furman University for seeking federal aid to help construct a science building. The convention later refused the school the right to keep a \$611,898 federal grant.

## Asks 'Repair' of Breach In Wall of Separation

On October 18, the Court of Common Pleas of Mercer County, Ohio, read an opinion which used the First Amendment of the Federal Constitution to invalidate certain practices of the Board of Education of the Southwest Local School District of Mercer County.

The plaintiff was Jesse C. Moore, Recovery, Ohio. He filed the suit for himself and other residents similarly situated in the Southwest Local School District of Mercer County, Ohio. The case was supported by the Ohio Free School Association and American's United (POAU). Moore brought the action as a taxpayer and parent of children who attend the schools in question. He asked that the school board be enjoined from practices which he said violated the religious clauses of the Bill of Rights.

Some of the practices at issue were: (1) placement of all Roman Catholic elementary school children into three of the district's schools and placement of all other children into the single remaining district school; (2) operation of a bus system to make this religious segregation possible; (3) operation of released time religious education that found public school teachers bringing their pupils in groups to religious classes and to Mass in church buildings adjoining the public schools. (The public school in some cases was a building on Roman Catholic church grounds leased to the school board for 99 years for \$99.00); (4) the use of nuns in their garb as public school teachers.

In the court's view the plaintiff was making 3 claims:

"(1) The defendant has adopted a system of pupil placement that results in segregation of pupils based upon their religious creed;

"(2) The defendant is using public funds to operate within the public school system parochial schools wherein a sectarian religion is taught;

"(3) That a religious sect, to-wit, the Roman Catholic Church, has obtained control of a part of the school funds of the State of Ohio."

While refusing to hold that segregation by religion was unconstitutional in itself if it was merely a result of the geographic residence of religious groups, the court went on to ask: "Has the defendant . . . authorized the commingling of religious with secular instruction in the public schools and thereby breached the wall (of church-state separation) the Constitution has erected? Is the defendant aiding and assisting a religious sect and thereby making it 'the beneficiary of its power to compel children to attend secular schools?'"

Then the court concluded: "We must, after a careful and studied consideration of the evidence and the law applicable thereto, answer the foregoing (questions) in the affirmative. The relationship between the Church and the Board might even be described here as a holy alliance."

"We must conclude that the defendant has breached the 'Wall' (of church-state separation). It must be repaired."

The plaintiff was not successful, however, in obtaining a ruling against the practice of having nuns in their garb teach in the public schools. Here the court followed opinions from several states that allow the practice.—W.H.P.

In a 28-21 vote, general board members excluded the grant in question from a two-year moratorium being proposed. During this time no federal grants for construction could be accepted by any South Carolina Baptist Convention agency.

With the two-year holdoff is a companion recommendation that a special committee of 17 study the matter of federal grants and other tax monies, as they would apply to Baptist institutions. (BP)

**AUGUSTA, Ga.**—The Georgia Baptist Convention rejected federal grants for its institutions and in a surprise move slapped down Mercer University's request for a \$500,000 federal loan.

Rejection of grants followed a recommendation of the education commission after four public hearings had said "it is not

wise in view of prevailing public opinion to approve acceptance of grants." The report was adopted without discussion.

The slap at Mercer came unexpectedly in the convention's executive committee report which recommended the \$500,000 loan for a science building. Objection was made on the claim such loans at 3 per cent interest involve an adjusted interest rate which requires a federal subsidy. (BP)

**LITTLE ROCK, Ark.**—The Arkansas Baptist State Convention set up a committee to study church-state separation problems involved in accepting federal aid for private institutions.

The convention also reaffirmed "our traditional Baptist position on the separation of church and state," and urged all Baptist institutions and programs to respect its principle.

## Recent Developments In Church-State Affairs

### Human Rights At U. N.

UNITED NATIONS, N. Y.—Four resolutions covering many aspects of human rights, including religious liberty, have received overwhelming approval from the U. N. General Assembly.

Unanimous approval was given by the Assembly to two resolutions on religious intolerance. A world survey is being made with a view to "the eradicating of racial prejudice and national and religious intolerance and the elimination of all undesirable influences promoting these."

A second religious resolution requests the U. N. Human Rights Commission to complete both a draft declaration and an international convention for the elimination of all forms of religious intolerance. It is hoped that this will be finished in time for the General Assembly in 1966. (RNS)

### Establishment Problem in England

LONDON—The constitutional relationship between the Church of England and the state is to be reexamined by a new Anglican commission following a decision taken at the Fall Meeting of the Church Assembly here.

Although observers in both Parliament and in the Church see an increasing movement towards autonomy in the church, they also expect a continuation of establishment of some sort between church and state.

Many Anglicans in the Assembly expressed the view that the Church should have a more effective voice in appointment of its bishops.

In addition to the desire for autonomy, problems of ecumenical relation are demanding a rethinking of the relationship of the Anglican Church to the state. If a union with the Methodists is consummated, the relation of the episcopate to the Crown and to Parliament will be of great importance. Also possibilities of a united Church composed of Presbyterians, Congregationalists, etc. raise new church-state problems. (RNS)

### Baptists in Finland

HELSINKI—Baptists here face a different problem from those in the United States in maintaining their freedom. A member of the Finnish Parliament, a Baptist from Vasa, advocated greater freedom from government regulations for Free Churches in Finland.

Mr. Alvar Sundell said that they should not have to pay church tax on inheritances and corporations. He said that the law denying Free Church members who are

teachers in public schools the right to conduct religious education classes should be abolished. (At present these rights apply to members of the established Lutheran Church.) (EPS)

### Baptists in Poland

WARSAW—All seven members of the newly-elected Council of the Polish Baptist Church promised loyalty to the Polish laws and constitution at a ceremony in the State Office for Church Affairs. They are headed by the Rev. Alexander Kircun and the Rev. Zdzislaw Pawlik, who are chairman and secretary respectively, of the Council.

The ceremony was reported by the Warsaw Radio which said relations between the Baptist Church and the state were "good." Polish Baptists are estimated to number about 6,000. All high-ranking church officials are requested to make such a pledge before assuming office. (EPS)

### Baptists Act on Church-State

ENGLEWOOD, Colo.—The Colorado Baptist General Convention in annual session here, calling attention to problems other conventions are having with college financing, announced plans for Chairs of Bible adjacent to selected state college campuses. (BP)

HOUSTON—Federal aid to Texas Baptist institutions, expected to be the biggest issue facing the Baptist General Convention of Texas meeting here, never got to the convention floor. The issue, however, was thoroughly aired from the pulpit.

A special church-state study committee appointed earlier this year will decide the issue and report back to the convention and its executive board next year. Several speakers at the convention said that there could be effective cooperation between church agencies and the state without impairing the principle of religious liberty.

A Christian Life Commission recommendation, however, took a strong stand for separation of church and state. It said one of the "gravest threats" to church-state separation is the trend toward the "child benefit theory" in aiding parochial school children and using the churches as channels for government aid to the poor. (BP)

PORTAGE, Mich.—The Baptist State Convention of Michigan in a resolution urged that "we promote through every proper channel the traditional stand of Baptists on the separation of church and state, and that we seek to understand the application of this principle in the context of the cur-

rent and ever increasing complexities of this grave issue." (BP)

RICHMOND, Va.—The Baptist General Association of Virginia flatly opposed the federal government's making any financial assistance available to any church and denominational causes. Copies of the resolution were to be sent to President Johnson and to both houses of Congress. (BP)

SAN JOSE, Calif.—The Southern Baptist General Convention of California adopted a strong resolution opposing "the acceptance of federal monies by any Baptist institutions for the support of its programs."

The resolution stated that Southern Baptists have been inconsistent in the application of the principle of church-state separation. "Nevertheless such instances do not justify a continued breakdown in the practices of doctrine." (BP)

COLUMBUS, Ohio—Southern Baptists in Ohio voted unanimously to join other religious groups in filing a court suit to test the constitutionality of a recently passed state law which gives free school bus service to parochial school students. The new law goes into effect on Jan. 1, 1966.

A planning session was held Nov. 1 with representatives present from Jewish, Methodist, Presbyterian, Lutheran, Church of Christ, Evangelical United Brethren, Disciples of Christ, and several other religious bodies agreeing tentatively to enter the suit. (BP)

FT. LAUDERDALE, Fla.—The Florida Baptist Convention here authorized a special committee study next year on the convention. (Continued on page 7)

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