



REPORT FROM THE CAPITAL

JANUARY 1966

State Department Conducts Foreign Policy For The Nation

The Department of State is the official channel through which the American people conduct their relations with the other governments and peoples of the world.

Emphasizing the concern that each citizen should have, Dean Rusk, Secretary of State, says, "Foreign policy is about you. It is about your home, your community, your safety, your well-being, your chance to live a decent life and to prepare a better world for your children."

Under the direction of the President, and with the aid and advice of the Congress, the Department of State plans what courses of action to pursue in dealings with other nations. This department is the oldest executive department of the U. S. Government, antedating even the Constitution.

Thomas Jefferson was the first Secretary of State under the new United States Constitution. In 1790 his office staff consisted of five clerks, a part-time translator of French, and two messengers. The Foreign Service establishment comprised legations at Paris and London, an agency at The Hague, six consulates, and four vice consulates.

Today's position of the United States in world affairs has increased extensively the responsibilities of the State Department. The United States now has over 108 embassies, three legations, and about 180 other posts abroad.

The State Department employs about 7,100 persons in the United States and an equal number abroad. In addition it employs approximately 10,000 foreign nationals at overseas posts. Even so, it is still the second smallest of the executive departments of the national Government.

A dozen bureaus help carry out the work of the Department of State. They are: the Bureau of African Affairs, European Affairs, Far Eastern Affairs, Inter-American Affairs, Near Eastern and South Asian Affairs, International Organization Affairs, Economic Affairs, Intelligence and Research Admini-

stration, Security and Consular Affairs, Public Affairs, and Educational and Cultural Affairs.

In addition there are the offices of the Assistant Secretary for Congressional Relations, Legal Adviser, and the United States Representative to the United Nations.

Four other agencies are associated with

the Department of State—Agency for International Development, Peace Corps, United States Information Agency, and the United States Arms Control and Disarmament Agency.

The major portion of the nation's foreign aid programs are channeled through the Department of State.

The activity of the Department encompasses a wide variety of duties relating to travel to and from the United States, treaties and agreements with other nations, foreign trade and educational and cultural programs.

The Department says the basic aim of American foreign policy is "to safeguard the United States and promote the welfare and defend the liberty of the American people." It continues, "We seek this goal in a world harshly taught that no man can live in tranquility while his neighbor lives in fear, or long enjoy prosperity while others live in want."

This policy embraces five basic goals: (1) security through strength; (2) progress through partnership; (3) revolution of freedom; (4) community under law; and (5) peace through perseverance.

While most of the church-state issues confronting the nation are found on the domestic scene, the Department of State also deals with some of the thorniest of these issues. Among them are: the perennial question of diplomatic representation with the Vatican, carrying out aid and education programs in other countries with different concepts of church-state relations from that of the United States, and a number of problems relating to missionary work carried on by citizens of the United States.

Among the church-state problems related to missionary activity are: passports and travel arrangements, channeling of missionary funds to foreign countries, the safety of missionaries in time of crisis in foreign lands, and relief, other aids and educational programs through church channels. (WBG)



Cover Picture

The above is the State Department's first home at 13 South Sixth Street, Philadelphia. Compare it with the present building pictured on the front cover and located in Washington, D. C.

The Department of State's 8-story building covers four square blocks with a total of two and one-half million square feet of floor space. It houses approximately 7,000 employees.

Special features of the building are an 800-seat auditorium, an international conference room, facilities for simultaneous interpretation and radio and television coverage, a state dining room with adjoining reception rooms and a special kitchen, a library covering 58,000 square feet with a collection of nearly a million books, documents and periodicals, and a pneumatic tube system for transferring documents within the Department.

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Washington Observations

News — Views — Trends

January 1, 1966



THE COMING OF THE FUTURE means the coming of change. As 1966 arrives in the Nation's Capital, there is straw in the wind. Organizational shifts and social trends are in view that will affect church-state relations. Alertness and foresight are needed to guard religious liberty in this rapidly changing world.

THE AMERICAN NATION IS FORGING a tool in the federal government to give special attention to the needs of people as people. Long thought of as a catch-all administrative basket, the Department of Health, Education, and Welfare is emerging as the government tool to serve the needs of people — the underprivileged, the dependents, the aged, the ailing, the retired.

IN SPITE OF APPREHENSIONS about 'central government' a popular demand for justice and opportunity for all men will involve a nationwide effort which is new in scope and mission. The new tools and the new efforts will try to serve all people equitably regardless of religion or lack of it.

THE 'WAR ON POVERTY' WAS LAUNCHED under a 'tsar,' responsible to the White House, who was to coordinate the contributions of all agencies into an all-out effort. Such quick action strategy will give way to long-range building of institutions and agencies.

THE 'WAR' IS IN TROUBLE on all the issues listed by the Baptist Joint Committee on Public Affairs before the enactment of the Economic Opportunity Act. (See the 'Staff Report' of June 30, 1964.) The Community Action Program could go to the new Department of Housing and Urban Development, or to the Department of Health, Education, and Welfare.

DEMOCRATS AND REPUBLICANS ARE AGREED that the 'war on poverty' must change. Sargent Shriver's kingdom will be dissolved, but the church plans for cooperation could increase. The current administrative regulations for separation of church and state could be weakened by these shifts.

A NATIONWIDE PROGRAM OF HIGHER EDUCATION will become a reality as federal supports, state surveys and coalitions, and organizational coordinators hammer out a 'system' that meets 20th Century needs. Most church-related institutions of the past will be in the programs of the future as part of the secular facilities of the nation.

IN INTERNATIONAL AFFAIRS the moral influence of religious voices, such as the World Council of Churches and the Vatican, will continue to mount and to find more concerted impact. Eventually, the World Council and the Vatican could join in peace efforts. If religious public opinion saves the world from war, it will affect the political significance of religious leaders. Could it lead to a popular demand for representation at both Geneva and the Vatican?

Some Legislative Terms That Often Confuse Constituents

The Congress, like most American institutions, has a vocabulary which begets confusion among constituents. Some of the words have a historical place in semantics. Others have evolved out of years of usage on "The Hill."

Sometimes misunderstanding comes about because two words are used for different stages of a process. Though related, the stages are two separate actions which are part of the American democratic system.

For instance, a headline in a local newspaper may announce that a project dear to the hearts of most people in a particular community has been approved. Within a few weeks or months many persons begin to wonder why the project has not begun. The answer may simply be that no money has been "appropriated," even though the project has been "authorized." Both actions are necessary, yet separate actions by Congress before the project can begin.

We are indebted to a Baptist layman, Fred Rhodes, for the following definitions of terms frequently employed to describe actions of Congress and congressional committees. Mr. Rhodes is Staff Director of the U. S. Senate Republican Policy Committee and serves on the Southern Baptist Convention Executive Committee as the member from the District of Columbia.

APPROPRIATION: An appropriation results from the passage of a money bill that will enable the funding of an activity that has been previously authorized by law. It is an authorization by an act of Congress to incur obligations and to make payments out of the Treasury for specific purposes.

AUTHORIZATION: An authorization is a bill which may become law and which permits a department or agency of the government to undertake a function. No money is actually appropriated. Once this is done, however, the appropriation of the actual money is permitted, sometimes in fairly precisely stated amounts for the particular purpose.

AVAILABILITY: The term availability as it is applied to appropriations is important because it refers to the purposes for which appropriations are made and the period in which they may be obligated and expended.

1. An appropriation is *obligated* when a definite commitment is made or a legal liability to pay funds from an appropriation is made.
2. Moneys are *expended* when the disbursement is made by the Treasury Department on behalf of the agency, bureau, or department of government involved.
3. There is a prohibition against *over obligation* known as an anti-deficiency act which provides among other things that no officer of the government shall create or authorize an obligation under an appropriation in excess of the amount available in such appropriation.

BUDGET PROCESS: The budget process is that planning activity undertaken by the various government departments to obtain authorization to conduct certain activities and also to secure the

funds (appropriations) for the purpose. This process requires varying amounts of time but it must be completed by the departments in advance of November 1 of each year in order that the Bureau of the Budget might prepare and clear with the White House. The President's budget is presented to Congress each year immediately after the convening of Congress on a date set by law. Last year's budget was a book containing a total of 1,263 pages.

DEFICIENCY APPROPRIATION: Deficiency appropriations or supplementals as they are often called arise where funds are required on an emergency basis.

1. To fund a new activity authorized by law where instituting of the program is desired before the next appropriations cycle.
2. Where an unforeseen emergency arises requiring funds before the next appropriations cycle. (Hurricane relief and similar disasters are good examples.)

HEARINGS: Hearings subsequently are held on appropriation requests by each House of the Congress and usually are begun on the House side. Knowledgeable witnesses then appear and define the items in the request for which they seek funds.

JUSTIFICATIONS: Justifications are forwarded to the Senate and House Appropriation Committees after the President's budget has been submitted and these justifications contain detailed supporting data for the programs.

MARK UP: Mark Up is a term applying to the process involving the final draft of a bill which is "marked up" by a subcommittee and the full committee. It occurs in a meeting where members gather to decide officially whether to allow the full amount of the request, or any part of it, or as is sometimes the case, refuse to allow any money at all. Although items may have been authorized, they frequently are not funded, either because the President had not requested the funds (even though he may have requested the authorization), or the Congress decides the funds should not be appropriated.

RECLAMA: The term *reclama* is a colloquialism which actually means an appeal. The term is believed to have first been used by the Pentagon and gradually adopted by some other executive departments. However, the term is now gradually being replaced by what it actually means—an appeal. In the appropriation process, the term *reclama* is used to describe the process by which a department or agency may seek the restoration of part or all of the funds stricken from a bill by the House which first acted upon the measure.

UNBUDGETED ITEM: An unbudgeted item is one which may be included by an amendment although there has been no executive request for the funds. More frequently than not, such items fail to pass even though the item or items may be strongly desired by a particular member of Congress who has sought its inclusion.

Education Bill Shifts Church-State Focus From Washington

By C. Emanuel Carlson, Executive Director
Baptist Joint Committee on Public Affairs, Washington, D. C.

(EDITOR'S NOTE: In the following article Dr. Carlson analyzes the church-state complications of the Elementary-Secondary Education Act of 1965 as implemented by the regulations set forth by the Office of Education in the Department of Health, Education, and Welfare. This Act of Congress shifted the church-state problem in aid to education from "federal aid to parochial schools" to "federal aid to needy children" who might be enrolled in private schools. In doing so it shifted the main burden of the church-state controversy from Washington to the States and to the local school boards. Dr. Carlson's study reveals that the "regulations" and "guidelines," from a church-state standpoint, seem not to be as precise as the legislation enacted by Congress and signed by the President.)

The present approach to the problem of federal aid to education is now a year old. Before and after the election of November 1964 polls showed that the American public mind was becoming set for a breakthrough on the need for stronger programs of public education in the nation. Even before the President's January 12, 1965 special message on the subject, many observers had correctly discerned the components of the future. (cf. Baptist Joint Committee Staff Report January 4, 1965, "Education Prospect in the 89th Congress.")

One of the big questions was this: Would the federal funds be used for an expansion of public education only or would the nation change its course and give public funds to church institutions for elementary and secondary education?

The Act which was to become P.L. 89-10 attempted to guard the nation's principle of separation of church and state. The legislation, however, was also an attempt to use the educational approach toward solving unemployment, the high costs of welfare, and the many problems of the underprivileged. It combined educational concerns with welfare concerns. Accordingly, it sought to aid all underprivileged people and areas, and to do so through publicly administered programs and projects. It showed sensitivity to church-state problems at several points where the previous Economic Opportunity Act had remained insensitive.

The administrative tooling up has gone on as rapidly as could be expected with this kind of legislation. "Regulations," "guide-

lines," and "project plans" have evolved and the actual workings are becoming visible. For instance, under Title I, 220 projects have now been approved. Therefore, it is time to ask and try to answer the important policy questions which have remained in doubt until the actual operation can be analyzed. Here are some of the questions, and some of the indicators that are now in view.

1. Are the federal, state and local administrators carrying out the provisions of Title I, for "educationally deprived children," or is the money going to be general aid to education?

A serious effort is being made to use these funds so as to improve the education of the less advantaged areas and pupils. Real effort is being made to prevent the school districts from taking the funds as "general aid." The federal regulations (Federal Register, Sept. 15, 1965) require that the "local educational agency" (i.e. the school district) "shall (a) set forth a project for a project area composed of school attendance areas having high concentrations of children from low-income families, which project shall have been designed to meet the special educational needs of educationally deprived children in those attendance areas. Each application may cover one or more of such projects.

"(b) Each local educational agency shall design its projects in such a manner, and apply them to such school attendance areas, as will best meet the special educational needs of educationally deprived children from low-income families. Emphasis shall be placed on meeting such special educational needs in those school attendance areas in the school district which have the highest concentrations of children from low-income families; in no event may a school attendance area be designated as a project area if the degree of concentration of such children in the area is less than that of the school district as a whole. . . .

"(d) Subject to the application of paragraph (b) of 116.19, all children within the project area who are in need of the services to be provided by the project will be eligible to participate therein without regard to whether they are from low-income families and without regard to whether they are attending school at the time. . . .

"(f) A project will not be deemed to have been designed to meet the special

educational needs of educationally deprived children in the project area unless the funds made available for such a project are to be used to supplement, and not to supplant, State or local funds in the project area."

While there seems to be some local tendencies to use the money for general purposes, apparently this will not be permitted by the federal administrator.

2. What kinds of benefits must be made available to the "educationally deprived" pupils who are in private schools?

The public educational agencies must make provision "for including special educational services and arrangements (such as dual enrollment, educational radio and television, mobile educational services and equipment) in which such children can participate. The specialized educational services and arrangements are those which are designed to meet the special educational needs of educationally deprived children (such as therapeutic, remedial, or welfare services). These could include broadened health services, school breakfasts for poor children, and guidance and counseling services, as well as special educational programs, per se."

The interpretations of this language from the Act and from the regulations emphasize that the actual selections and planning of projects will be local decisions. The Department of Health, Education, and Welfare is showing a strong awareness of the fears of the State's rights emphasis and in the process is leaving the local communities to struggle with the question "how?"

3. While the bill was in Congress much was said about "dual enrollment" as a promising device or giving some public education to pupils from private schools. Is this emphasis working out?

Apparently, there has been some cooling off of interest in "dual enrollment." Spotty and inconclusive reports reflect some lack of interest by public school administrators. The Roman Catholic reaction has been diverse. Some have urged "give it a try," while others are pessimistic. The regulations and the guidelines seem to underplay the potential of the idea.

In the last analysis, its acceptance will depend on state and local willingness to work out plans and facilities for its use. Where it is adopted the plans must "avoid classes

which are separated by school enrollment or religious affiliation of the children."

In the long run the parochialists will need to find some way of becoming part of the nation's public educational program.

4. *What services may be brought to the pupils where they are in the private schools?*

The federal regulations on Title I say that public school personnel may be made available to non-public schools "only to provide specialized services which the local educational agency determines are designed to meet the special educational needs of educationally deprived children and only where such specialized services are not normally provided by the non-public school. . . .

"Provisions for special educational services or arrangements for educationally deprived children enrolled in private schools shall not include the paying of salaries of teachers or other employees of private schools, nor shall they include the placing of equipment other than mobile or portable equipment on private school premises or the construction of facilities for private schools."

5. *Will the providing of library materials, textbooks, and instructional materials be an aid to the private institutions?*

Title II which provides funds for such materials for teachers and pupils is to be implemented on the basis of "state plans." The Regulations say: "(a) A basic condition for the payment of Federal funds to a State under Title II of the Act is (1) a State plan meeting the requirements of Title II of the Act by providing a program under which funds paid to the State will be expended solely for acquisition of school library resources, textbooks, and other printed and published instructional materials and administration of the State plan, and (2) an annual description of the projected program activities to be carried out under the State plan during the forthcoming fiscal year.

"(b) Effect of State plan. The State plans, when approved by the Commissioner, shall constitute the basis on which Federal grants will be made, as well as the basis for determining the propriety of expenditures in which Federal financial participation is required."

The "guidelines" aimed to clarify the regulations do not make clear what the role of the school is to be in the lending or the borrowing of the state property purchased by federal funds. The materials selected must be those in use or approved for use in public schools of the area but the rules for borrowing are not specified.

The "Official Policies and Guidelines" developed by the Texas Education Agency,

the only one at hand so far, does not set a very helpful precedent. These provide for a "committee of representative administrators from all eligible schools."

This committee shall: "give consideration to the types of materials needed by the pupils and teachers of non-public schools and to advise the applicant public school district of the library resources, textbooks, and other printed and published instructional materials which should be made available to the students and teachers of non-public schools . . .

"Develop an equitable plan for making these materials available to the teachers and pupils in eligible non-public elementary and secondary schools so that these children and teachers have access to the materials on a proportionally equal basis to the children and teachers in public schools."

On the loan of materials they say: "The procedure followed in making loans to pupils and teachers in non-public schools should permit the use of these materials on a comparable basis and under the same policies which are normally followed in their school building for materials purchased with private school funds."

6. *What are the patterns developing for "supplementary educational services and centers", as projected by Title III?*

In this program, now known as PACE (Projects to Advance Creativity in Education), every project application must go to the U. S. Commissioner Education. He then brings it to an "advisory committee." This committee has outlined "five important emphases," as follows:

1. Creating an awareness (1) There is to be created an awareness of the need for new and imaginative programs and services. (2) High priority should be placed on applications for planning grants. (3) Priority will be given for a time to innovate and exemplary programs. (4) Programs should utilize all possible Federal assistance programs—Title III, V-A, and VII of NDEA. (5) Appropriate "community resources," educational, cultural, social, and scientific, are to be drawn upon in planning, developing, and carrying out the project.

All grants must be to public educational agencies, and "such programs and services must be administered and supervised by the local public educational agency applying."

The local educational agency, however, may make contracts with private schools and agencies for particular projects. The benefits of any PACE project must be available for pupils and teachers whether public or private.

7. *Are public funds going to replace private funds for the private schools?*

The intended emphasis of this Act is to add to the existing educational efforts. Projects are on an "over and above" basis, and precautions are being taken to prevent "cut-backs." Title I looks for new and additional projects that help poor children; Title II looks toward more and better teaching and study materials; Title III looks toward more and better educational skills and practices, and Title IV aims at more basic educational research.

To those committed to "more and better" the federal funds will be "help" which requires sustained effort from the other sources. The states must supervise on that basis, and the federal government will "monitor" to see that this purpose is achieved.

In achieving more and better education, institutional ambitions and conflicts are to be expected. At the federal level this already shows up as between the "poverty program," which operates as a free riding effort, and the evolving role of the Department of Health, Education, and Welfare. While the latter needs a lot of care and refining it is off to a more promising thrust than is the Office of Economic Opportunity.

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Vatican Council Declares New Position On Religious Liberty

By W. Barry Garrett

From a Baptist point of view Vatican Council II climaxed its four years of annual sessions by its declaration on religious liberty. However, other actions of the Council also will affect Baptists, as well as Protestantism as a whole.

Sixteen documents were promulgated by the Council, but all of the effects of the assembly are not to be found in these decrees and declarations. Often the "intangibles" are as significant as the official actions. The full impact of the Council, of course, must await the passage of time. Meanwhile, we cannot ignore the obvious.

After weathering four years of furious storms on the subject, the Council finally, by a vote of 2308 to 70, declared that all persons and religious groups have the right of religious liberty. This is a new and official teaching of the Roman Catholic Church.

Coercion Is Rejected

The declaration is summed up in this paragraph: "This Vatican Council declares that the human person has a right to religious freedom. This freedom means that all men are to be immune from coercion on the part of individuals or of social groups and of any human power, in such ways that no one is to be forced to act in a manner contrary to his own beliefs, whether privately or publicly, whether alone or in association with others, within due limits."

The Council declared that "the right to religious freedom has its foundation in the very dignity of the human person." This represents a basic shift from the former view that only truth has rights but error has no rights.

Although this new teaching of the Roman Catholic Church represents a reversal of its historic position and offers much hope for religiously oppressed minorities in Catholic dominated countries, it did not go as far as many had hoped.

Shortcomings Listed

It insists that the "one true religion subsists in the Catholic and apostolic church," and that all men are bound to seek the truth concerning God and his church, and when this truth is found to embrace it and to hold fast to it. Nevertheless, no coercion is to be used to achieve this end.

It fails to recognize the contradiction between approving an established state church and the freedom of religion for all

men. Nowhere does the declaration advocate the separation of church and state.

In its emphasis on freedom in education the Council advocates a position that leaves the door open for public tax aid to parochial schools. The declaration fails to take into account adequately the rights of children and could be interpreted to hit at public schools as well as education in totalitarian societies. It said:

"The rights of parents are violated if their children are forced to attend lessons or instruction which are not in agreement with their religious beliefs, or if a single system of education, from which all religious information is excluded is imposed upon all."

The neutrality and incompetency of government in religious matters is overlooked by the Council in this statement: "Government, therefore, ought indeed to take account of the religious life of the citizenry and show it favor, since the function of government is to make provision for the common good."

The limitations on freedom suggested by the Council could result in the restriction of religious liberty under certain circumstances. The limitations of freedom are to be imposed when the common welfare, the public peace and the public morality are endangered.

Other Decrees

Among other decrees and declarations of the Council we make special mention of the following:

Modern World: In this decree the Roman Catholic Church established a precedent by defining its relationship to man in the modern world and its position on most of the major problems that confront him. By this decree the Catholic Church is seeking to establish a rapport with modern man, and to expand its ministry effectively to minister to the whole man.

Divine Revelation: This decree takes steps toward clarification on the relation between tradition and scripture and it moves toward a more vital role of scripture in the life of the church. It declares that "easy access to sacred scripture should be provided for all Christian faithful." It urges Catholic teachers, theologians, priests, and church members to extensive and prayerful reading and study of the scriptures. It looks favorably toward a common Bible for all Christians.

Non-Christian Religions: This declaration strikes hard at anti-Semitism and says that Jews of today cannot be held guilty of the

deeds done by Jews of the New Testament day who demanded the death of Christ. It calls for dialogue and collaboration with non-Christian religions and "rejects nothing that is true and holy in these religions."

Ecumenism: One of the aims of Vatican Council II was "the restoration of unity among all Christians." The decree confesses its share of blame for the division of Christianity, recognizes other believers as Christians, and declares that other communions share in the nature of the church. It sets forth principles for Catholics to follow in dialogue with others and encourages common worship and activity wherever possible.

Laity: Both in the decree on the Apostolate of the Laity and in the Constitution on the Church a new role for lay members of the church is set forth. Heretofore, the clergy has been almost the sole active element in the Catholic Church, but here the laity are described as the "people of God" with the inherent right and responsibilities that this involves. Although the Catholic Church retains its hierarchical structure, a new, active and dynamic role for the lay members is now open.

Effects On Other Christians

Among the "intangible" results of the Vatican Council on the Baptist movement can be mentioned the following. Others will become evident as the effectiveness or ineffectiveness of the Council becomes more certain.

1. We must re-examine the motivations for our Christian witness. Are we moved by the Spirit and love of God, or are we impelled by fear and the challenges of intercreedal conflict? We must maintain our position in the world on the basis of the merit of our message, principles and performance. Noise, ignorance, misrepresentation and half-truths will not be effective in a clear Christian witness.

2. The polemics of the era following the Council of Trent came to an end with Vatican Council II. The encounter between Roman Catholicism and other Christian faiths now must be conducted on a higher level.

3. Concern for the whole man, for meeting human need, whatever they are and wherever they may be found, will be a growing challenge to all Christians to proclaim and practice a whole gospel.

4. In the dialogue among Christian faiths that will increase in the years ahead, Baptists have something to share with other Christians.

(Continued on page 8)

Court Says School Prayer Not 'Voluntary'

NOTE:

Contrary to the impression given by many news reports, the Supreme Court of the United States in December did not approve the prohibition of "voluntary" prayers in public schools. A clear case involving the "free exercise of religion" in public schools has not yet reached the Supreme Court. The following news story was written by the editor when the Supreme Court refused to grant certiorari in the appeal from United States Court of Appeals in New York. It explains what the court in New York defined as the real issue in the case. (WBG)

WASHINGTON (BPA) — The United States Supreme Court refused to hear an appeal in a case that would require public schools to make provision for religious exercises in the daily school program.

The case had been appealed to the Supreme Court by 15 parents of 21 children ranging from 5 to 11 years of age. The children attend Public School 184 at Whitestone, N. Y. in grades ranging from kindergarten to the sixth.

Religious exercises in the school had been stopped as a result of the Regents' Prayer case in 1962 which prohibited official prayers in schools. Since then, the courts also ruled but required Bible reading and recitation of the Lord's Prayer.

The United States District Court, Eastern District of New York, had ordered the school to restore the practice of reciting prayers in classrooms. Later the United States Court of Appeals reversed the decision and sustained the school decision.

The U. S. Supreme Court refused to hear an appeal from this latter decision. This does not mean that the Supreme Court agrees with the arguments and reasoning of the lower court. It does mean, however, that this action may be interpreted to continue prohibition of religious exercises on public school property during school hours.

In his decision against the recital of prayers in public schools, Judge Henry J. Friendly said that the constitutional guarantees for free speech and the free exercise of religion do not compel a state "to permit persons to engage in public prayer in state owned facilities wherever and whenever they desire."

He further said: "Determination of what is to go on in public schools is primarily for the school authorities. Against the desire of these parents that their children be given an opportunity to acknowledge their dependence and love to Almighty God through a prayer each day in their respective classrooms, the authorities were entitled to weigh the likely desire of other parents not to have their children present at such prayers, either

because the prayers were too religious or not religious enough;

"And the wisdom of having public educational institutions stick to education and keep out of religion, with all the bickering that intrusion of the latter is likely to produce. The authorities acted well within their powers in concluding that plaintiffs must content themselves with having their children say these prayers before nine or after three."

In their appeal to the courts the parents contended that the state could not "deny children attending public schools the opportunity to voluntarily offer a prayer of their own choosing to God while in school."

They contended that such a ban denied their children of the free exercise of religion and of free speech.

In reply the brief for the school authorities argued: "No substantial constitutional question is presented by the petitioners' contention that the 'free exercise of religion' and 'freedom of speech' provisions of the First Amendment of the U. S. Constitution require public school authorities to provide daily prayer periods in the public schools."

They further argued: "What the petitioners in effect are seeking to do is to impose religious practices upon the public schools, and to obtain the aid of the state therefor through the use of the public schools and school personnel. This the respondents are constitutionally prohibited from permitting. And even if the respondents could permit it, they would not be required to do so."

It was pointed out in the brief for the school that the practices being demanded by the parents for their children could not be in the category of voluntary free exercise of religion. Since the specific prayers involved were offered by kindergarten children from Protestant, Roman Catholic, Jewish, and Armenian Apostolic homes, the prayers had to be taught and supervised by the school authorities.

Although the parents attempted to make this a test of "free exercise of religion" in public schools, the courts refused to accept

it as such. Thus the case does not involve the question of voluntary religious acts by students for which they might be excused nor does it deal with the question of "voluntary" religious expression in public schools.

On this point Judge Friendly said, "We are not here required to consider such cases as that of a Moslem, obliged to prostrate himself five times daily in the direction of Mecca, or of a child whose beliefs forbid his partaking of milk and cookies without saying the blessings of his faith. So far as appears, the school authorities might well permit students to withdraw momentarily for such necessary observances—or to forego the milk and cookies, just as they excuse children on holidays important to their religions."

This case remains in the category of the place of public schools in providing for religious exercises. The courts have consistently ruled that state agencies have no responsibility to promote or to oppose religion, but they are to remain neutral in matters religious.

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tians and others have much of profit to share with Baptists. Baptists can no longer afford to ignore the ecumenical movement. They must know what it is. Effective ways and means for Baptists to communicate with their fellow Christians of all faiths must be discovered. The day of an isolated Christian and of an isolated Christianity is at an end.