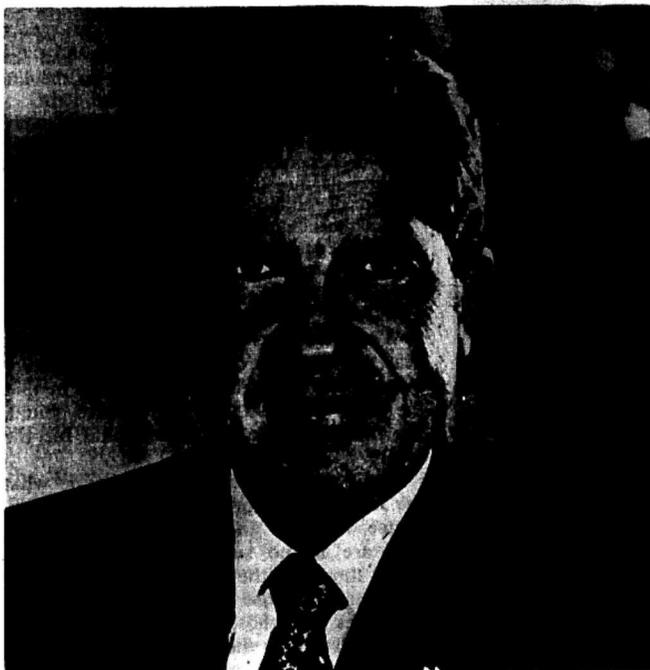


# Report from the In Capital

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The Next President  
Of The  
United States  
Of America



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S. B. U. ... COMMISSION  
NASHVILLE, TENNESSEE

## The Commitment And Witness Of Baptists In Public Affairs

By James E. Wood, Jr., Executive Director  
Baptist Joint Committee on Public Affairs

(EDITOR'S NOTE: The following article is a summary of the "inaugural address" of the new executive director of the Baptist Joint Committee on Public Affairs. Dr. Wood began his duties on September 1, 1972. This address was delivered to a reception-dinner at the Calvary Baptist Church, Washington, D.C., during the semi-annual meeting of the Committee, October 3, 1972.)

I

In 1939, the Southern Baptist Convention on May 20, and the Northern Baptist Convention on June 21, adopted unanimously a joint statement on religious liberty and the separation of church and state, which concluded with these words, quoted in part as follows:

"Believing religious liberty to be not only an inalienable human right, but indispensable to human welfare, a Baptist must exercise himself to the utmost in the maintenance of absolute religious liberty for his Jewish neighbor, his Catholic neighbor, his Protestant neighbor, and for everybody else. . . . We stand for a civil state, 'with full liberty in religious concerns.'"

This preliminary step of joint Baptist concern eventually led to a proposal for the formation of a Baptist Joint Committee on Public Affairs, to which all national Baptist bodies of the United States and Canada could contribute and through which they could give a united Baptist witness in public affairs. Formal inauguration of the movement finally came in 1945 when four major Baptist conventions, the American Baptist Convention, the National Baptist Convention of the U.S.A., the National Baptist Convention of America, and the Southern Baptist Convention voted to maintain an office and staff in the nation's capital.

In succeeding years five other national Baptist conventions became members of the Joint Committee: the Baptist Federation of Canada, the Baptist General Conference, the North American Baptist General Con-

ference, the Progressive National Baptist Convention and the Seventh Day Baptist General Conference.

The mandate given the Baptist Joint Committee on Public Affairs, approved by the sponsoring Baptist conventions, as found in the Constitution of the Joint Committee, includes the following:

To act in the field of public affairs whenever the interests or rights of the cooperat-



James E. Wood, Jr.

ing Conventions which constitute the Committee call for conference or negotiation with the Government of the United States or with any other governments, or whenever Baptist principles are involved in, or are jeopardized through governmental action, or when any of the cooperating Conventions or any of their agencies may refer to the Joint Committee any matter of common interest or concern, for consideration and recommendation.

To enunciate, commend and defend the historic Baptist principle of religious freedom with particular application to the sepa-

ration of church and state as embodied in the Constitution of the United States.

To communicate and commend to the President, Congress, Courts and Departments of the Federal Government or state governments such declarations as Baptists from time to time officially adopt concerning public matters.

To make such contacts with the various departments of any government as may be found necessary or desirable in the legitimate transaction of legal or other business between such governments and the Baptist agencies or approved representatives.

To inform the Baptist constituencies of governmental movements and measures affecting principles held essential to true relations between church and state and the right application of Christianity to the life of the nation.

To transmit through its constituent committees to the cooperating Conventions and/or proper agencies, any findings that result from its investigations and research in the field of public affairs, together with any recommendations which in its judgment need to be considered by the cooperating Conventions.

II

While we may rightly rejoice over the past achievements of the Baptist Joint Committee on Public Affairs, let us affirm that the past is not that to which we are bound, but rather that on which we build for the future.

While no one can dare to presume what the future holds for the Baptist Joint Committee, its goals and objectives for the future are in no substantial way different from those in the past. New challenges, however, will arise which call for different responses than those made in the past. It is likely, also, that the agenda of the Baptist Joint Committee may well include altogether new areas of concern and action, which have not previously been a part of either its department of research or information.

Although our agenda must necessarily (See, INAUGURAL, page 7)

**REPORT FROM THE CAPITAL**—a bulletin published 10 months during the year by the Baptist Joint Committee on Public Affairs, 290 Maryland Ave., N. E., Washington, D. C. 20002. The purpose of this bulletin is to report findings on the interrelations between churches and governments in the United States. It affords church leaders a chance to understand developments, policies and trends affecting public policies and it affords public officials a chance to understand church structures, dynamics and positions. It is dedicated to religious liberty, to free and effective democracy and to equitable rights and opportunities for all.

The views of writers of material for *Report From The Capital* are not necessarily those of the Baptist Joint Committee on Public Affairs or its staff. The bulletin also provides for the sharing of views between leaders of the cooperating conventions and between leaders of various religions and traditions.

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, USA, Inc., North American Baptist General Conference, Progressive National Baptist Convention, Inc., Seventh Day Baptist General Conference, and the Southern Baptist Convention.

**Executive Staff of the Committee:** James E. Wood, Jr., executive director; John W. Baker, associate director in charge of research services; and W. Barry Garrett, associate director in charge of information services and editor of *Report From The Capital*.

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## Semi-Annual Meeting

# Baptist Joint Committee Names Wheeler As Chairman

WASHINGTON—The Baptist Joint Committee on Public Affairs in semi-annual session here October 2-4 elected a new chairman, re-arranged staff titles, and discussed current issues on church-state relations.

This was also the first regular meeting of the Baptist Joint Committee with its new executive director, James E. Wood, Jr., formerly on the faculty of Baylor University, Waco, Texas.

Wood is the third executive director of the Baptist Joint Committee, succeeding C. Emanuel Carlson who retired in 1971. J. M. Dawson was the first executive director.

Alton L. Wheeler, General Secretary of the Seventh Day Baptist General Conference, Plainfield, N.J., was named the chairman of the Baptist Joint Committee. He succeeds Warren R. Magnuson, general secretary of the Baptist General Conference, who has served as chairman the past two years.

Other officers of the Baptist Joint Committee are: William F. Keucher, pastor of the Covenant Baptist Church, Detroit, first vice chairman; Mrs. A. Ross Brent, of the Progressive National Baptist Convention, Inc., Plainfield, N.J., second vice chairman; Gerald L. Borchert, North American Baptist Seminary, Sioux Falls, S.D., recording secretary; and James E. Wood, Jr., Washington, D.C., treasurer.

Alice Moody, administrative assistant on the staff, was named assistant treasurer, and Beth Hayworth, assistant to the director of information services, was named assistant recording secretary.

Two of the executive staff members of the Baptist Joint Committee were given new titles and equal status. John W. Baker was named associate director in charge of research services, and W. Barry Garrett was named associate director in charge of information services. Baker, since the retirement of Carlson, served as acting executive director until Wood assumed his new duties on September 1.

Wheeler has been general secretary of the Seventh Day Baptist General Conference since 1965. He also serves as executive secretary of the World Federation of Seventh Day Baptists and as a member of the executive committee of the Baptist World Alliance and the North American Baptist Fellowship.

A native of Kansas, Wheeler served as pastor of Seventh Day Baptist churches in New York, Michigan and California prior to his present position with his denomination.

The Seventh Day Baptist General Conference is one of nine Baptist denominations sponsoring the Baptist Joint Committee. The Seventh Day Baptists emerged

with other Baptists in England and established themselves in Rhode Island in 1672. They have been in the midst of the historic struggles with kings and bishops in the struggle for religious liberty.

There are 30,000 Seventh Day Baptists in the world. Their headquarters are in Plainfield, N.J. Their general conference was organized in 1802.

The other Baptist denominations in the Baptist Joint Committee are: American Baptist Convention, North American Bap-



Alton W. Wheeler

tist General Conference, Baptist General Conference, National Baptist Convention of America, National Baptist Convention, U.S.A., Inc., Progressive National Baptist Convention, Inc., Southern Baptist Convention, and the Baptist Federation of Canada.

Among the items discussed by the Baptist Joint Committee was the question of tax credit for parents paying tuition in private schools. The House Ways and Means Committee was scheduled to meet on Tuesday morning while the Baptist Joint Committee was in session. Tax credit was on the agenda of the Ways and Means Committee.

On Monday evening the Baptist Joint Committee passed a special resolution opposing tax credit legislation that would give aid to church-related or other nonpublic schools. Early Tuesday morning members of the Baptist Joint Committee who were in Washington for their semi-annual meeting hand delivered the resolution to the offices of the 24 members of the House Ways and Means Committee.

During the same time parochial school interests had besieged the Ways and Means Committee with telegrams urging approval of a tax credit plan. Earlier both major

candidates for the presidency had pledged support of a tax credit plan to help private schools.

The result was that the Ways and Means Committee voted to instruct its staff to draw up a tax credit bill for final approval one week later.

Among other items discussed by the Baptist Joint Committee are the following:

**Compulsory Chapel:** The U.S. Court of Appeals ruled that compulsory attendance at religious services at the nation's military academies is unconstitutional. The U.S. Government is now preparing to appeal the decision to the U.S. Supreme Court. The government has until the end of October to file with the High Court a petition for a writ of certiorari. If the Court agrees to hear the case the Baptist Joint Committee will file a friend-of-the-court brief as it did when the case was before the U.S. Court of Appeals, according to action by the Committee.

**Tax Reforms:** Tax reforms will be a priority item of the House Ways and Means Committee early in 1973. Many of the proposed reforms affect churches and their agencies. The Baptist Joint Committee staff was instructed to give major consideration to this problem with the possibility of calling a special consultation of Baptist leaders early in 1973.

**Religion and Education:** The Baptist Joint Committee voted to join the new National Council on Religion and Public Education and to continue to work toward informing the general public about the proper relationship between education and religion in the public schools.

**Church Schools and Public Aid:** The Committee engaged in a discussion of the pros and cons of public aid to church schools. The Committee and its staff continue to make this a priority item on its agenda.

**Pending and Anticipated Legislation:** The Baptist Joint Committee was briefed on legislation in Congress on: Busing, Child Development Legislation, Civil Rights, Gun Control, Health Programs, Housing, Military Aid, Mind Control, Minimum Wage, Minister's Social Security, Obscenity, Prayer Amendment, Presidential War Powers, Programs for Older Americans, Revenue Sharing and Welfare Reform.

**Pending Supreme Court Cases:** Cases of church interest before the Court include, among others, questions on obscenity, abortion, narcotics, conservation and pollution, fairness in broadcasting, aid to families with dependent children, property tax as support for public schools, state aid to nonpublic schools, and the free exercise of religion.

## Where Do They Stand?

# Comparison of Views of Major Presidential Candidates

By Beth Hayworth, Assistant to the Associate Director in Charge of Information Services

Where do the two leading contenders in the 1972 presidential election stand on some of the national issues of particular concern to Baptists? Here in capsule form is a list and a brief summary of some of these issues, gleaned from statements made by both President Richard Nixon and Senator George McGovern.

**Abortion**—Mr. Nixon says that he considers abortion an "unacceptable form of population control" and that he "cannot square his personal belief in the sanctity of human life with unrestricted abortion policies or abortion on demand."

Mr. McGovern says that "abortion is a private matter which should be decided by a pregnant woman and her own doctor." Once the decision has been made, laws should not stand in the way of implementation. Abortion laws are a matter for state governments, he has said often.

**Aid to Parochial Schools**—Both candidates support the use of federal funds to help pay for education in nonpublic schools. Mr. Nixon's stand on this has been known for sometime. Repeatedly, he has promised Catholic educators that he will find ways to aid parochial schools. Mr. McGovern's stand was made public recently when he said he was seeking a way to help parochial schools "within the framework of the Constitution." Later Mr. McGovern—as has the Nixon Administration—endorsed "tax credits" for parents of children in parochial and other nonpublic schools.

**Amnesty**—Mr. Nixon has said that after the Vietnam war is over and U.S. prisoners are returned that he would be "very liberal" with regard to amnesty. "It would have to be on the basis of their . . . paying the price that anyone should pay for violating the law," he said about draft evaders.

Mr. McGovern says that after the war has ended and the prisoners are returned, he would grant amnesty to those who, on the grounds of conscience, refused to participate in the Vietnam conflict. He believes cases of deserters from military service should be considered on an individual basis to determine the reason for the action and whether it was related to the war.

**Busing**—Mr. Nixon has spoken often against busing and has supported anti-busing bills in Congress. With the recent shelving of such proposals, he now supports a move for a constitutional amendment to prohibit busing for the purpose of desegregation.

Mr. McGovern regards the movements

for anti-busing laws as a "repulsive strategy of fear" and as a congressional response to "unreasoning political panic." He promises that his Administration would give strong leadership on the matter of racial equality. He opposes a constitutional amendment and insists that the Congress "reaffirm . . . commitments to true equality of education."

**Education**—Mr. Nixon believes that restructuring the property tax, a proposal



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under consideration by his Administration, would benefit local school districts. His proposals for education revenue sharing would bring together more than 30 major Office of Education programs representing approximately \$2.8 billion in grants in the 1972 budget, and would provide for an increase of \$200 million in total funding for the first year.

Mr. McGovern says that as President he would immediately take the \$4 billion the nation is spending on the Vietnam war and use it to more than double the current federal assistance to elementary and secondary education. He would recommend that the federal government pay one third of the total costs of public elementary and secondary education while continuing to provide funds for existing compensatory and special-purpose aid. All of the federal education money, Mr. McGovern says, would be distributed under a formula designed to equalize educational opportunity in all

school districts from the combination of federal, state and local funds.

Mr. McGovern is critical of Mr. Nixon's revenue sharing for education. He would favor a revenue sharing system where the federal government would set operational goals it wishes to achieve and make grants-in-aid for those purposes without dictating the way state and local governments should achieve the goals. The federal government would then monitor the results, making full grants-in-aid payments contingent on satisfactory progress.

**Gun Control**—Mr. Nixon has said there should be a federal law for the control of handguns. The problem, however, according to the President, is how to write the law in such a way that it is precise and deals with that kind of handgun which ought to be controlled. He has said he would support a law ruling out the Saturday night special. (In Congress recently the Senate passed a "mild" bill to control the sales of the "Saturday night special." This bill failed in the House of Representatives, allegedly because of the lack of Administration support.)

Mr. McGovern says that he has no desire to take guns out of the hands of sportsmen and hunters, but that Americans have "no use for Saturday night specials." He has supported legislation to end the importation of handgun parts for assembly here in the United States, and bills to crack down on domestic models. Bans on such weapons would assist law enforcement officers in preventing crime and begin restoring safety to the nation's streets, Mr. McGovern believes.

**Health Insurance**—Mr. Nixon is for a comprehensive national health insurance program in which both the public and private sectors "join . . . to provide adequate health insurance." Rather than set up a new program, he would correct what he calls "inadequacies" in the present system.

Mr. McGovern is for a comprehensive national health insurance program that would be federally funded and operated. He has criticized the "constantly growing patchwork of inadequately conceived, overlapping, and uncoordinated health programs" and the "complex . . . regulations." In supporting a national health insurance program, he declares that he would reject alternatives "designed solely to preserve and build the wealth of the giant private insurance companies."

**Job Quotas for Minorities**—Both candidates oppose job quotas for minority groups. Mr. Nixon said in his presidential acceptance speech in August that the way to end discrimination against some is not to begin discrimination against others. "Dividing Americans into quotas is totally alien to the American tradition," he declared.

Mr. McGovern also rejects the quota system as "detrimental to American society." He maintains that opportunities can be opened for minority group persons without "violating the basic principles of non-discrimination and without abandoning the merit system."

**Marijuana**—Both candidates are against legalizing marijuana. Mr. Nixon took a firm stand against legalization when he asked a Commission to study the effects of marijuana and report back to him. He favors more uniform standards of penalties within the states.

Mr. McGovern maintains that more should be known about the effects of marijuana before legalization can be considered. He too is for less severe penalties for the use of marijuana.

**Prayer Amendment**—Neither candidate is seeking an amendment to the U.S. Constitution relating to prayer in public schools.

The Republican platform states: "We reaffirm our view that voluntary prayer should be freely permitted in public places—particularly, by school children while attending public schools—provided that such prayers are not prepared or prescribed by the state or any of its political subdivisions and that no person's participation is coerced, thus preserving the traditional separation of church and state."

At the Democratic convention a minority report was presented: "We urge the adoption of an amendment to the Constitution of the United States to permit prayer in the public schools." This was not adopted.

**Tax Reform**—Mr. Nixon has not proposed major changes in tax policies. He says that the problem of the property tax—which he describes as the "most regressive" of all taxes—is under study by his Administration. As to the Value Added Tax (VAT), he says that no decision has been made. He said in a news conference this year that his Administration has not found a way to recommend the VAT to replace the property tax.

Mr. McGovern declares that "the most urgently needed change in our systems of taxation and public assistance is to place far greater emphasis on fairness." He favors legislation that would review all present tax "loopholes" in light of the fairness principle. The Value Added Tax according to McGovern would be "regressive" and should not be enacted to provide property tax relief.

**War Powers**—Mr. Nixon thinks that it would be "a very great mistake" to limit

the President's war powers. "We live in times when situations can change so fast internationally that to wait until the Senate acts before a President can act might be . . . too late," the President has declared.

Mr. McGovern says that the Senate must face the "deepening constitutional crisis" in the U.S., centering on the crucial issues of war and peace and the proper role of Congress in relationship to the President. He declares that the growing tendency of Congress to surrender its war powers to the President places the Nation "in danger of falling into one-man rule."

**Welfare Reform**—Early in his Administration, Mr. Nixon proposed major reforms in the welfare system. As supported by him and passed by the House of Representatives the welfare reform measure would have placed a floor beneath the income of all American families not able to support themselves adequately. His proposal would vary the benefit from \$1600 to a maximum of \$3600. A family of four would receive \$2400 as a basic benefit. The Senate failed to approve this legislation.

Mr. McGovern agrees with Mr. Nixon that the present welfare system is "a mess." His proposals, however, would be more generous. The plan offered recently by Mr. McGovern calls for a \$14 billion three-point program of "national income insurance" which would involve programs to create public service jobs, expansion of Social Security coverage to more than three million people who otherwise would be on welfare, and an annual minimum income of \$4000 in cash and food stamps for a family of four.

**Defense**—Mr. Nixon believes that it would be a "dangerous error" for the U.S. to withdraw from all or most of its international responsibilities. Earlier this year he pointed out that the country had learned "that we can best serve our own interest in the world" by setting realistic limits on what we try to do unilaterally.

"We have reversed spending priorities, but we have never compromised our national security. And we never will," Mr. Nixon declared in his State of the Union address last January. His plans for fiscal 1973 call for an increase in defense spending which he said is necessary in part because of the rising research and development costs, increases in military pay checks, and in part by the need to proceed with new weapon systems "to maintain our security at an adequate level."

Mr. McGovern says that "the plain truth is that the major dangers to American society today are not threats from abroad but the deterioration of our society from within." The Democratic hopeful charges that the country has been so "obsessed with the fear of international Communism" that we have robbed and weakened our domestic society. America can now best serve its own interests and the world community, accord-

ing to Mr. McGovern, by devoting less of our resources to concerns overseas and investing more in the building of our nation.

One of Mr. McGovern's highest priorities if he is elected President is to reduce military spending. In testimony earlier this year before a Congressional committee he proposed that over a three-year period defense spending could be reduced to a level of \$54.8 billion.

## New York Times Hits Both Presidential Candidates

NEW YORK (RNS)—The New York Times has criticized both President Nixon and Sen. George McGovern for their positions on the issue of state aid to non-public schools through tax credits for parents of students.

In an editorial entitled "The School Aid Issue," The Times declared that the Democratic Presidential candidate's proposal to grant tax credits to parents who pay private school tuition is "virtually indistinguishable" with a plan that had been recommended by the President's advisory panel on aid to parochial schools.

Such aid, the newspaper suggested, "appears to us a threat to the principle of the separation of church and state, no less real for being an indirect subsidy." It also charged that such aid "could easily become a windfall for those private academies that have been established to perpetuate segregation."

The editorial commented that aid to non-public schools might involve a simultaneous reduction in aid to public schools, which would come at a time when public schools in communities are being forced to reduce their teaching staff and academic programs. It stated that the President's advisers have suggested that tax credits for education be offset by cuts in other educational expenditures, although Sen. McGovern has pledged increased support for the public schools.

Noting that Sen. McGovern outlined his position on aid to parochial schools in a speech delivered at a Chicago parochial school, The Times scored what it called "the unsatisfactory nature of an election campaign in which candidates respond piecemeal to special audiences."

"Instead of clarifying issues," it said, "this approach fragments and confuses them."

The editorial concluded with a criticism of both candidates—of President Nixon for having "totally defaulted on any . . . rational course in matters relating to education ever since he began to exploit busing for political purposes," and of Sen. McGovern for "telling an audience of teacher unionists that he supports their right to strike (and telling) an assembly of parochial school students that he favors aid to non-public schools."

## A Look At The New Court And Pending Cases

By John W. Baker, Associate Director  
In Charge of Research Services

The Constitution of the United States of America is a relatively brief document. The wording is simple. Problems arise, however, in determining the meanings of fairly commonplace words and terms. For example, the word "navigation" is one most adults can define and yet the Supreme Court has had numerous cases which hinge on Congress' specific power to regulate navigation. The Court's many faceted definition has allowed Congress to regulate even dry stream beds because they could be made navigable with "reasonable improvements."

What does it mean to establish a religion? What is involved in the free exercise of religion? What makes for equal protection of the laws? What constitutes due process of the law? The final arbiter in determining the meaning of the Constitution is the Supreme Court. Mr. Chief Justice Hughes is quoted as having said that "the Constitution is what the judges say it is."

This power of the Court to interpret the Constitution has led to a flexibility which has made the document as alive and applicable today as it was when it went into effect in 1789. But this dynamism also leads to some uncertainties. As times change and justices are replaced by men of differing philosophies the Constitution is remolded to fit new times and new ideas. Though American jurisprudence is based on a system of judicial precedent, the multiplicity of previous decisions provides a basis for almost any decision.

As the Supreme Court began its term this month, it did so with enough new faces and philosophies to make this a most important year for constitutional interpretation. New judicial definitions in areas of religious liberty and church concerns will probably be far-reaching.

A quick check of the docket of cases already set to be ruled on by the Court indicates that it will have a varied, lively and, probably, divisive session.

As of now the Court must rule on nearly 50 cases bearing on the question of obscenity. The cases range from the showing of films alleged to be obscene to dealing in allegedly obscene literature. Under our system the states and the national government have the power to protect the health, welfare, safety and morals of the people. If the governments can show a compelling necessity, they may even infringe on such

constitutionally protected rights as those of free speech and expression. In the past the Court has chosen not to define "obscenity" precisely. This could be the year that they choose to do so.

There are nine cases challenging restrictive state laws on abortion. Religious and political pressures will be exerted in the subtle ways that groups attempt to influence the Court.



John W. Baker

The rights of the people against arbitrary, prejudiced, or unfair governmental actions will again be aired in court. Almost 30 cases arise out of claims that certain basic rights—freedom of speech, equal protection of the laws, etc.—have been violated. Seven additional cases deal with the problems of racial discrimination in public education. Thirty-three more cases deal with claims that due process of law has not been followed by states.

Modern problems which did not occur to the founding fathers must be dealt with under the Constitution. Twenty-one cases will deal with aspects of the narcotics traffic.

Nine cases involve problems of conservation and pollution. Allegations of violations of the "fairness doctrine" by the broadcasting media account for four cases and aid to families with dependent children will be examined in six cases.

The scope is broad. Some specific cases may help to pinpoint a very few of the problems.

In *San Antonio Independent School District v. Rodriguez* a basic question about the quality of public education as a function of wealth is raised. The lower federal court ruled that property taxes as the basis for support for public schools is unconstitutional because it provides for schools of unequal quality. Baptists, who have long supported the public school system, are not unanimous in support of the lower court decision. If the Court faces up to the questions raised, this will be a landmark decision.

A group of cases will be heard which deal with the religion clauses of the First Amendment. *Lemon v. Kurtzman* (Pa.), *Hunt v. McNair* (S.C.), *Nebraska State Board of Education v. Hartington School District* and *Essex v. Wolman* (Ohio) all deal with the very vexing problem of state aid to nonpublic sectarian schools. They can substantially alter the separation of church and state as we know it.

Cases are being appealed to the Supreme Court under the constitutional provision for free exercise of religion. A plea to legitimize the use of drugs in what are alleged to be religious services is an example. In a California case, *Hensley v. Municipal Court*, an organization is asking that the state be prohibited from interfering in the sale and issuance of Doctor of Divinity degrees even though the organization does not have the requisite accreditation. The organization claims that, by stopping their degree granting program, the state is punishing them for essentially religious activity.

The Court has had dull sessions, but this should not be one of them. We could possibly see serious departures from traditional positions on church and state. It will be interesting.

## INAUGURAL ADDRESS

(Continued from page 2)

change even from year to year, our mandate is clear: "To act in the field of public affairs," "to enunciate, commend and defend the historic Baptist principle of religious freedom with particular application to the separation of church and state as embodied in the Constitution of the United States," "to communicate and commend to the President, Congress, Courts and Federal Government or state governments such declarations as Baptists adopt concerning public matters," "to inform the Baptist constituencies of governmental . . . measures affecting . . . relations between church and state and the right application of Christianity to the life of the nation," and "to transmit . . . to the cooperating Conventions . . . any findings that result from its investigations and research in the field of public affairs."

The commitment and witness of Baptists in public affairs must remain to the free society in church and state.

Public affairs are the primary responsibility of the Baptist Joint Committee. As distinguished from private affairs—personal morality, relations within the family, and inter-personal relations which do not affect a community as a whole, public affairs have to do with the interests of the community and public life.

While religious liberty and church-state relations naturally have particular focus for the religious community, public affairs for the church must necessarily include much more than concern for religious liberty and normative church-state relations, which may appear to society as a whole as merely vested interests of the church. Actually, the concern of the church for religious liberty, if it is genuine, must necessarily include the concern of the church for all civil liberties as inalienable rights of all men.

Furthermore, normative church-state relations must include the right of the church to give expression to its witness and prophetic voice on all matters affecting domestic and foreign policy, war and peace, and the entire legislative and political process because of its concern for the sanctity of the rights of persons. To be true to its mission, therefore, the church must be involved in public affairs because it seeks to minister to the whole man in the world, and no aspect of life can be regarded as outside of God's concern, dominion, and power.

This is not to suggest that the church possesses some kind of blueprint for the ordering of society, or that there are not inherent dangers in the church's becoming so involved in public affairs as to lose its central focus of mission and witness. Unfortunately, the culpability of the church has not been on the side of its refusal to exercise power in the world, but its intimate and repeated association with power struc-

tures incompatible with authentic Christian faith. Alas, after the Edict of Milan, the church for centuries, wherever and whenever allied with institutions of power, became a highly conservative voice in defense of the status quo and an opponent of change and dissent.

Admittedly, the church has frequently exercised power for the wrong causes. There must be no denying the historical record of Christianity on the part of Christians in the twentieth century: namely, that the church when allied with institutions of power, economic and political, has generally resisted social change and consequently all too often has been on the wrong side of economic, political, and social issues in human history.

In effect, it was the church, both Catholic and Protestant, which for centuries opposed freedom of thought, freedom of speech, freedom of press, liberty of conscience, and democratic government; and, alas, it was the church generally which eschewed social reform in Czarist Russia in the face of the most blatant denials of economic and social justice, let alone other basic human rights, by monarchs whose rule extended over both the church and the state. Some sense of historical and theological perspective is sorely needed if the true role of high religion in public affairs in a free society is to be realized.

Authentic Christian faith has always meant change for men and societies, no longer conformed to the standards of this world, but transformed by God to a new way of thinking and a redirection of purposes and values. This transformation is for the whole man and his environment. To be authentic Biblical faith cannot remain internalized or privatized. The prayer of Jesus, as in ancient Jewish tradition, affirmed, "Thy will be done on earth as it is in heaven." All norms of society and all power structures are called into question by the one who takes his Biblical faith seriously.

### III

The role of the Baptist Joint Committee on Public Affairs is based upon certain fundamental truths:

1. *Involvement of the church in public affairs is an inescapable responsibility of the church.*

To moralize about the world while remaining aloof from public affairs, "keeping one's own hands clean," is incompatible with the church's apostolic mission and a denial of its claim to be the body of Christ. The church is bound to participate in the arena of public affairs because it cares about persons. It must ever find a way to speak a word on behalf of the oppressed and the powerless, as Christ himself so exemplified. The church sees all human rights as sacred because of a theological understanding of man as created in God's image.

2. *The church is not to be bound to the power structures of this world.*

The church must be free first of all in order to serve its Lord, and, secondarily, in order to be involved in the transformation of society and the kingdoms of this world. The freedom of the church is not an end in itself but a means by which it may assume the role of servant in the world. To the degree that a church is allied with the powers of this world—economic, political, social—to that degree it is in bondage and its prophetic role is denied. The captive church, whether of a majority or a minority, a dictatorship or a democracy, a ghetto or suburbia, is one whose prophetic voice has been seriously altered. Only a liberated church can proclaim a liberating gospel.

3. *The separation of the gospel from politics needs to be seen as an abdication of the Christian responsibility to advance justice and to serve the larger community.*

Lamentably, the church has allowed its influence to be weakened by giving support to the attitude that the religious man should have nothing to do with politics, which in turn has actually made possible political corruption, injustice, and oppression. The church is to be a constant reminder to the state that it is not absolute or a law unto itself; although ordained of God, it is not morally autonomous. The Christian has an obligation to take part in politics and the political process and, indeed, to develop a concept of "incarnational politics."

4. *The ultimate basis of the free church idea is that which asks only for the right to be free in order to be the church.*

Separation of the church from the state is necessary not only that the church be free, but that more important, it may be pure! Just as the goal of the separation of church and state is a free church, so the goal of the separation principle is a free society. The rationale of church-state separation has been and remains, to help assure both the free church and the free society. It is toward this free society in church and state that the First Amendment needs to be applied, and it is in this context it needs to be understood.

Authentic Christian faith necessarily means an involvement within an historical context. The mission of the church is not merely to preach justice, but to be a force for justice in the world; not only to proclaim the principle of freedom, but to be free from alliances with power structures that would mute her prophetic voice and to support the cause of freedom for all men; not only to affirm man's right to religious freedom, but to support the cause of religious freedom everywhere; not only to condemn evil, but to disassociate herself from evil; not only to expound the reality of God, but to be obedient to the will of God; and not only to promulgate the authority of the Bible, but to let the message of the Scriptures be an authoritative guide for her work and witness.

# Baptist Joint Committee Executive Director Hails Court Ban On Tuition Reimbursement

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(Editor's Note: Here is the full statement by James E. Wood, Jr., executive director of the Baptist Joint Committee on Public Affairs, on the Supreme Court's ruling against Ohio's law providing reimbursement to parents for tuition paid in private schools.)

On October 10, 1972 the U.S. Supreme Court made a major decision affecting public aid to nonpublic schools. In affirming the judgment of the United States District Court for the Southern District of Ohio, Eastern Division, in *Essex v. Wolman*, the U.S. Supreme Court has, in effect, rendered a major decision on behalf of the separation of church and state.

In essence, the Court has upheld, by an 8 to 1 decision, the constitutionality of the lower court's ruling which denied a \$90 per child parental reimbursement grant program for parents who provided an education for their children outside the public school system.

By affirming the unconstitutionality of the use of public funds, even in the form of a modest reimbursement from state funds paid directly to parents of nonpublic school pupils, the Court has extended even further its previously declared opposition to public funds for nonpublic schools as being unconstitutional. The Court's decision of October 10, 1972 goes beyond its June 28, 1971 unanimous decision in *Lemon v. Kurtzman* and its 8 to 1 decision in *Early v. DiCenso*, where in both instances state funds were provided as subsidies to nonpublic schools, in the former for educational services and in the latter in the form of a salary supplement for teachers of secular subjects.

For advocates of public aid to nonpublic schools, the decision must be viewed as a bitter disappointment. By implication it would now appear that the Court has also repudiated the suggestion, as made by both major presidential candidates, President Richard M. Nixon and Senator George S. McGovern, that some form of public aid, at least in the form of a modest tuition reimbursement, may be provided parents of nonpublic school pupils without violating the First Amendment.

In any event, the Court has today rendered an historic decision, one which should be welcomed by those, as in the case of the Baptist Joint Committee on Public Affairs, who see public aid to nonpublic schools as a serious threat to the "no-establishment" clause of the First Amendment. Meanwhile, advocates of public funds to nonpublic schools have suffered a serious

setback in proposing that aid could be given parents, even tax credits, without raising the question of state aid to religion.

## High Court Hears Case on Disparity of School Funds

WASHINGTON (BP)—Religious, education and civil liberties groups lined up against public officials in more than 30 states before the U.S. Supreme Court here in an effort to overthrow public school financing by means of property taxes.

In the case, *San Antonio Independent School District v. Rodriguez*, the U.S. District Court for the western district of Texas held that it is unconstitutional for Texas to base its method of school financing primarily on the local property tax.

This discriminates against poor children on the basis of wealth and denies them "the equal protection of the laws," the Texas court declared.

Texas public officials appealed the case to the U.S. Supreme Court. More than 30 other states filed briefs to support the position of the State of Texas.

On the other side, on behalf of the poor children in the Edgewood School District in Bexar County (San Antonio) a brief was filed by the National Council of Churches, American Civil Liberties Union, American Jewish Congress, Anti-Defamation League of B'nai B'rith, National Coalition of American Nuns, National Catholic Conference for International Justice, Southwest Council of LaRaza, United Ministries in Public Education, and the Scholarship, Education and Defense Fund for Racial Equality.

In addition to these, the National Education Association, the American Association of School Administrators, the National Association for the Advancement of Colored People filed briefs asking the Supreme Court to uphold the Texas district court decision.

The Rodriguez case arose out of the disparity in school financing in two San Antonio school districts. The Edgewood District, with a large concentration of Mexican-Americans, produced only \$26 per pupil in 1967-68 as compared to \$333 in the wealthy Alamo Heights district.

State and federal contributions failed to level out the gross differences. Total revenues per pupil—state, local and federal—were \$356 in Edgewood and \$594 in Alamo Heights.

This disparity exists in spite of the fact

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that the tax rate in Edgewood is higher than the rate in Alamo heights. In other words, a poor district cannot produce as much money for education as a wealthy district, even if its tax rate is higher.

This, according to the poor parents in the Edgewood district, results in educational discrimination against their children because of wealth (or the lack of wealth).

State or federal courts in five other states—California, Arizona, New Jersey, Minnesota and Kansas—have handed down decisions similar to that of the Texas district court. Now, however, for the first time the issue has reached the U.S. Supreme Court.

A decision here will have dramatic effect on the bases for school financing throughout the United States.

Historically in the United States, public schools have been financed primarily by local property taxes. These funds have been supplemented by state and federal money, but even this has not equalized school expenditures in all parts of the country and for all school districts.