

Report from the Capital

April
1977



1977

ISSN 0364-6661

ROGER WILLIAMS

From the Desk of the Executive Director

Wolman v. Essex: Public Funds and Nonpublic Schools Revisited

By James E. Wood, Jr.

This year marks the thirtieth anniversary of a landmark decision by the U.S. Supreme Court, *Everson v. Board of Education* in which the U.S. Supreme Court for the first time defined the meaning of the Establishment Clause of the First Amendment. The Court did so by stating, "In the words of Jefferson, the clause against establishment of religion by law was intended to erect 'a wall of separation between Church and State.'" This was the first Supreme Court case in which the Baptist Joint Committee on Public Affairs participated, and it did so by means of an *amicus* brief.

Thirty years later, the Baptist Joint Committee is again participating in an *amicus* brief relating to public funds and nonpublic schools. It is doing so as a constituent member of the National Coalition for Public Education and Religious Liberty and because of the Committee's long and consistent commitment to the principle that the use of public funds by nonpublic schools is violative of the Establishment Clause of the First Amendment and the integrity of the public schools.



Wood

I

Wolman v. Essex (1977) is a taxpayers' suit before the U.S. Supreme Court which challenges the constitutionality of an Ohio statute providing auxiliary educational services to parochial schools. The suit is being supported by the National Coalition for Public Education and Religious Liberty (National PEARL), which is a coalition of twenty-five religious, educational, civic, and community groups.

The Ohio statute authorized local school boards to provide: secular and non-ideological instructional materials; clerical personnel to administer the program; certain health and educational diagnostic services, including psychological services; therapeutic health services; and standardized testing and scoring services. The brief seeks to support the integrity of Supreme Court decisions upholding the Bill of Rights in previous decisions and the necessity of defending them against erosions and evasions. The brief gives particular attention not only to the integrity of public schools but to protecting and preserving the institutional integrity of religious schools against governmental interference. Thus, the brief declares:

We believe that the success of our free public school system is based in substantial part upon maintenance of separation of church and state and that acceptance of the theory that religious educational institutions may compete for tax-raised funds with the public school system not only violates the Constitution, but in the long run tends to destroy public education. We believe that the same constitutional provisions which protect institutional integ-

riety of religious schools against governmental interference protect public schools from competition by religious schools in the allocation of funds raised by taxation for public education. We, therefore, express our opposition whenever attempts are made to compromise the principle of separation of church and state or the integrity of our public school system.

The brief further notes that, with two exceptions, the Supreme Court has consistently rejected every legislative effort to channel tax-raised funds to church schools, directly or indirectly, as violative of the Establishment Clause. The exceptions, *Everson v. Board of Education* (1947) and *Board of Education v. Allen* (1968), upheld respectively the constitutionality of transportation and textbook aid to church schools.

II

The Baptist Joint Committee has long maintained an active role with regard to religion in public education and public funds and nonpublic schools. As indicated earlier, it has done so because of its commitment to the guarantees of the First Amendment respecting religious liberty and the separation of church and state, public control with the expenditure of public funds, and the uniquely public functions of American public schools. Thus, *amicus* briefs filed by the Joint Committee with the U.S. Supreme Court have included: *Everson* (1947), *McCullum* (1948), *Nyquist* (1973), *Meek v. Pittenger* (1975), and *Roemer v. Board of Public Works* (1976).

The record of the U.S. Supreme Court in this area is clear. In a unanimous decision, the Court ruled in *Lemon v. Kurtzman* (1971) that Pennsylvania's Nonpublic Elementary and Secondary Act of 1968, which authorized the state to purchase such educational services as teachers' salaries, textbooks, and instructional material for secular subjects, was unconstitutional. It did so on the grounds that such aid would foster "excessive entanglement between government and religion." In an 8 to 1 decision, in *Earley v. DiCenso* (1971), the Court declared also to be unconstitutional the Rhode Island Supplement Act of 1969, which provided for a 15 percent supplement to be paid to private school teachers of secular subjects using the same instructional materials as those used in public schools. There can be no question, the Court said, but that the intent of the First Amendment is to maintain a boundary between church and state.

Two years later in three separate opinions, *Committee for Public Education v. Nyquist*, *Levitt v. Committee for Public Education*, and *Sloan v. Lemon*, the Supreme Court again denied the use of public funds for nonpublic schools. In these three cases the Court struck down five programs of public assistance to parochial schools. In *Nyquist*, the Court held unconstitutional the maintenance and repair of facilities and equipment and tuition reimbursement in tax credit plans for parents of children attending nonpublic schools. In *Levitt* the Court ruled as unconstitutional reimbursements to nonpublic schools for educational testing and other "mandated services" imposed by the State of New York on nonpublic schools. In *Sloan*, the Court invalidated a Pennsylvania tuition reimbursement law and concluded its opinion with this reminder: "If novel forms of aid have not readily been sustained by this Court, the 'fault' lies . . . with the Establishment Clause itself . . . with that judgment we are not free to tamper. . . ." That same year, in *Essex v. Wolman*, the Court affirmed without opinion a District Court decision ruling unconstitutional a general tuition grants law.

In 1975, in *Meek v. Pittenger*, the Court substantially restricted still further the use of public funds for nonpublic schools. Both "educational materials" and "auxiliary serv-

(See *Wolman v. Essex*, p. 4)

Soviets Cancel Bid To Western Writers

By W. Barry Garrett

WASHINGTON—An invitation to a West German and two American Baptist journalists for a tour of Russia has been withdrawn "due to the alteration of circumstances," according to a cablegram from A. Bychkov, general secretary of the All Union Council of Evangelical Christians-Baptists (AU-CECB), and A. Stoyan, director of the International Department of the AUCECB.

Announcement was made at the Southern Baptist Press Association, Charleston, S.C. in February that Russian Baptists had invited six Baptist journalists for a tour of their country June 15-30. Among those invited were Stan L. Hasteley of the Baptist Joint Committee on Public Affairs, Cyril E. Bryant of the Baptist World Alliance and Wolfgang Muller of West Germany.

The other invitees were Alan C. Prior of Australia, Sven Svenson of Sweden and John Wilkes of Switzerland. Although Wilkes is a Southern Baptist missionary, he heads European Baptist Press for the European Baptist Federation of which Bychkov is president.

The invitation has been withdrawn from Hasteley, Bryant and Muller. The other three are invited to attend a world peace conference in Moscow June 6-10. Following this meeting the three journalists are invited to remain in Russia for several days as guests of the AUCECB.

No explanation of the withdrawal of the invitation from the two Americans and the West German was given by the Bychkov-Stoyan cablegram other than that the action is "due to the alteration of circumstances."

Speculation in Washington circles is that the Russian Baptists were caught in the crossfire between President Carter and the Soviet government on the problem of human rights and dissenters in the USSR and that they were ordered to cancel these three invitations. Whether or not American protests of the imprisonment of the Russian Baptist dissenter, Georgi Vins, was a factor is uncertain.

Discussions of a possible trip through Russia by Baptist journalists were initiated by Bychkov in April of 1976 and by November 1976 the six names had been agreed upon. The newsmen were to provide their own transportation to Russia, but after arriving there all of their expenses including transportation, board and lodging were to be paid by the AU-CECB. (BPA)



Members of the Baptist Joint Committee on Public Affairs met in Washington last month for their semiannual session. The BJCPA includes representatives from nine national Baptist bodies from the U.S. and Canada.

Baptist Joint Committee Commends Carter Positions on Human Rights, Disarmament

By Carol B. Franklin and Stan L. Hasteley

WASHINGTON—The Baptist Joint Committee on Public Affairs (BJCPA) commended President Carter for his emphasis on human rights and commitment to nuclear disarmament during its semiannual meeting here.

Representatives from nine Baptist conventions and conferences in the U.S. and Canada also laid the groundwork for action seeking reversal of a controversial regulation by the Internal Revenue Service (IRS) on its definition of an "integrated auxiliary," formally protested a decision by the Tennessee Supreme Court upholding that state's prohibition against ministers' seeking public office, and attended a congressional fellowship breakfast in the U.S. Capitol.

In its commendation of the President, the BJCPA quoted from his inaugural address on human rights and disarmament. "Our commitment to human rights must be absolute. . . . And we will move this year a step toward our ultimate goal—the elimination of all nuclear weapons from this earth."

According to the statement issued by the

BJCPA, the President "has clearly sought to protect and to defend human rights at home and abroad. He has also initiated talks and has undertaken actions which could halt the proliferation of nuclear weapons so as to bring about worldwide arms limitations."

Noting these efforts, the BJCPA commended the President and pledged "prayerful support of continued efforts to achieve a world of freedom, justice, and peace."

G. Hugh Wamble, professor of church history at Midwestern Baptist Theological Seminary, Kansas City, Mo., was appointed to chair a committee which will recommend strategy to combat IRS regulations governing "integrated auxiliaries" of a church. Also appointed to the committee were Hollis W. Barber, professor of political science at the University of Chicago, Melvin G. Cooper, executive director, State Ethics Commission of Alabama, Earl Trent, house counsel, Board of National Ministries, American Baptist Churches, U.S.A., and James E.

(See BJCPA, p. 6)

Baptists and Religious Liberty: The Legacy of Roger Williams

By James E. Wood, Jr.

The conspicuous role of Baptists in the cause of religious liberty has long been regarded by many historians and theologians as the finest contribution of Baptists to Christianity. An integral part of Baptist faith, religious liberty has occupied a prominent place in Baptist history. In the seventeenth century when Lord Chancellor King sought to recognize John Locke as the author of religious liberty, Locke forthrightly declared that "the Baptists were the first and only propounders of absolute liberty,—just and true liberty, equal and impartial liberty."

An important source of our heritage of religious liberty, Cecil Northcott wrote, "lies in the witness of the Baptist churches whose devotion to this idea, through years of persecution in Protestant Europe, makes their place a foremost one in the history of liberty." "This contribution," former U.S. Chief Justice Charles Evans Hughes declared, "is the glory of the Baptist heritage, more distinctive than any other characteristic of belief or practice. To this militant leadership all sects and faiths are debtors. . . ."

The story of Baptists and religious liberty in America is rooted in the legacy of Roger Williams, who has long been acknowledged as the architect of the American tradition of religious liberty and the separation of church and state. The father of religious liberty in America and founder of the colony of Rhode Island and the first Baptist church on American soil, Williams sought to maintain a biblical and theologi-

cal basis for religious liberty and the separation of church and state. Inspired by John Murton, an English Baptist preacher who was confined in Newgate prison because of his faith, and influenced by Murton's publication, *An Humble Supplication*, which declared the right of religion to be free from state interference, Williams insisted that the authority of the state is "not religious, Christian, etc., but natural, human, [and] civil." Therefore, it is "improper" for the state to proscribe matters of conscience or religion. "All lawful magistrates in the world, both before the

Baptist visitors to the U.S. Capitol in Washington, D.C. may be pleasantly surprised to see the statue of Roger Williams featured on this month's cover. The state of Rhode Island presented this striking likeness of "her first citizen" as a gift to the nation in 1872. The sculptor of the marble statue was Franklin Simmons.

coming of Christ Jesus and since," Williams wrote, "are but derivatives and agents . . . serving for the good of the whole." Hence, "no civil state or country can be truly called Christian, although true Christians be in it."

To Williams, as to Baptists today, church and state must be separate not only for the church to be the church, but for the state to be the state, God to be God, and for Christians to be Christians. The state

can never assume the role of God who alone is Lord of conscience. And faith, to be faith, must be free and voluntary. As a consequence, Williams maintained, as do Baptists today, that compulsory and tax-supported religion is un-Christian, that the biblical Israel cannot be a model state for Christians, and that the First Amendment requires an equality of all persons and groups before the law as a fundamental responsibility of all civil government. It would be difficult to overstate the importance of Williams to American Baptist history. The author of religious liberty in America, Williams became the real founder of the new Republic.

The late Perry Miller, esteemed for his remarkably sound judgment of American colonial history, declared: "For the subsequent history of what became the United States, Roger Williams possesses one indubitable importance. . . . as a figure and a reputation he was always there to remind Americans that no other conclusion than absolute religious freedom was feasible in this society."

Religious Liberty Day 1977 will be observed on either June 11 or 12. The Seventh Day Baptist General Conference will note the occasion on Saturday, June 11, while the other sponsoring bodies of the Baptist Joint Committee on Public Affairs will observe it on June 12. Helpful materials to be used in preparation for Religious Liberty Day are available on request from BJCPA, 200 Maryland Avenue, N.E., Washington, D.C. 20002.

Wolman v. Essex

(Continued from p. 2)

ices" (e.g. remedial and special learning classes, counseling, testing, and psychological services), even when provided by public school personnel, were found to be in violation of the Establishment Clause of the First Amendment.

III

Wolman v. Essex (1977) is an unmistakable example of the continuing demand for state aid to parochial schools through the attempt to make minor, if not ingenious, changes in legislative language so as to circumvent the rulings of the U.S. Supreme Court. For example, the Ohio statute having earlier been declared unconstitutional since it authorized school districts to lend instructional materials and equipment to nonpublic schools now, in its revised form, "authorizes the local school districts to

purchase and lend to nonpublic school pupils or to their parents instructional materials and equipment that are incapable of diversion to religious use, and to hire clerical personnel to administer the program." It is for this reason that the *amicus* brief, *Wolman v. Essex* (1977) declares:

"With all due respect, this provision borders on the absurd. It is simply beyond the realm of reality to accept the transactions authorized by the statute as loans to the children or their parents Judicial acceptance of this transparent fiction, we respectfully suggest, would make of the Bill of Rights what Madison called a 'parchment barrier.' If the Establishment Clause can be so easily and effectively pierced, so too can every other guaranty in the Bill of Rights."

While the demand for tax aid to parochial schools will doubtless continue, the possibilities of such aid may be substantially reduced by the Court's ruling in this case and thereby the ban on governmental establishment of religion left intact.

Bipartisan Effort Launched to Counteract High Court Ruling Against Pregnant Workers

By Stan L. Haste

WASHINGTON—Eighty-nine U.S. Senators and Representatives joined here in announcing new legislation designed to protect pregnant women workers against employer discrimination.

At a press conference attended by three senators, four members of the House, and leaders of union, civil rights, and women's groups, plans were disclosed to push through the 95th Congress a bill which would (1) amend the Civil Rights Act to include a ban on discrimination against pregnant women, and (2) provide temporary disability benefits to women who have to drop out of the work force due to pregnancy.

The action came in response to a decision by the U.S. Supreme Court last December which held that employers are not obligated to provide disability payments to women who become pregnant despite the fact that many elective medical procedures and male sex-related procedures are covered.

The case, *Gilbert v. General Electric Co.*, was brought to the high court last year by a group of women employees at the company's Salem, Va. plant. But the court, in a 6-3 ruling, held that the company was under no obligation to provide disability benefits to pregnant women, in spite of such a requirement made by the

Equal Employment Opportunity Commission (EEOC).

Justice William H. Rehnquist, who wrote the majority opinion for the court, said that "gender-based discrimination does not result simply because an employer's disability benefits plan is less than all inclusive." He also upheld GE's plan by saying that "there is no risk from which men are protected and women are not. Likewise, there is no risk from which women are protected and men are not."

While acknowledging that "pregnancy is of course confined to women," Rehnquist went on to say that "it is in other ways significantly different from the typical covered disease or disability."

The bipartisan group of Senators and Representatives introducing the new bill indicated their sharp disagreement with the court's reasoning. Senator Harrison A. Williams, Jr. (D-N.J.), one of the major Senate sponsors, said that the *Gilbert* decision "constituted a serious setback to women's rights" and "came as a deep disappointment to working women."

Senator Birch Bayh (D-Ind.), another co-sponsor, said the decision points to the urgent need to pass the Equal Rights Amendment (ERA). The amendment, passed by Congress in 1972, has been (See WORKERS, p. 7)

Congress Urges Jewish Rights in Soviet Union

By Carol B. Franklin

WASHINGTON—By an overwhelming majority the House of Representatives passed a resolution concerning the freedom of movement of Soviet Jews and other minorities. The Senate had passed the measure earlier.

The resolution, which passed by a vote of 400-2 in the House and 91-0 in the Senate, calls on the Soviet government to honor its "pledge to facilitate freer movement of people, expedite the reunification of families, and uphold the general freedom to leave one's country."

Discussion on the House floor pointed to recent abuses in the Soviet Union against Jews.

Rep. Henry A. Waxman (D-Cal.) said, "In the past few weeks, the Soviet Government has chosen to crack down hard against those who simply wish to practice their religion, and against those who continue to speak out for reform."

"In January, the Soviet Government banned the importation of matzo's, which are essential to the observance of Passover," Waxman continued.

"On March 5, the Government accused several leading dissidents, all of them Jews, of working for the Central Intelligence Agency. Ten days later, one Soviet Jew, Anatoly Scharansky, was arrested for espionage," he charged.

Waxman also cited the arrest of other dissidents who have had no formal charges filed against them and a prime-time television program sponsored by the Soviet government which accused Israel and "Zionist sympathizers of duping Jews into emigrating."

Waxman noted systematic persecution of Jews over the years and charged that the Soviet government is now engaged in "an ugly and utterly irresponsible campaign" to portray Jews who wish to emigrate as traitors.

Rep. Toby Moffett (D-Conn.), who sponsored a resolution in the House similar to the Senate measure which was voted on, noted that the action of Congress was in line with the foreign policy of President Carter.

"Human rights is not a problem to be solved; it is a cause that has been evolving for 20 centuries. . . . Such a policy has been taking shape quite rapidly during the still nascent term of President Carter. The President is providing extraordinary leadership. (See RIGHTS, p. 7)



BJCPA members took numerous actions during the March meeting, including laying the groundwork for opposing a recent Internal Revenue Service rule. Shown here studying the document are (left to right) June Totten (ABC), Earl Trent (ABC), Foy Valentine (SBC), and Robert Vincent (SBC).

BJCPA

(Continued from p. 3)

Wood, Jr., executive director of the BJCPA. The committee will work in close consultation with the staff of the BJCPA.

The recent ruling of the Tennessee Supreme Court upheld a state constitutional ban on ministers, priests and rabbis serving in the state legislature or the upcoming state constitutional convention. The BJCPA adopted a resolution which "expresses the conviction that, in keeping with Article VI of the U.S. Constitution and the Free Exercise Clause of the First Amendment, there should be no government-imposed religious test for public office."

The resolution also authorizes the BJCPA staff to file an *amicus curiae* brief if the Tennessee ruling, or similar rulings, are appealed to the U.S. Supreme Court. Such a brief would be a joint effort with other interested denominations.

U.S. Senator Jennings Randolph (D-W.Va.), the only Seventh Day Baptist serving in Congress, hosted a breakfast in the U.S. Capitol for the BJCPA. He was joined by six members of the House of Representatives, all of them Baptists.

Randolph, who was celebrating his 75th birthday and is the senior legislator on Capitol Hill in years of service, appealed to the group to keep the faith in these "troubled times."

Congressman John H. Buchanan (R-Ala.), an ordained Southern Baptist minis-

ter, told the BJCPA that "the hard thing in this job is not deciding to do right but to decide what is right." Buchanan, who left the pastorate to run for public office, said that his decision was deliberate and honorable. "I turned to a new kind of mission and ministry," he added.

Rep. Charles Diggs, Jr. (D-Mich.), who is a member of BJCPA chairman Charles G. Adams' congregation in Detroit, challenged committee members to an accelerated "level of activity." He also credited President Carter with bringing the nation together.

During the two-day meeting, BJCPA members also heard reports from executive director James E. Wood, Jr. and three other staff members.

Wood reported that he will be a delegate to next month's biennial meeting of the United Nations Associates at UN headquarters in New York. He also announced publication of a new staff report, written by associate director John W. Baker, entitled "Nontheistic Religions and the First Amendment."

In addition to Wood's report, Baker previewed the 95th Congress and associate directors W. Barry Garrett and Stan L. Hastey briefed committee members on the first six weeks of the Carter Administration and the current U.S. Supreme Court term.

The BJCPA also adopted a record budget of more than \$268,000 for the 1977-78 fiscal year. (BPA)

Court to Decide on Church Bequest Law

By Stan L. Hastey

WASHINGTON—The U.S. Supreme Court announced here it will decide if a District of Columbia law which invalidates certain bequests to churches and ministers violates the First Amendment.

A D.C. law on the books for more than 100 years states that a bequest "to a minister, priest, rabbi, public teacher, or preacher of the gospel . . . or to a religious sect, order, or denomination" must be made at least 30 days before a person's death in order to be valid.

Two Washington churches, Calvary Baptist and St. Matthews Cathedral, challenged the statute in D.C. superior court, which ruled in 1975 that the law violated the free exercise of religion clause of the First Amendment. Last year the D.C. Court of Appeals affirmed the lower court's decision.

At issue is the will of Sallye Lipscomb French, a Washington resident who died on November 2, 1972, less than 30 days after making out a will on October 13, 1972. She left one-third of her estate to Calvary Baptist Church and another one-third to St. Matthews Cathedral, a Roman Catholic church.

After losing in the two D.C. courts, the natural heirs of Mrs. French appealed to the Supreme Court. Their attorneys argue that the D.C. law "regulates a secular activity and does not violate the free exercise clause."

They argue further that the reason for such laws is that "religious organizations, unlike other persons or organizations, appeal to a testator's interest in the salvation of his soul" and "can exert a particularly strong and unique influence on one whose death" is imminent. The D.C. law was created, they conclude, "to avoid such deathbed bequests."

In a written brief submitted to the high court, attorneys for Calvary Baptist Church argue that "there is no evidence that (the church) made any attempts to influence" Mrs. French in making her bequests.

The church tried unsuccessfully to convince the justices to refuse the case outright or, as an alternative, simply to affirm the lower court's decisions.

The case will not be argued until the high court reconvenes in October after its traditional summer recess. No decision is expected until late this year at the earliest. (BP)

A Commendation of the President of the United States From the Baptist Joint Committee on Public Affairs

In his inaugural address on January 20, 1977, President Jimmy Carter dealt forthrightly with the issues of human rights and disarmament. He stated in part: "Our commitment to human rights must be absolute. . . . The world is still engaged in a massive armaments race designed to insure continuing equivalent strength among potential adversaries. We pledge perseverance and wisdom in our efforts to limit the world's armaments to those necessary for each nation's own domestic safety. And we will move this year a step toward our ultimate goal—the elimination of all nuclear weapons from this earth."

Since his inauguration, the President, by word and by deed, has clearly sought to protect and to defend human rights at home and abroad. He has also initiated talks and has undertaken actions which could halt the proliferation of nuclear weapons so as to bring about worldwide arms limitations.

For the enunciation of these policy goals and for the actions which have been undertaken to achieve them, the Baptist Joint Committee on Public Affairs commends President Carter and pledges to him its prayerful support of continued efforts to achieve a world of freedom, justice, and peace.

March 8, 1977
Washington, D.C.

Religious Liberty Congress Plans Continued Vigilance

By W. Barry Garrett

AMSTERDAM—The First World Congress on Religious Liberty here, March 21-23, took steps "to monitor the world religious liberty situation and deal with specific religious liberty concerns," according to a resolution approved by the participants.

The Congress by its resolution authorized a continuing committee from various religious traditions to pursue the objectives of religious liberty around the world.

After three days of discussions and reports on conditions in several nations, the Congress voted "to draw attention to governments to religious liberty as a fundamental human right flowing from the dignity of the human person, the violation of which is incongruous with international law and contemporary human social relations."

Specifically, the Congress urged the Peace Conference to be held in Moscow, June 6-10, "to underline the importance of religious liberty in every nation of the world as an important factor making for peaceful, individual, social and international relations."

Three hundred and fifty participants from 30 nations in Europe, the Americas,

Africa, Asia and Australia made up the Congress. It was sponsored by The International Religious Liberty Association, Washington, D.C., l'Association Internationale pour la Défense de la Liberté Religieuse, Bern, Switzerland and *Liberty*, a magazine devoted to religious freedom.

Deeply involved in the planning of the Congress was the Seventh-day Adventist Church as represented by its Department on Public Affairs and Religious Liberty.

Two Baptists were prominent in the Congress. James E. Wood, Jr., executive director of the Baptist Joint Committee on Public Affairs, Washington, D.C., delivered an address on "A Biblical View of Religious Liberty: A Christian Perspective."

President William R. Tolbert of the Republic of Liberia in Africa sent a special message to the Congress. He is pastor of a Baptist church in Liberia and is a former president of the Baptist World Alliance.

A Second World Congress on Religious Liberty is contemplated within two years to be held in a yet-to-be determined place, possibly in Latin America.

During the special awards session, Baylor University, Waco, Texas, was rec-

ognized "for its active program of research and graduate studies in the area of church-state relations." The award for Baylor was received by James E. Wood, Jr., who was head of the J.M. Dawson Studies in Religious Liberty and Church-State relations while he was professor there.

Speakers at the Congress included representatives from both socialist and democratic countries, spokesmen for Christianity, Judaism and Islam, and Supreme Court justices from Norway and Greece.

At an evening session where reports on religious liberty conditions in various parts of the world were reported, four special concerns were highlighted. The Church of Scientology felt that efforts at deprogramming young people who have joined unusual religious groups in the United States were violations of their religious liberty.

The Jehovah's Witnesses brought complaints particularly against the Malawi government, where they declared thousands of lives of their members had been snuffed out.

Keston College in London discussed the problem of religion in communist lands. Underground Evangelism reported on their (See CONGRESS, p. 8)

Workers

(Continued from p. 5)

ratified by 35 state legislatures, three less than required for final enactment.

Sen. Jacob Javits (R-N.Y.) said the new bill "is but a civilized recognition of the civil rights of women" and argued that companies which argue against covering pregnancy in their disability plans because of cost are in fact "perpetuating discrimination."

Congressman Augustus F. Hawkins (D-Cal.), the chief sponsor in the House of Representatives, promised that the House will act quickly on the measure. Hawkins, who chairs the Subcommittee on Equal Opportunities where the bill will be considered, predicted that the full Committee on Education and Labor will report out the measure sometime in April and that the House itself should vote on it in May.

Three congresswomen, Margaret Heckler (R-Mass.), Elizabeth Holtzman (D-N.Y.), and Patricia Schroeder (D-Col.),

also denounced the Supreme Court's action.

Heckler said that while the argument is made by some that women "have come a long way," after the *Gilbert* decision, "we've been reminded that we have a long way to go." She predicted passage of the bill by the present congress.

Holtzman said she was "surprised and disturbed" by the court's action and said that it points out the need for women justices on the high court. She said that the court "has opened the door" to other forms of discrimination against pregnant women, with the result that they are "in an extremely disadvantaged position."

Schroeder, whose colorful language drew applause from an audience of some 100 attending the press conference, said she is "just waiting for the first Supreme Court justice to get pregnant" to see if that unlikely event changes the justices' thinking. She said she was "horrified" at their ruling in the GE case.

The legislation to reverse the effect of the court's decision is being pushed by a broadly based coalition of labor, civil

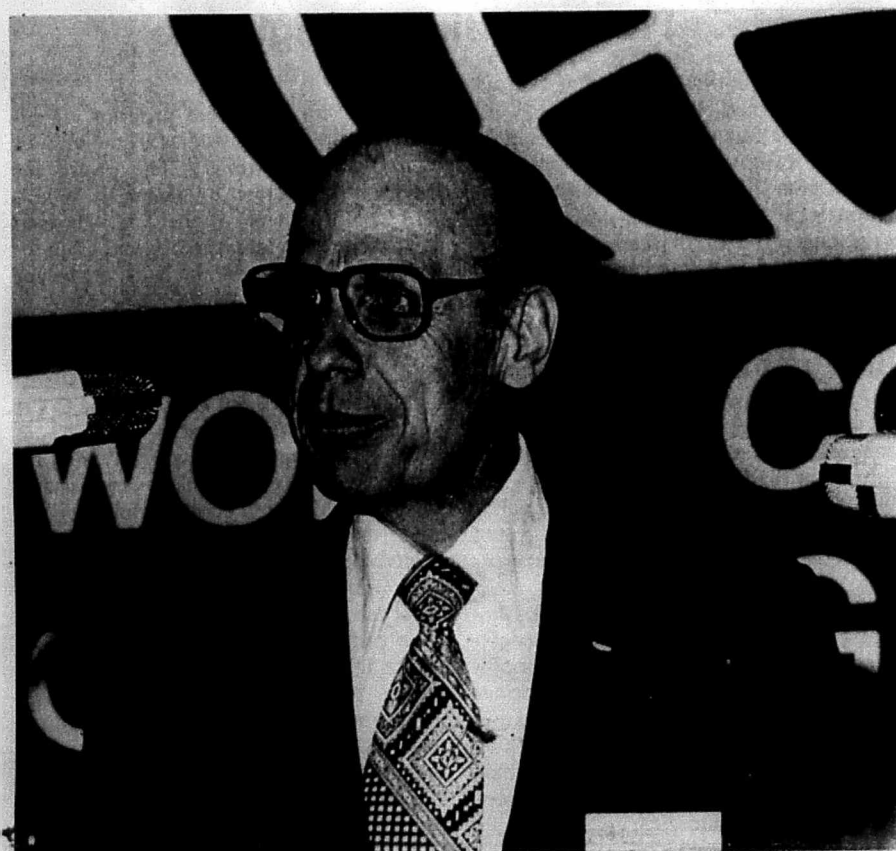
rights, and women's groups. Called the Campaign to End Discrimination Against Pregnant Workers, it includes the AFL-CIO, American Civil Liberties Union, American Nurses Association, Americans for Democratic Action, Leadership Conference on Civil Rights, League of Women Voters, NAACP, National Education Association, National Organization for Women, United Auto Workers, and 34 others. (BP)

Rights

(Continued from p. 5)

ership in this area and it is fitting and necessary that Congress should seek every opportunity to support him," Moffett told his colleagues.

Last year, in an unprecedented move, Congress passed a resolution calling for the release of dissident Baptist minister Georgi Vins from prison. Vins had been imprisoned for carrying out his pastoral duties of teaching and preaching. (BP)



BJCPA executive director James E. Wood, Jr. addressed the First World Congress on Religious Liberty last month in Amsterdam. His paper dealt with "A Biblical View of Religious Liberty: A Christian Perspective."

Congress

(Continued from p. 7)
activities in providing Christian literature in areas closed to such material.

Norway's Associate Justice of the Supreme Court, Trygve Leivestad, reported that in his country there is religious liberty, but there is not an equality of religions. The Lutheran Church is the state church of Norway, and although there are many advocates of separation of church and state, Leivestad predicted that it would be impossible to get a two-thirds majority in Parliament to disestablish the church.

From Greece, Associate Justice of the Supreme Court Anastase N. Marinon reported that full religious liberty in his country has not yet been achieved, although he pointed out signs of improvement in that direction. The Greek constitution requires open information about religious bodies. There can be no secret religious groups legally in Greece, he said. Also, the Greek constitution provides that

"no one can refuse fulfilment of his duties toward the State or expect exemption from laws because of religious beliefs."

The President of the Commission for Liberty of Religion in Spain, Don Rafael Mendizabal Allende, reported that progress is being made in his country. He said, "There are now 250 non-Catholic religious associations protected by law, which are prospering in our territory. . . . The important thing to know is that every believer, every church, every group and finally every man may witness without obstruction, on the contrary, may count on the cordial help of the Commission for Religious Liberty over which I have the honour to preside."

Reports on religious liberty conditions in the Croatian Republic (Yugoslavia), the Serbian Republic (Yugoslavia), the United States of America, Poland, Brazil, the World Council of Churches and the Roman Catholic Church were also heard. (BP)

Nonprofit Org.
U. S. Postage
PAID
Washington, D. C.
Permit No. 41353

DEPT. OF THE ARMY
HISTORICAL COM.
127 5TH AVE. N.
NASHVILLE, TN 37234

Report from the Capital

Vol. 32 No. 4 April 1977

Editor: James E. Wood, Jr.
Managing Editor: Stan L. Haste
Contributing Editors: John W. Baker
W. Barry Garrett
Circulation Assistant: Helen M. Dunnam

Report from the Capital is published 10 months each year by the Baptist Joint Committee on Public Affairs (BJCPA), a denominational agency maintained in the nation's capital by the American Baptist Churches in the U.S.A., Baptist Federation of Canada, Baptist General Conference, National Baptist Convention, National Baptist Convention, U.S.A., Inc., North American Baptist Conference, Progressive National Baptist Convention, Inc., Seventh Day Baptist General Conference, and Southern Baptist Convention.

Subscription Rates: Individual subscription, \$3.00 per year; Club rate for 10 or more, \$2.00 each per year; Bulk distribution of 10 or more to a single address, \$2.00 each per year.

Report from the Capital
200 Maryland Ave., N.E.
Washington, D.C. 20002
(202) 544-4226