Report from the Capital

June 1977

Religious Bodies Favor Genocide Convention

By Carol B. Franklin

WASHINGTON—Arthur J. Goldberg, former justice of the U.S. Supreme Court and former U. S. ambassador to the United Nations, testified on behalf of 52 religious, veterans, labor and ethnic groups in favor of U. S. ratification of the so-called Genocide Convention before the Senate Foreign Relations Committee.

The Convention on the Prevention and Punishment of the Crime of Genocide was born in response to the deaths of 6 million Jews at Nazi hands in World War II. In December, 1946, the United Nations General Assembly unanimously adopted a resolution declaring genocide a crime under international law. Two years later the General Assembly unanimously approved the Genocide Convention.

In international law the term "convention" means an agreement among sovereign nations. Broadly speaking, it is a treaty among many nations.

The Genocide Convention has been reported out of the Foreign Relations Committee four times in 1970, 1971, 1973 and 1976. It has never reached a vote in the Senate. Every President since Truman has supported the Convention.

Genocide is defined by the Convention as the committing of certain acts with intent to destroy, wholly or in part, a national, ethnic, racial or religious group. The acts forbidden are actual killing, serious bodily or mental harm, imposed birth control on such a group and forcible transfer of children out of the group.

Goldberg spoke for the Ad Hoc Committee on the Human Rights and Genocide Treaties which includes 22 religious organizations among its members. These include the American Baptist Churches, USA, American Friends Service Committee (Quakers), American Jewish Congress, Episcopal Church, Methodist Church, General Board of Christian Social Concerns, National Catholic Conference for Interracial Justice, Union of American Hebrew Congregations, Unitarian-Universalist Association, and the United Church of Christ.

"Our country owes a particular obligation to remember the Holocaust in which 6 million Jews lost their lives. We must symbolize our concern for human rights . . . . The time is long overdue to symbolize our feelings about World War

(See GENOCIDE, p. 7)

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Religious, Political Leaders Slated To Address BJCPA Taxation Conference

By W. Barry Garrett

WASHINGTON—Nationally known religious and political leaders are slated to address the Baptist conference on the churches and taxation scheduled here for October 3-5, according to an announcement by James E. Wood, Jr., executive director of the Baptist Joint Committee on Public Affairs.

Among those invited to address the conference are Vice President Walter F. Mondale, former Vice President Hubert H. Humphrey, and William P. Thompson, stated clerk of the Presbyterian Church, U. S. A. and president of the National Council of Churches.

Leo Pfeffer, a distinguished author and nationally known constitutional church-state lawyer and a member of the Jewish faith, has been asked to speak on "The Special Constitutional Status of Religion."

Charles M. Whalen, S. J., professor in Fordham University Law School, has been asked to talk on "Definitional Problems with Respect to 'Church' and Religious Organizations in the Internal Revenue Code." This is a subject of intense concern to the churches because of the recent ruling on "integrated auxiliaries" of churches.

In announcing the conference on taxation, Wood said, "Today a crisis is emerging in the United States with regard to tax exemption and religion."

He explained that there is no crisis "over any possible sweeping removal of tax exemption of religion as such," but that two major questions are emerging: (1) should religion that attempts to influence public policy be taxed, and (2) does the state or any of its agencies have the competence to define the nature of religion as the basis for determining eligibility for tax exemption?

The first religious liberty conference on taxation sponsored by the Baptist Joint Committee was in 1960 on "The Churches and American Tax Policy." Wood said that there have been so many developments in the 17 years since the first conference that it is time to take a new look at the problems.

For instance, in 1960 there was no such thing as churches paying taxes to the federal government, he said. "Now, as of January 1, 1976 the churches started paying taxes on their unrelated activities.

"In 1960," he continued, "integrated auxiliaries of churches was not even heard of and anything related to the churches was accepted by the government as religious. Now that is not true and the government through the Internal Revenue Service has sought to define what is and what is not a religious activity.

"In 1960 the questions related to the obligations of churches as tax exempt organizations, but now the questions revolve around protection of the churches from government," he concluded.

These problems gave rise to the theme of the conference in October, "Taxation and the Free Exercise of Religion," Wood said.

The following speakers have accepted assignments at the conference. Dean Kelley, the Executive for Religious and Civil Liberty in the Division of Church and Society of the National Council of Churches, will speak on "Why the Churches Should Not Be Taxed." He is the author of a new book by that title.

(See CONFERENCE, p. 7)

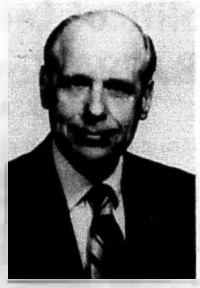
From the Desk of the Executive Director

'Secular Humanism' and the Public Schools

By James E. Wood, Jr.

I

American public education is under frequent and serious attack today with respect to the alleged "nontheistic," "humanistic," and "secularistic" character of the public schools. The oft-repeated charge is that the public schools are today dominated by "the religion of secular humanism." While those who make this charge vigorously condemn "secular humanism" as incompatible with the guarantees of the First Amendment with regard to the Establishment and Free Exercise Clauses, the charge is at the same time used to argue the case for the viability of parochial schools and their right to public funds to insure Judeo-Christian values and pluralism in American education for children in elementary and secondary schools.



Wood

The charges, while inextricably intertwined, are two-fold. They are that (1) the public schools, contrary to the U. S. Supreme Court decisions of *McCollum* (1948), *Zorach* (1952), *Engel* (1962), and *Schempp-Murray* (1963), are teaching a religion to children in the public schools which is antithetical to Judeo-Christian values; and (2) the religion being taught is "secular humanism." The charges are deeply rooted in the notion that neutrality in the public schools on religious questions constitutes the teaching of "secular humanism" as a religious philosophy.

Two cases involving these charges may be helpful in one's evaluation of this issue. In an action suit brought by a Montgomery County, Maryland, citizens' group known as Parents Who Care, a 1972 decision of the Montgomery County Board of Education was appealed in protest against the Family and Human Development Program as set up and installed in the Montgomery County Public School system. Among the constitutional issues raised by the petitioners was that "the religion of Secular Humanism" had been "established" in the Montgomery County public schools. After twenty-two months of hearings, the Hearing Examiner of the Maryland State Board of Education concluded that "there is no evidence sufficient to show a conspiracy on the part of the Montgomery County public schools, its administrators or teachers, to instill in the students any particular form of life concept whether in accordance with or in opposition to the Judeo-Christian heritage." Thus the petitioners' recommendation on "secular humanism" was denied on April 30, 1976.

A four-year-old legal challenge by parents of nonpublic school students of the way tax dollars are used by public schools in the city and county of St. Louis was dismissed earlier this year on technical grounds. It is now being renewed, but the parents thus far have failed to offer any proof for their allegations that the public schools teach a doctrine or kind of "religion of secular humanism" in the classroom.

II

The term "secular humanism," as used by its antagonists, is increasingly made the basis of a wholesale indictment of American public education. This pejorative use of the term is even offered by many as the explanation of any evidence of deterioration of academic achievement and moral values in the public schools. Ironically, the teaching of "the religion of secular humanism" is condemned as violating the rulings of the U. S. Supreme Court on religion and the public schools by the very persons who most often deplore the Court's decisions themselves.

This view of secular humanism as the religion of the public schools is derived also from an interpretation made of the development of the meaning of "religion" in constitutional law. The Supreme Court's constitutional definition of religion holds that it is belief—not body, creed, or cult which appears to be the essence of religion; that *Torcaso* v. *Watkins* (1961) renders "it quite clear that for the court theistic belief is but one sort of religion and that nontheistic belief may qualify as 'religion' "; and that " 'belief' refers to some sort of universal view of life, of the world, of mankind," a belief that is held to be true about mankind. In short, religion is "a world view" with or without reference to God.

The issue of secular humanism is compounded by identifying secular humanism with secularism. If "religion" in the constitutional sense includes theistic as well as nontheistic religion, it would then follow, as indeed the Supreme Court stated in *Abington* v. *Schempp*, "The Government may not establish a 'religion of secularism' in the sense of affirmatively opposing or showing hostility to religion, thus preferring those who believe in no religion over those who do believe."

Meanwhile, the alleged teaching of "the religion of secular humanism" in the public schools is increasingly being used as a rationale for parochial schools. It is frequently argued that the widespread teaching of secular humanism in tax-supported public schools has, in fact, prompted many parents to send their children to parochial schools.

III

The charge that the public schools are dominated by "the religion of secular humanism" must be rejected as dangerous and unfounded. It is dangerous because "secular humanism" remains largely undefined except as it is equated with secularism and identified as destructive of all traditional religions and all moral values. The myth is predicated on the assumptions that secular humanism "declares that there is no good," that "there are no values, there is no right, there is no wrong," and that "there are no moral or religious principles." The truth is that a non-religious or secular humanism does not mean, let alone require, the rejection of Judeo-Christian religious and moral values.

Where is the evidence that Judeo-Christian values are being denounced or denied throughout American public education today? Certainly, wherever this is taking place in American public schools it should be condemned. For the public school, even by implication, to teach that religion is irrelevant and/or to maintain a stance of hostility toward religion and religious values, is incompatible with the secular character of American public education and the United States as a nation. Meanwhile, the U. S. Supreme Court has, in fact, reenforced the constitutional acceptability and educational appropriateness of the study about religion in the public schools. In the *Schempp* case

(See SECULAR HUMANISM, p. 7)

washington observations

news views trends

WITH THIS ISSUE, the editors of Report from the Capital bring back a former feature of the publication, "Washington Observations." This page will enable us to bring you brief, up-to-date reports and analysis from the nation's capital.

IN A MAJOR Supreme Court decision, the justices ruled 7-2 that an airline stewardess who was fired for getting married and later reinstated is not entitled to full seniority for service before a new federal anti-discrimination law went into effect. United Airlines employee Carolyn J. Evans maintained that the company's action violated Title VII of the Civil Rights Act.

THE HIGH COURT ruled in another case that states may not impose mandatory death sentences on convicted murderers of policemen. The 5-4 decision came just one year after the justices struck down mandatory death sentences in Louisiana and North Carolina, while upholding death statutes in states where judges and juries must consider "mitigating circumstances" before imposing sentence in first degree murder convictions. Yet to come this term: a decision as to whether rape is a capital offense punishable by death.

THE RELIGIOUS COALITION for Abortion Rights (RCAR) is warning that lower income women may once again be deprived of the right to safe abortions because of the inclusion of the Hyde amendment in this year's Labor/HEW appropriations measure now pending in Congress.

BOTH PRESIDENT Carter and HEW secretary Joseph Califano have repeatedly expressed opposition to federal funding of abortions. The Hyde amendment first passed Congress last year, but HEW has continued to fund abortions while the amendment awaits disposition by the Supreme Court.

NEW AID ADMINISTRATOR John J. Gilligan is giving encouragement to advocates of increased U. S. food and development funds overseas by ranking such aid as more important than defense, energy, or any other public expenditure. The former Ohio governor says that helping underdeveloped nations close the poverty gap "is the most important thing we, as a nation, can do to shape the future . . . ."

THE CARTER ADMINISTRATION indicated in testimony before a congressional committee that it opposes tax credits for college tuition.

Register Citizen Opinion 1977

Influencing Public Policy: How to Go About It

By John W. Baker

Lobbying is the term generally applied to attempts by individuals and groups to influence the actions of the legislative and executive branches of government. Many people conceive of lobbying as an unwholesome and/or dishonest undertaking. Generally this is a serious misconception.

There are lobbyists who use questionable or even illegal methods to influence government. These are an exception and are not at all typical of the activities of the Washington lobby. American political scientists are in agreement that the lobbyist is an important element of the American democratic process.

Members of Congress or employees of an executive agency have come to rely on individuals or organizations to supply them with varying perspectives on an issue. Such diverse organizations as the National Association of Manufacturers, the A.F.L.-C.I.O., Common Cause, the U.S. Catholic Conference, and the Baptist Joint Committee on Public Affairs might be asked their opinions on the same issue in order that a decision maker may have an expression of potentially conflicting views to aid him in reaching conclusions.

The organizations which relate to government when the interests of their constituencies are involved are many and varied. The Washington telephone Yellow Pages has more than six full pages with four columns on each page containing the names of associations within the city. Alphabetically, these range from an organization called "A Better Chance" through the "Zionist Organization of America." In addition, a substantial number of the law firms in the area represent the special interests of clients when the actions of government affect them. By presenting conflicting views they serve to guarantee that all facets of a problem will be explored before a decision is made. Thus, this kind of interest representation can be seen as an important component of democracy.

At times interest groups take the initiative in making their views known. At other times government actively seeks those views. For example, the general counsel for a House subcommittee recently asked the Baptist Joint Committee on Public Affairs to present testimony directed at the church-state implications of a piece of legislation the subcommittee was considering. Other organizations receive similar requests for expert testimony. Very few of them decline to appear.

This type of lobbying is usually called "direct" lobbying. The lobbyist is involved in "face-to-face" contact with government. Under certain circumstances it can be very effective. But it is not the most effective way to influence the actions of elected officials. Individual voters can have a much more potent influence on their elected representatives.

If voters take the time and effort to make their desires known in a proper manner, representatives pay close attention. This "indirect" or "grassroots" lobbying, which consists simply of letter writing or telephoning, is effective and takes few skills. There are, however, some general rules which should be followed:

1. Things you should do:
   a. Be informed about the issue rather than acting in haste or in response to unfounded rumors. A letter based on unfounded rumor is of no value and could serve to discredit a later communication involving a real issue.
   b. Write briefly and to the point, explaining the bases of your support for or opposition to pending action. Write on only one issue at a time.
   c. Be constructive—if you oppose a piece of legislation, explain how and if it can be made acceptable to you.
   d. Write to your representatives congratulating them when they have done something good and thanking them if they have voted as you requested. (Voting records are usually reported in a local paper—or will be if several people request that they be reported.)
2. Things you should not do:
   a. Never threaten a representative. Do not say "Neither I nor any of our church members will vote for you if. . . ." A positive statement of your position is sufficient.
   b. Never sign form letters or duplicated petitions. One handwritten letter is worth dozens of these nonspontaneous communications.
   c. Do not write on every piece of legislation which comes along. Be selective to be effective.
   d. Never write unless you really know what you are writing about. An uninformed letter could be counterproductive.

One of the best publications available to aid citizens in expressing views on public issues is the pamphlet *Register Citizen Opinion*. It lists the members of Congress, their committee assignments, addresses, proper salutations, etc. This valuable pamphlet can be ordered from the Baptist Joint Committee on Public Affairs for 25¢ each. Bulk orders will be billed as follows:

Ten copies $2.00
One hundred copies $17.50
One thousand copies $137.50
Postage and shipping charges will be added to the above price.

Congressional Update

House Education and Labor Committee Reports Out Youth Camp Safety Act

By W. Barry Garrett

WASHINGTON—The proposed Youth Camp Safety Act moved a step closer to enactment in Congress by a 25 to 7 favorable vote in the full committee on Education and Labor in the House of Representatives.

Incorporated in the revised bill (H. R. 6761) are proposals made by James E. Wood, Jr., executive director of the Baptist Joint Committee on Public Affairs, to protect church camps from governmental interference. About the original bill he said that "the act does not reveal a legislative intent either to prescribe religious beliefs or to limit religious practices."

However, Wood did suggest that the guarantees of noninterference in the bill needed strengthening. He suggested substitute wording which members of the subcommittee conducting the hearing said they found acceptable, "even better than the original language."

The Baptist Joint Committee on Public Affairs neither supports nor opposes the Youth Camp Safety Act. In its testimony the Committee spoke only to the church-state aspects of the bill.

Specifically, the "noninterference" section of the proposed Youth Camp Safety Act reads as follows:

"(a) Nothing in this Act or regulations issued hereunder shall authorize the Director, a State agency, or any official acting under this Act, to prescribe, determine, or influence the curriculum, admissions policy, program, or ministry of any youth camp.

"(b) Nothing in this Act or regulations issued hereunder shall be construed to control, limit, or interfere with either the religious affiliation of any camp, camper, or camp staff member, or the free exercise of religion in any youth camp which is operated by a church, association, or convention of churches, or their agencies."

The noninterference section also exempts religious objectors from medical treatment, except during an epidemic or threat of an epidemic.

John W. Baker, director of research services of the Baptist Joint Committee on Public Affairs, points out that the sole purpose of the Youth Camp Safety Act has to do with the health and physical safety of campers. Any regulation or implementation of the Act must therefore be related to its purpose, he said.

Baker said that due to the expressed fears of many church groups about undue government interference with youth camps, the revised Act and the committee report spell out precisely the intent of Congress, which relates only to the health and safety of campers.

"To this extent the bill does provide for federal and state health and safety standards for youth camps, but the churches and their agencies have long since accepted government standards for safety, fire protection, health, sanitation and public welfare as a principle that does not contradict separation of church and state or freedom of religion," he continued.

The committee report on H. R. 6761 says, "The Subcommittee received unanimous support from groups most experienced in youth camps as these groups generally believe Federal legislation is a necessary catalyst in activating States into adopting such legislation." These supporting groups are listed as the American Camping Association, Boy Scouts of America, Girl Scouts of America and the National Parents and Teachers Association.

During the hearings opposition was expressed by Christian Camping International and by Glorieta Baptist Assembly, Glorieta, N. M. Opposition to the Youth Camp Safety Act within the Committee on Education and Labor is confined to a minority of seven Republicans and Rep. Mickey Edwards (D-Okla.).

Republican opposition stems from their traditional view on the expansion of government activity and on the charge that "there has been no evidence to establish that this legislation is needed." These opponents suggest a further 12-month study by the Department of Health, Education, and Welfare.

Edwards, in spite of the noninterference section of the bill, charges that "this legislation clearly attempts to bring church activities under the purview of the Federal Government."

Since 1967, efforts have been made in Congress to encourage states to develop health and safety standards for children and youth attending youth camps. Hearings have been held in the 90th through the 95th Congresses, with the exception of the 94th. A special study by HEW was

(See SAFETY, p. 7)

Conflict of Rights Seen at 'Child Porn' Hearings

By Carol B. Franklin

WASHINGTON—Conflict between children's rights and First Amendment rights flared frequently during two days of hearings on child sexual exploitation here. Witnesses pled for a law to protect children from sexual abuse while legislators weighed the need for federal intervention in the sensitive area.

The Subcommittee on Crime of the House Committee on the Judiciary held two days of hearings on child sexual exploitation and abuse. Rep. John Conyers, Jr. (D-Mich.) is chairman.

Frank Osanka, associate professor of Social Justice and Sociology at Lewis University, Glen Ellyn, Ill., told the subcommittee that he would not be satisfied with the laws until there were "fail-safe safeguards for our children" against sexual molestation.

"The law should be so specific that even the act of selling such pornography be interpreted as a party to child abuse and neglect. I realize that these are extreme measures, but the socially corrupting nature of child pornography and the current inability of the criminal justice system to stop it, demand strong protective legislation," Osanka said.

"In my view, a person who purchases child pornography is a party to child abuse since his purchase will insure a profit for the pornographer and thereby guarantee abuse of additional children through the production of new items," he continued.

Members of the subcommittee objected strongly to Osanka's position, while agreeing that the situation is "reprehensible." Rep. Allen E. Ertel (D-Pa.) commented that Osanka seemed to "advocate overkill. We would have to go for the consumer as well as bookstore managers and producers."

Heather Grant Florence of the American Civil Liberties Union distinguished between two aspects of the problem. "I shy away from the phrase 'child porn' as that confuses two distinct issues—child abuse which is unlawful activity and the dissemination of printed or visual materials which is constitutionally protected," Florence testified.

"The ACLU wholeheartedly joins with the many legislators, private individuals and community groups in condemning the

(See PORNOGRAPHY, p. 8)

Supreme Court Update

Court Rejects Catholic Case Against NLRB

By Stan L. Hastey

WASHINGTON—The U. S. Supreme Court will not hear a case brought by the Roman Catholic bishop of Gary, Ind. against the National Labor Relations Board (NLRB) for seeking to unionize lay teachers in parochial schools.

The bishop was supported in his appeal to the high court by the American Baptist Churches in the USA, which argued that important religious liberty questions were at stake.

Last year the NLRB, a federal regulatory agency, sought to hold an election in which lay teachers in the Gary diocesan school system would decide whether to form a union. Bishop Andrew G. Grutka filed a complaint against the NLRB in a federal district court asking that an injunction be issued to forbid the federal agency from applying the National Labor Relations Act to Gary's parochial schoolteachers.

Last October the district court sided with the bishop and ordered that the injunction be issued. The NLRB then appealed to the Seventh Circuit Court of Appeals, which overturned the district court's order in February 1977, saying that the federal courts had no jurisdiction in the case.

In a friend-of-the-court brief to the Supreme Court, American Baptist house counsel Earl W. Trent, Jr. argued that the high court should hear the case because "immediate access to judicial review in all substantive matters raising First Amendment concerns of church and religious organizations is a singularly important issue to Baptists today."

Trent went on to say that Baptists "are alarmed at the degree to which government administrative agencies have involved themselves in the internal affairs of church" and that Baptists "believe that the church is irreparably harmed and religious liberty is abridged when government without prior judicial review can assert control over its religious mission. . . ."

Trent argued further that by "asserting jurisdiction" over Gary's parochial school system, the NLRB violated both the no establishment and free exercise of religion clauses of the First Amendment.

The NLRB has maintained that it has

(See NLRB, p. 8)

Juries to Determine Obscenity Standards

By Stan L. Hastey

WASHINGTON—Local juries, not state legislatures, are to determine what constitutes obscenity in federal cases, the U. S. Supreme Court ruled here.

In a 5-4 decision, the high court upheld the conviction of a Des Moines, Iowa man charged with violating the 1873 Comstock Act, which forbids the use of the U. S. postal service to transport obscene materials.

Jerry Lee Smith was convicted of mailing issues of *Intrigue*, a hard-core pornographic magazine, and two obscene films to post office box addresses in the southern Iowa towns of Mount Ayr and Guthrie Center. The materials were unknowingly mailed to postal inspectors who had requested them using fictitious names.

Smith contended at his trial and in his appeal to the Supreme Court that the charges against him should be dismissed because the Iowa legislature in 1974 passed a law removing all restrictions from possession of obscene materials by adults. The law did restrict distribution of such materials to children.

Justice Harry A. Blackmun, who wrote the majority opinion, acknowledged that although Smith had not violated Iowa law, he was still subject to federal prosecution for violation of the federal Comstock Act. The jury, therefore, and not the state legislature, must decide whether the materials sent through the mail were obscene, Blackmun wrote.

In 1973 the Supreme Court ruled that local community standards rather than a uniform national standard must be applied in obscenity cases. That decision, announced in *Miller v. California*, issued three basic guidelines for determining obscenity at the community level:

- "whether 'the average person, applying contemporary community standards' would find that the work, taken as a whole, appeals to the prurient interest . . .;
- "whether the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state law; and
- "whether the work, taken as a whole, lacks serious literary, artistic, political, or scientific value."

Justice Blackmun concluded that a state's "right to abolish all regulation of obscene material does not create a correla-

(See OBSCENITY, p. 8)

States May Not Forbid Abortions to Wards

By Stan L. Hastey

WASHINGTON—State welfare officials cannot forbid young women who are wards of the state to obtain abortions, the U. S. Supreme Court ruled here.

The high court affirmed without comment a ruling by a three-judge federal district court in Connecticut. The court ruled that a Connecticut State Welfare Department regulation giving its top official the right to refuse an abortion to a young woman during the first trimester of her pregnancy violates the woman's constitutional right to an abortion.

Francis H. Maloney, Connecticut's commissioner of welfare, had forbidden a young ward of the state, identified in court as "Lady Jane," from obtaining an abortion early in her pregnancy. The woman's physician had agreed to perform the abortion if the commissioner gave his approval, as required by the state regulation.

Maloney refused, however, arguing that the state should not be prohibited from denying abortions to minors for "medical safety" reasons. The state also argued that a guardian is needed in such cases to help minor wards in making their decisions about abortion.

The Supreme Court's action means that young women who are wards of the states are entitled to the same access to abortions as other women.

The high court ruled four years ago that the state has no compelling interest in forbidding abortion during the first trimester of pregnancy and that a woman, in consultation with her physician, has a constitutional right of privacy which enables her to make that decision without state interference.

In other actions, the high court:

- Agreed to hear an Oakland, Calif. case involving the right of the media to access to jails. A U. S. district court there ruled earlier that television station KQED should be given greater access to the Alameda County jail than the sheriff grants to members of the general public. The court acknowledged that while both the media and the public theoretically have equal access from a constitutional standpoint, the media must sometimes be given special privileges in carrying out their duties to the public.

(See ABORTION, p. 7)

Conference

(continued from p. 1)

Rep. James C. Corman (D-Cal.), a member of the Committee on Ways and Means of the House of Representatives and an expert on church-state relations, will be the speaker at the Tuesday luncheon.

Hon. Laurence N. Woodworth, Assistant Secretary of the Treasury for Tax Policy, will address the conference. He is the former chief of staff of the Congressional Joint Committee on Internal Revenue Taxation and is a highly rated economist.

Rep. Barber B. Conable, Jr. (R-N. Y.), is the ranking minority member of the House Committee on Ways and Means and is the author of bills on lobbying activities of nonprofit organizations. He will address the conference on "Attempts to Influence Legislation and the Loss of Tax Exemption."

Also invited to address the conference are Jerome Kurtz, the new Commissioner of the Internal Revenue Service, and a speaker from the Guild of St. Ives, an organization of Episcopal lawyers in New York who specialize in taxation and the churches.

This sixteenth religious liberty conference by the Baptist Joint Committee will be held in the Quality Inn, Pentagon City, Arlington, Va., across the Potomac River overlooking Washington, D.C.

Invitations to the conference have been sent to a large number of Baptist leaders, but attendance is open to anyone concerned about the problems of churches and taxation. Inquiries about the conference may be addressed to Baptist Joint Committee on Public Affairs, 200 Maryland Ave., N.E., Washington, D. C. 20002. (BPA)

Safety

(continued from p. 5)

released in 1974. In 1975 the House of Representatives passed the Youth Camp Safety Act, but no action was taken in the Senate.

Current efforts toward the enactment of the Youth Camp Safety Act are being led by Rep. Joseph M. Gaydos (D-Cal.), chairman of the Subcommittee on Compensation, Health and Safety. Several other congressmen have also introduced bills similar to the one reported out of committee.

The Youth Camp Safety Act faces an uphill battle for enactment, due to opposition by the minority party, several church groups, and by the Carter Administration. Although the opposition groups do not all give the same reasons, their combined force is formidable. If the bill should be successful in the House of Representatives, it will have to go through the legislative process in the Senate, which could easily spell its death in the present Congress. (BPA)

Genocide

(continued from p. 1)

II," Goldberg pled after his formal statement.

"We now recognize the enormity of the offense—against the principle of human dignity as well as against Jews," Goldberg said. "We recognize that human rights are the basis of democracy . . . . (Our failure to ratify the Convention) has gone on too long. Eighty-two nations have ratified it while we have the best human rights record in the world."

Sen. William W. Proxmire (D-Wis.) testified in favor of ratification of the Convention on moral and diplomatic grounds. "Our failure to ratify this treaty has been a constant source of embarrassment to us diplomatically that has puzzled our allies and delighted our enemies," Proxmire told the Committee.

"State Department personnel have written me in the past and indicated that our efforts to halt the genocide that occurred during the Nigerian Civil War would have been far more effective had we been a party to the Convention. Instead we were viewed as moral hypocrites," Proxmire said.

Primary opposition to U. S. ratification in the past has been from the American Bar Association which raised constitutional questions. However, the ABA unanimously reversed its earlier position and now supports the Genocide Convention.

Goldberg stated that "constitutional and other objections to the Convention are frivolous."

E. Stanley Rittenhouse, Liberty Lobby, opposed ratification of the Convention as did Maud Ellen Zimmerman, Voters Interest League. (BP)

Abortion

(continued from p. 6)

• Declined to hear arguments that accused criminals are always entitled to know the religious preferences of potential jurors. Two men convicted of receiving stolen property had claimed that their constitutional right to trial by an impartial jury was jeopardized by their inability to learn the religious affiliation of jury members. The government disagreed, saying that the two men had failed to give any "specific reason" for the request and had actually conceded that "religion was not an issue" in their case. (BP)

Secular Humanism

(continued from p. 2)

of 1963 Justice Clark affirmed, ". . . one's education is not complete without a study of comparative religion and the history of religion and its relationship to the advancement of civilization. . . . The Bible is worthy of study for its literary and historic qualities. . . . Nothing that we have said here indicates that such a study of the Bible or of history, when presented as part of the secular program of education, may not be effected consistent with the First Amendment." The academic study of religion is being given a greater place in the curriculum of American public education today than has been in any previous period of our history.

Unfortunately, the attack on secular humanism in the public schools is all too often but a thinly veiled attack on the public schools themselves—their academic freedom and their academic integrity. Much of the myth has been predicated by those who seek to harrass the public schools, to make them more responsive to their own particular moral and religious values, rather than remain schools in which a secular or non-religious approach to the study of history, science, government, and literature prevails.

Quite properly, man and human values should be the focus of public education, just as God and religious values should be the focus of religious education in the churches and synagogues. Programs of religious education and/or parochial schools have their own reason for being and should not be defended at the expense of an indictment of public education, which must remain secular in the teaching of history, economics, biology, mathematics, and literature. America's public education is necessarily committed to *human* values, *human* achievements, and *human* capabilities, in which the activities, interests, and historical development of man are made central. It is for this reason that public schools enjoy the support of public funds, while parochial schools which are committed to a particular religious world view are denied those public funds.

Pornography

(continued from p. 5)

sexual exploitation of children for any purpose, including commercial purposes. . . . (We) strongly urge that criminal laws prohibiting child abuse and contributing to the delinquency of a minor should be vigorously enforced," she went on.

Florence noted, however, that "the Constitution requires that any legislation designed to cure these evils not trample on First Amendment rights in the process."

Chairman Conyers raised a number of questions. "Are these abusive practices in fact growing like wildfire, or is the appearance of such increases in large part due to the fact that public attention has at last been focused on practices which have long existed but have been ignored or attention to them suppressed? . . . Is the problem we are addressing really a monolithic one, or is it in fact three distinct and separable problems of sexual child abuse, prostitution, and pornography?"

Conyers also raised the question of what motivates children to become involved in such activities. "Some persons who have concerned themselves with these matters are convinced that material attractions are quite significant in inducing children into such conduct; other students of the problem assert that children care very little about money, but are primarily looking for happiness, security, and love."

"The most essential question which must be addressed is, of course, whether additional federal criminal legislation is needed . . . .Establishing that objectionable conduct—even revolting conduct—is taking place does not necessarily establish the need for new federal criminal laws," Conyers asserted.

Robert F. Leonard, prosecuting attorney, Genesee County, Flint, Michigan and president-elect of the National District Attorneys Association, told the subcommittee, "Our local experience clearly illustrates the need for a federal attack on the problem."

Leonard also stressed, however, that "in responding to public concern over child pornography and abuse we should not prohibit offensive conduct by trampling upon the rights of expression guaranteed by the First Amendment of the U. S. Constitution."

Charles Rembar, a New York attorney, said, "Many of my clients are writers, publishers, and in the film and television business. Many might oppose this bill (H. R. 3913). They would be wrong. The First Amendment is enfeebled by stretching it too far. It should not be abused." (BP)

Obscenity

(continued from p. 6)

tive right to force the Federal Government to allow the mails" to be used for sending obscene materials.

Four of the justices dissented, including John Paul Stevens, who in a lengthy statement argued that "a federal statute defining a criminal offense would prescribe a uniform standard applicable throughout the country."

Stevens said further that just as standards relating to obscenity differ on a national level, standards vary even within "so-called local communities."

He concluded: "In my judgment, the line between communications which 'offend' and those which do not is too blurred to identify criminal conduct. It is also too blurred to delimit the protections of the First Amendment."

In a footnote, Stevens also called attention to the views of Anthony Comstock, after whom the Comstock Act was named. Comstock was said to have scorn for "light literature, pool halls, lotteries, gambling dens, popular magazines, and weekly newspapers."

Justices William J. Brennan, Jr., Potter Stewart, and Thurgood Marshall, who regularly dissent from the high court's majority in obscenity cases, issued a brief statement declaring that the Comstock Act is "clearly overbroad and unconstitutional on its face." (BP)

NLRB

(continued from p. 6)

jurisdiction to apply the National Labor Relations Act to lay teachers in parochial school systems.

By declining to hear the case, the Supreme Court did not rule on the substantive First Amendment issues raised in the American Baptist brief. The justices' action means that before the Gary bishop is allowed to argue the case on its constitutional merits, he must first exhaust the "administrative remedies" available to him.

Trent had argued that from a First Amendment viewpoint, such an alternative is unacceptable to American Baptists in that the review process would excessively entangle the NLRB in church affairs. (BPA)

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

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