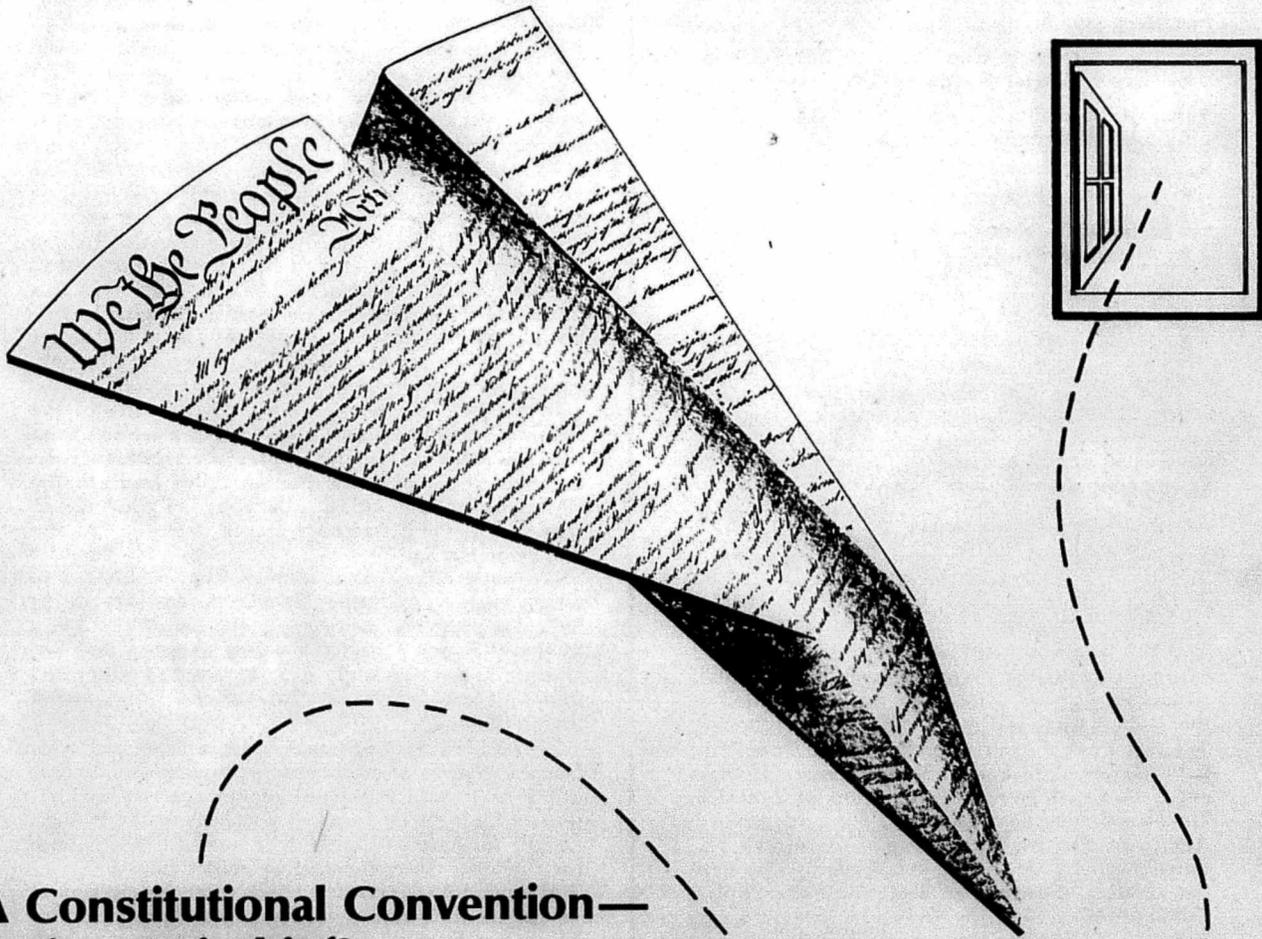


January 1981

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REPORT from the CAPITAL



**A Constitutional Convention—
Serious Mischief?**

REPORT from the CAPITAL

"... a civil state 'with
full liberty in religious concerns'"

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Some Conventional Wisdom

A constitutional convention to consider changes in the neigh 200 year old Constitution seems to be a rather noble response to the demands of progress, since no existing human document is such that it couldn't stand improvement by updating. So goes the argument of those who want (1) to approve an amendment requiring a balanced federal budget, 2) to outlaw abortions, and 3) to return prayer to the classrooms of the public schools. Tom Dybdahl's conventional wisdom deals primarily with the call for the balanced budget but in the context of an examination of the serious nature of an unlimited convention.

The Supreme Court did not ban the Ten Commandments from the public schools, a point John Baker stresses in the midst of a lot of less than precise reporting by others on the decision prompted by a Kentucky law. The State required the posting of the Commandments in direct violation of the First Amendment, the Court held. Baker also adds his insight to the Court's action relative to religious holiday questions.

To some, education vouchers represent an idea whose time has come again; and for others it's tuition tax credits, now or never. Both groups are encouraged. On the hustings, candidate Ronald Reagan supported those ideas and his election may mean payday. William Raspberry, Washington Post columnist, fails to perceive the justice for ghetto children in particular, whose quality of school will suffer even more under a system that draws off not only funds but valuable human interaction as well.

In Madrid, where the compliance review of the Helsinki Final Act goes on with scant attention from the U.S. mass media, U.S. representatives have been hammering away at the human rights issue to the closed ears of the USSR which speaks generally in terms of national sovereignty and detente. Can the two be separated?

We have compiled a few of many instances in which both issues struggle to draw free breath. El Salvador provides one example of a nation that looks to the U.S. for a decisive policy decision and not another in the trickle of carefully weighed (and often found lacking) responses to the cry for firm signs of understanding.

In Haiti, Baby Doc, now grown, follows in Pappa Doc's footsteps of suppression by silencing the nation's radio and independent newspapers and arresting their staffs. Leading members of the Haitian League for Human Rights, who would have come to their defense, have themselves been arrested.

The ominous sign some perceive in the election of Reagan is the "return to the laissez-faire policy of Nixon and Ford which tolerated the excesses of both Francois and Jean-Claude Duvalier." They look to hear differently from Republican policy makers.

Charges against the Soviet Union for its treatment of dissident voices and its invasion of Afghanistan, added to the present quandry in Poland, keep the pressure in Madrid on the USSR. REPORT has from time to time printed stories dealing with its persecution of outspoken religious and civic leaders.

Victor Tupitza



TAKING DRAMATIC, ELEVENTH-HOUR action, the U.S. Senate and House of Representatives passed and sent to President Carter legislation restoring an income tax exclusion for missionaries and other overseas charitable workers. The President signed the measure on December 24th.

Approval of the provision, supported by a bipartisan group of lawmakers, came during the unusual Saturday session in both houses of Congress December 13. Passage in both the Senate and House was swift and unanimous. Yet the ease with which final approval came belied an intensive struggle in the Senate over whether the measure would even come to the floor for action.

Sen. Robert C. Byrd, D-W.Va., Senate majority leader, finally succeeded after days of trying in calling up the bill containing the tax exclusion provision under an agreement preventing additional amendments or a roll call vote. That crucial parliamentary maneuver saved the bill, H.R. 4968, from becoming a "Christmas tree" to which other tax-related amendments could be proposed and debated on the floor.

Passage of the tax exclusion language came only two days before the final deadline for payment of 1979 taxes by employees of overseas charitable organizations. The Internal Revenue Service had twice extended the original deadline for payment, anticipating that Congress might reinstate the exclusion. ■

THE U.S. COURT OF APPEALS for the 3^d Circuit held, on December 30th, in a 2-1 decision, that because the mass conducted by Pope John Paul II on public property at Logan Circle in Philadelphia had a religious purpose, the expenses for the platform, etc. could not be paid for with public funds. The City Solicitor has not decided whether he will appeal the decision. ■

A CONCERTED EFFORT by some members of Washington Interfaith Staff Council to lobby members of the U.S. Senate contributed to the elimination of a \$19 million expenditure earmarked for chemical warfare from the 1981 defense appropriations bill.

The House had appropriated the \$19 million to equip a production line for a binary munitions chemical plant in Pine Bluff, Ark., but the Senate refused to approve the controversial expenditure. Sen. Mark O. Hatfield, R-Ore., then convinced conferees to drop the House-approved funding after suggesting the possibility of a filibuster of the entire defense appropriations bill. ■

THE FAIR HOUSING AMENDMENTS ACT of 1980, hailed by proponents as "the most important civil rights bill of the past decade," fell through the cracks during the lame duck session of the 96th Congress. Passed overwhelmingly by the House last June, the measure fell six votes shy of the necessary 60 to end a filibuster in the Senate, ending any chance of approval by this Congress. ■

Tom Dybdahl

The Author is an assistant editor, book division, Rodale Press, in Emmaus, Pennsylvania.

A Constitutional Convention: Can Good Intention Rule Out Serious Mischief?

Thursday, July 2, 1981

25¢

First Amendment Repealed

July 2, 1981—The National Constitutional Convention, meeting this week in Kansas City, voted today to repeal the First Amendment to the Constitution and replace it with a more restricted statement permitting free speech and free exercise of religion only within well-defined guidelines.

As currently written, the First Amendment places no restrictions on freedom of speech, freedom of the press, or the free exercise of religion, and guarantees the separation of church and state, as well as the right of

the people to assemble peaceably.

"We wish to make it clear," a spokesman for the convention said, "that we are not opposed to these freedoms. But unless there are some limits, freedom of speech and freedom of religious practice can become tyranny by tiny minorities. We are in danger of being destroyed by those who promote unorthodox and dangerous ideas under the guise of 'exercising their constitutional rights.'"

The spokesman said further that the convention's decision "was not a nega-

tive action abolishing important rights, but a positive action that will bring about constructive and necessary changes in our society. We need to get back to the faith of our founders."

When asked about specific recommendations the convention had discussed, the spokesman said, "There have been no final decisions, but the guidelines will likely include required prayer in public schools and a national day of worship." A definite announcement is expected at the convention's closing session on July 14.

Tomorrow's news story? Probably not. An impossible fantasy? Certainly not. It could become a reality if the accelerating effort to call a constitutional convention is successful.

By early 1980, 30 state legislatures—four short of the required two thirds—had passed resolutions asking Congress to call a constitutional convention to approve an amendment requiring a balanced federal budget. The National Taxpayers Union, which is spearheading the drive for the convention, had predicted they would have the 34 states necessary to convene a convention before the year is over. [That has not happened.]

But what is the connection between an effort to force the federal government to balance its budget and our First Amendment rights? Is there really

any potential danger from a constitutional convention (sometimes abbreviated con-con)?

When the Founding Fathers approved the Constitution, they recognized that changes might be needed. Congress was given the right to make amendments subject to the approval of three quarters of the states. Article V, however, provides that a constitutional convention shall be called when two thirds of the state legislatures petition Congress for one. Alexander Hamilton, writing in *The Federalist*, No. LXXXV, reinforced this point: "The words of this article are preemptory. The Congress 'shall call a convention.'" (Italics supplied.) As with congressional amendments, any amendment proposed by a convention requires approval from three fourths of the states.

In addition to calling a convention, Congress has the responsibility of deciding such secondary but crucial matters as how many delegates shall attend, how they shall be chosen, and the manner in which each state is to be represented.

After that, however, the situation becomes much less clear and much more ominous. Can Congress, for instance, set boundaries for a con-con by specifying what issues it may properly consider? If Congress does impose guidelines, must the convention honor them and stick to the specific issue(s) for which it was called, or may it con-

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“Constitutions are intended to preserve practical and substantial rights.

A Constitution is *not* intended to embody a particular economic theory.”

Justice Oliver Wendell Holmes

sider other matters, as well?

Most of those who favor a con-con claim that fear of a freewheeling convention—such as one that might repeal all or part of the Bill of Rights—is preposterous. They have no less a figure than former U.S. Attorney General Griffin Bell on their side. “Limits can be set,” he has said. “Congress has a duty to do so.”

But others are less certain. Howard Jarvis, the antispending crusader who led the fight for California’s Proposition 13, warned that in a constitutional convention “every radical crackpot or special-interest group would have the chance to write the supreme law of the land.” Congressman Barber Conable (R-N.Y.) says such a gathering would be a kind of “constitutional Russian roulette.”

Such fears are not entirely unfounded. The precedent of the only other constitutional convention, which met in Philadelphia in 1787, is somewhat less than reassuring. It was assigned the job of amending the Articles of Confederation. What it did—and perfectly legally—was to abandon that document completely and write another, very different, charter. That could happen again.

The prospect has given rise to all kinds of fantasies. Amendments on several subjects are currently pending before Congress. Many people would like to reinstate school prayer. A considerable number of very determined people would like to see a constitutional amendment that would prohibit abortion. (At this writing 15 states have called for a con-con on that issue.) What would prevent a delegate from putting forward one of these amendments at a constitutional convention gathered to consider the federal budget?

Of course, Congress can call a con-con and limit its subject. However, the convention could then—legally—declare itself superior to Congress and

ignore any limitations that had been set (as did the 1787 convention). It could also—for good measure—vote to amend the Constitution to eliminate the Supreme Court. And no rules approved by one Congress would necessarily be binding on any other Congress or on the convention.

Even if Congress could successfully limit a convention’s powers, how could the debate be focused? Various states have approved different resolutions, some very short and general, others long and specific. The one approved in Delaware calls for a convention only if the other states approve a resolution identical to Delaware’s; no other state has yet done so.

Another approach could be to limit the convention to a single subject, such as the federal budget. But in that case, those who favor school prayer could propose that no federal funds go to states that don’t permit prayer in public schools. Or antiabortionists could offer an amendment cutting off welfare funds to any state that allowed abortion.

If, as proponents sometimes suggest, Congress is fearful of a con-con, the convention strategy might be just the prod needed to get the legislators moving. This has happened before. Both the Seventeenth Amendment, providing for the direct election of Senators, and the Twenty-first, repealing prohibition, were passed after drives for special conventions were under way. Conservative Columnist William Safire believes that this is, in fact, the purpose of Article V. It was, he says, “provided by the Founding Fathers as a way of lighting a fire under Congress if the government in Washington did not prove sensitive to the will of most of the states.”

According to this scenario, Congress would short-circuit a constitutional convention by passing its own amendment. The problem here is that while many members of Congress

would like to balance the budget, and while they love to tell their constituents about their efforts in this regard, there is a limited amount of support for an ironclad amendment requiring it.

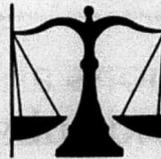
Supporters of a con-con say discussions of possible dangers from such a convention are just a way of dodging the real issue—the need for a balanced budget. They point to opinion polls that show that 70 percent of Americans want a balanced budget, along with some sort of law requiring one. Even if the convention is wide open, they say, there is nothing to fear. California Governor Jerry Brown, a leading con-con advocate, argues that “the idea that the American people want to junk the Bill of Rights is absurd.”

Most people would agree that repeal of the First Amendment—or any other part of the Bill of Rights—is highly unlikely. At the same time, an unlimited convention could work other sorts of serious mischief. The judgment of “the people” may generally be good, but we all have lapses. Consider the fact that less than thirty years ago an amendment was seriously proposed that would have set aside the First Amendment and replaced it with the assertion that “this nation devoutly recognizes the authority and law of Jesus Christ, Saviour and Ruler of nations, through whom are bestowed the blessings of Almighty God.” Noble as that sentiment may be, America would be in real trouble, if that were, in fact, our First Amendment!

Most of those who support a constitutional convention believe they are acting in the best interests of their country. They are not part of a plot to deprive us of any of our freedoms, including religious ones. But history confirms that good intentions are not enough. A constitutional convention, whatever its merits, offers the possibility of serious problems. For those of us who cherish all our rights, it is a possibility better avoided.

John W. Baker

VIEWS OF THE WALL



The First Amendment built "a wall of separation between Church and State"—Thomas Jefferson in a letter to the Danbury Baptist Association.

"... the line of separation, far from being a 'wall', is a blurred, indistinct, and variable barrier"—Chief Justice Burger, *Lemon v. Kurtzman*.

Two major church-state decisions recently handed down by the Supreme Court have produced public misconceptions similar to those which arose out of the 1962 and 1963 decisions on prayer and Bible reading in the public schools. Now as then, the fault does not reside in what the Court said as much as in what the secular press reported that the Court said. Most of the secular press does not understand the complexity of the principle of religious liberty or the American doctrine of the separation of church and state, tends toward sensational headlines, and does not report or analyze such cases in depth. Even in this publication, space problems preclude a lengthy analysis of the decisions, but it seems essential that the basic elements of the decisions be spelled out and what the Court *did not* say be given special emphasis.

In *Stone v. Graham*, decided November 17, 1980, the Court held that a Kentucky statute which requires the posting of the Ten Commandments on the wall of every public school classroom violated the establishment clause of the First Amendment even if the posted copies of the Commandments were purchased with private contributions.

The Court cited the establishment tests enumerated in *Lemon v. Kurtzman*, 403 U.S. 602 at 612-613 (1971): (1) the statute must have a secular legislative purpose, (2) its principal or primary effect must neither advance or inhibit religion, and (3) it must not foster an excessive government entanglement with religion. The Court pointed out that if a law fails any one of these tests it is unconstitutional and then stated: "We conclude that Kentucky's statute requiring the posting of the Ten Commandments in public schoolrooms has no secular legislative purpose, and is therefore unconstitutional."

This fact was so clear to five members of the Court that they saw no reason to hear oral argument on the issues. The Court granted the petition for a writ of certiorari and reversed the Kentucky Supreme Court's decision in a brief unsigned opinion. Two other justices wanted to hear oral argument

and two dissented from the decision. Because the case did not go to oral argument, it cannot be determined whether the justices' split on the substantive issues presented in the case is 5-4 or 7-2.

The Court DID NOT ban the Ten Commandments from the classroom. Students or teachers may bring a copy of the Commandments in their purses or notebooks, they may read them, and, by far the hardest part, they can attempt to pattern their behavior after them. The Ten Commandments can be studied as a part of our religious/legal history, and school choirs, as a part of legitimate secular educational programs, can sing works which incorporate the words and the spirit of the Commandments.

The Court DID ban the government from forcing religious materials on students and teachers when the purpose of requiring the presence of those materials is religious and their presence does not serve a bona fide secular educational purpose, whether those materials are purchased by public or private funds. Under our Constitution an argument would have to be made that the Ten Commandments are primarily secular and non-religious before the Kentucky statute could be declared constitutional. Few Christians or Jews would make that argument.

Also in November, the Court declined to grant a petition for a writ of certiorari in the case of *Sioux Falls School District v. Florey* [decision below at 619 F.2d 1311 (1980)]. The secular press proclaimed that the Court, by refusing to hear the case, had said that Christmas programs in the public schools were constitutional. This is simply not so. By declining to hear the case, the Court left standing the decision of the U.S. Court of Appeals for the 8th Circuit. In turn, that decision applied to a narrow fact pattern in one school district. Let us look at that fact pattern.

In reaction to a claim that Christmas programs in 1977 and prior years had been essentially religious devotionals, a committee—consisting of the school district's director of music; a Jewish, a Catholic, and a Protestant clergyman; a member of the American Civil Liberties

Union; an attorney; and parents and teachers of students in the district—was appointed to study the church-state problems raised by observance of religious holidays in the public schools. The committee developed a policy statement which was aimed at keeping within the establishment tests set forth in *Lemon, supra*, and which began: "It is accepted that no religious belief or non-belief should be promoted by the school district or its employees, and none should be disparaged."

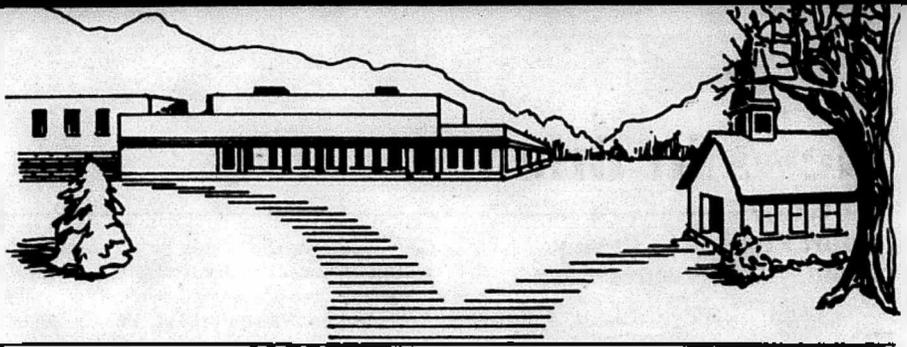
The policy statement established the following rules: (1) holidays having both religious and secular bases may be observed in the public schools; (2) the historical and contemporary values and the origin of religious holidays may be explained in an unbiased and objective manner without sectarian indoctrination; (3) music, art, literature and drama having a religious theme or basis are permitted as part of the curriculum for school-sponsored activities and programs if presented in a prudent and objective manner and as a traditional part of the cultural and religious heritage of the particular holiday; (4) the use of religious symbols such as a cross, menorah, crescent, Star of David, creche, symbols of Native American religions or other symbols that are a part of a religious holiday is permitted as a teaching aid or resource provided that such symbols are displayed as an example of the cultural and religious heritage of the holiday and are temporary in nature; and (5) the school district's calendar should be prepared so as to minimize conflicts with religious holidays of all faiths.

Because the lower federal court thought these rules provided for teaching about religion rather than the teaching of religion and passed the establishment tests set up by the Supreme Court in *Lemon*, it held the rules themselves constitutional on their face. The court noted that the programs prior to 1978 would not have met the requirements of the new rules. The court did not declare any particular holiday programs constitutional but left the impression that those programs

(Continued on p. 16)

William Raspberry

The author writes a column of opinion for the Washington Post. This article appeared in that newspaper, and is reprinted with permission of the Washington Post Co. ©



Vouching For Schools

Educational vouchers represent an idea whose time apparently has come—again.

Education vouchers, according to those who support the idea, could administer a healthy dose of competition to public education, forcing it to get better or die.

They could be a painless way of achieving voluntary school integration. They could offer parents genuine choice, not just in the quality of their children's education but also in course content and educational style.

How could anyone resist such a wonderful idea?

Education Secretary Shirley Hufstedler, who remains to be convinced that vouchers are the best cure for what ails education, cuts quickly to the heart of the matter.

"The issue ought to be viewed in terms of two basic questions," she says. "What is to be accomplished, and for whom? And how does the net product square with overall educational gains? I haven't heard anybody discussing the issue deal with these overarching questions."

It's very clear what backers of the proposal hope it will accomplish for their own children: monetary support for the choice many of them already

have made—private or parochial school.

The basic idea is fairly simple. Take the per-pupil cost of educating children in the public schools and give that money, or some fraction of it, to parents in the form of a voucher with which they can then purchase their children's education. If parents are satisfied with their public schools, they will keep sending their children there, their vouchers being used to pay the cost of operating those schools. If parents are dissatisfied, they can take their vouchers to the school of their choosing: another public school or a private or parochial one.

It is also clear that middle-income parents who would send their children to private school if they could afford to do so would be able to afford it under a voucher even if they had to supplement it out of their own pockets.

The advantages, say the backers of the idea, include equity, increased parental influence and improvement in the quality of education.

What is less clear are the advantages to the children who are getting the worst of public education: the children of the big-city slums.

If there were enough seats in private and parochial schools already available for them, then making the money available would increase their options. But the voucher proposals assume that the existence of the vouchers would lead to the creation of new schools. It undoubtedly would. But schools of what quality?

Some ghetto parents might use their vouchers to get their children into Exeter, Choate or Georgetown. But wouldn't the children who have been most damaged by inadequate public education be least likely to meet the entrance requirements of the best or most prestigious private schools?

What would happen to these children, or to those with reputations as troublemakers or dropouts? Isn't it likely that these children—the leftovers after the private schools had their pick—would be stuck with the worst schools, public or private?

And suppose the voucher experiment simply didn't work. We couldn't go back to the old way, since many of the public schools would be closed and their teachers gone.

As Hufstedler observed in a recent interview, the choice that comes from having money is only one advantage that accrues to the middle class. Another important one is that they have the educational background and the sophistication to make good choices.

"That's a key question," she said. "What levels of sophistication are we dealing with? The ingredients of choice are more accessible, for a lot of reasons, to those [parents] with education than to those without education."

"In our experiments with everything from voter registration to jury service, the people who most need to be reached are the least likely to be reached."

To return to Hufstedler's "overarching question," who would be the true beneficiaries of the broader choice?

She says she hasn't closed her mind on the subject—indeed she hasn't had much time to think about it during her few weeks in office—but she fears that most of the advantages would go first to the middle class and then to "the most nimble" of the poor.

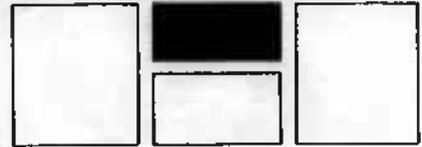
"Whether we're talking about vouchers or tuition tax credits, it seems to me there's a good chance that we're talking about a ticket for flight for middle-class parents," she said.

"Both proposals would move public resources—tax money—into financing for private schools." And since she believes some children inevitably would be left behind—they would wind up with fewer resources than before.

"It occurs to me," the secretary said, "that if as much effort were put into improving the public school system as is being expended by those who want to escape it, we'd be well on the way to solving the problem."

"That's the problem that really deserves our attention: escalating the quality of schooling for all the children of America."

News in Brief



Court Refuses to Review Holiday Observance Case

WASHINGTON—Public schools may continue to observe religious holidays, including Christmas, after the Supreme Court declined to review whether the practice violates the Constitution in a widely publicized South Dakota case.

By refusing to review the complaint of a group of Sioux Falls, S.D. parents, the high court put to rest a controversy that began more than two years ago and threatened to result in a landmark legal test of the traditional practice of observing religious holidays in schools.

The Sioux Falls parents who brought suit against the local school board for permitting the observances argued throughout the lengthy appeals process that presentation of religious music, drama, literature and symbols violates the no establishment of religion clause of the First Amendment.

They argued further that the school board guidelines favored religion over non-religion and favored Christianity over other religions.

Holidays specified as acceptable for public school observance by the guidelines were Christmas, Easter, Passover, Hannukah, St. Valentine's Day, St. Patrick's Day, Thanksgiving and Halloween. These may be observed, the guidelines stated "if presented in a prudent and objective manner and as a traditional part of the cultural and religious heritage of the particular holiday."

Attorneys for the school board argued that the designated holidays are being observed in Sioux Falls in a manner that respects the neutrality toward religion prescribed by the Constitution. "It was never the purpose or intent of the school district to authorize or promote a program with religious effect," the board argued in a written legal brief submitted to the high court.

Further, to eliminate observance of all holidays with religious content "would lead public schools to assume a position of hostility toward religion," a position also held unconstitutional in previous court decisions, the school board maintained.

'Return to Little Rock' Depicts Brooks Hays' Life

NEW YORK—Former Southern Baptist Convention president Brooks Hays was honored here at the premiere of a

film on his public career by an organization devoted to fostering relations between Christians and Jews.

In a related development, the former Arkansas Congressman released a statement to *Report from the Capital* disassociating himself from current SBC president Bailey Smith's well-publicized remark that "God Almighty does not hear the prayer of a Jew."

To believe that God hears only the prayers of Christians invoking the name of Christ, Hays declared, "would be to shut out from God's love and care the largest part of the world's population, and to abrogate to ourselves alone His mercy and favor, something Jesus never intended."

Hays' statement, citing Jesus' endorsement of the publican's prayer in the temple without invoking his name and the fact that Jesus' model prayer "made no mention of himself," goes on to state that "There is no basis for claiming that Jesus' name must be mentioned like an open sesame to God's attention."

The statement concludes by declaring that because the purpose of prayer "is worship and the desire to learn the divine will, the way to God should be, and is, open to everyone, saint and sinner, Jew, Moslem and Christian."

The New York premiere of the Hays film, "Return to Little Rock," was sponsored by the National Conference of Christians and Jews, which helped produce the film. The group also presented its mass media award to the film's producer, David Solomon.

Focusing on Hays' conciliatory role in the Little Rock school desegregation crisis in 1957, the movie portrays the former SBC president as a statesman committed to human and civil rights. The film recalls Hays' efforts as conciliator between Arkansas governor Orvil Faubus, a staunch segregationist, and President Dwight D. Eisenhower, who ordered federal troops to integrate Little Rock's Central High School in compliance with a court order.

The film notes that Hays' moderation on the race issue, while costing him his seat in Congress in an upset defeat the following year, also opened up a whole new career for the Russellville, Ark. native, including a stint as special assistant to President John F. Kennedy.

Also noted was Hays' role during the 1930s in helping establish the Arkansas chapter of the National Conference of Christians and Jews. Hays' longtime

association with the New York-based organization was recognized two years ago when it honored him on his 80th birthday.

SBC Group Organized for Conscientious Objection

NEW YORK—The Committee for Southern Baptist Conscientious Objection has been organized here to assist Southern Baptists interested in conscientious objection in the event of a military draft resumption.

The New York-based committee is attempting to help conscientious objectors register their beliefs as well as seeking to organize and distribute materials to ministers of youth, campus ministers and others working with draft age persons, according to Steve Benfield, the organization's executive director.

The Southern Baptist Convention's Executive Committee recently voted to support conscientious objectors within the denomination by allowing them to register with the convention.

Bias Charge in Draft Before Supreme Court

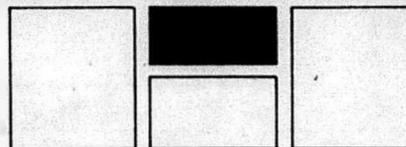
WASHINGTON—Sex discrimination cases figured prominently in Supreme Court Actions announced here Dec. 1, including a challenge to the all-male military draft registration law.

In what may prove to be the most emotionally volatile case it handles this term, the high court agreed to decide if last year's draft registration law illegally discriminates against men by requiring males only to register for a possible draft. A lower federal court in Pennsylvania has already ruled that the 1979 statute violates the due process clause of the Fifth Amendment.

But the federal government, whose appeal was filed with the court by solicitor general Wade H. McCree Jr., argues that registration of men only does not constitute invidious and unconstitutional sex discrimination.

One of the ironies surrounding the challenge to the law is that the Carter administration originally proposed draft registration legislation to include women, a provision rejected by Congress. The Department of Justice must now defend the law before the high court.

Although no date has been announced for oral arguments in the case, the justices are not likely to make



a final ruling until late in the term, perhaps by June, 1981. Meanwhile, young men born in 1962 will register as scheduled in January. Supreme Court Justice William J. Brennan Jr. earlier delayed implementing the lower court ruling overturning draft registration pending Supreme Court disposition of the case.

Another possible outcome in the heated controversy would be action by President-elect Ronald Reagan asking Congress to cancel the program when he assumes office. Such a move would be consistent with his campaign position against peacetime registration.

NCPAC Has Kennedy on 1982 Senator 'Hit List'

WASHINGTON—The National Conservative Political Action Committee (NCPAC) says it may target up to 20 liberal senators for defeat at the polls in 1982.

Edward M. Kennedy, D-Mass., Howard M. Metzenbaum, D-Ohio, Donald W. Riegle Jr., D-Mich., Paul S. Sarbanes, D-Md., and Harrison A. Williams, D-N.J., head the list.

Reasons for targeting the 20 include opposition to tax cuts, a balanced budget and strong national defense, said NCPAC chairman John T. Dojan. "And, of course, almost all of the senators voted to give away the Panama Canal," he added.

In 1980, NCPAC spent \$1.2 million to unseat Frank Church, D-Idaho, Birch Bayh, D-Ind., George McGovern, D-S.D., John Culver, D-Iowa, Alan Cranston, D-Calif., and Thomas Eagleton, D-Mo. Senators Cranston and Eagleton won re-election despite NCPAC opposition. The \$1.2 million figure will "certainly be exceeded next year", a NCPAC spokesman said. Final targets will not be set until NCPAC confers with more of its contributors in each state, a spokesman said.

Church Loses Building; Gains Tax Status Instead

PITTSBURGH—The City of Pittsburgh apparently thinks some church property should be taxed, at least in the case of the Bidwell Street Presbyterian Church.

In the mid-1970s, the United Presbyterian congregation gave up its sanctuary when the city said the land was needed for a redevelopment project. In return, the city sold the church

two adjoining lots and a new sanctuary was built in 1977.

But then municipal authorities assessed nearly \$65,000 in taxes against the land for the years 1977 and 1978, even though it was the site of a church building. An appeal last January resulted in the assessment being reduced to about \$7,000 but not removed.

The church has filed to suit in Common Pleas Court asserting that the tax assessment is unconstitutional and should be removed completely.

State Prohibited from Requiring 10 Commandments

WASHINGTON—Kentucky's law requiring the posting of the Ten Commandments in the state's public schools was struck down here Nov. 17 by the U.S. Supreme Court, despite the fact that oral arguments in the case were not heard.

The 5-4 decision reversed two Kentucky courts which had upheld the controversial 1978 statute calling for the display of a copy of the decalogue in every public school classroom.

In its unsigned four-page ruling, the nation's high court held that the Kentucky law violated the First Amendment's no establishment of religion clause because its purpose was religious, not secular.

The Kentucky law failed the secular purpose test, the court majority declared, because "the pre-eminent purpose for posting the Ten Commandments on schoolroom walls is plainly religious in nature."

In its earlier decision upholding the law, an equally divided Kentucky Supreme Court held that by affixing a "secular purpose" disclaimer in fine print beneath the posted Ten Commandments, the state had met that requirement.

But the nation's highest tribunal disagreed, ruling that "the Ten Commandments is undeniably a sacred text in the Jewish and Christian faiths, and no legislative recitation of a supposed secular purpose can blind us to that fact."

While acknowledging that the last six of the Ten Commandments deal with "arguably secular matters," including honoring one's parents, murder, adultery, stealing, false witness and covetousness, the first four injunctions contain purely religious injunctions, the court declared.

Nor did the fact that the Kentucky law required private funding for the plaques save it from violating the Constitution, the high court continued. "It does not matter that the posted copies of the Ten Commandments are financed by voluntary private contributions," the majority held, "for the mere posting of the copies under the auspices of the legislature provides the 'official support of the State . . . Government' that the Establishment Clause prohibits."

A Baptist constitutional expert, John W. Baker, legal counsel for the Baptist Joint Committee on Public Affairs here, said the apparent rationale for the court's expedited decision was that arguments presented in written briefs as well as the record developed in the case "sharpened the constitutional issues to the extent that the court was able to reverse the Kentucky Supreme Court without the formality of hearing oral arguments."

Students Cannot Meet For Pre-school Prayer

NEW YORK—A three-judge federal appeals panel here has upheld a lower court decision prohibiting a group of students from meeting for voluntary prayer before class time at a public school.

"We must be careful that our public schools, where fundamental values are imparted to our children, are not perceived as institutions that encouraged the adoption of any sect or religious ideology," wrote Judge Irving R. Kaufman of the United States Court of Appeals for the Second Circuit.

Judge Kaufman stated in the 23-page unanimous opinion that school permission for such activities would have created "an improper appearance of official support for religion."

Robert M. Anderson, an attorney from the Catholic League for Religious and Civil Rights which represented the students, vowed to take the case to the U.S. Supreme Court, saying that the issue was freedom of speech, not church-state separation as the judge had contended.

The case arose when a group called Students for Voluntary Prayer at Guilderland High school near Albany, N.Y., sued the local Board of Education after being denied permission to meet before class at school each day.

FREEDOM The Aspirations of Humankind FREEDOM

The Helsinki Final Act, signed in 1975 by the heads of state or government of 33 European countries, the United States and Canada, was a diplomatic milestone.

Of particular genius, the Final Act recognized the need to base international cooperation on the foundation of respect for human rights and fundamental freedoms. It thus gave rise to new hopes among the people of Eastern Europe and the Soviet Union, some forming groups to monitor their own countries' compliance with the Helsinki accords.

Those who drafted the Final Act also showed remarkable insight in establishing periodic review meetings like the Belgrade Conference in 1977 and the present gathering in Madrid, for opportunities to examine how well or poorly the CSCE (Conference on Security and Cooperation in Europe) countries have carried out their commitments.

The so-called "basket three" or section of the Final Act—Cooperation in Humanitarian and Other fields which promotes the free flow of information and ideas, removal of travel barriers for personal and professional reasons, and the improvement of working conditions for journalists from the participating states has been of particular concern among representatives to Madrid.

Continued arrest and incarceration of Helsinki monitors, the exile in the USSR of Dr. Andrei D. Sakhorov, along with the invasion of Afghanistan, has led to questioning the sincerity of USSR commitment to the Accords.

Ambassador Max Kampelman's speech before the conference states the concern of the U.S. He told the body assembled in opening remarks:

"It has been greatly disturbing to us that, during the periods when we enthusiastically participated in growing cultural and economic exchanges with the Soviet Union, the so-called high period of detente, the commitments under Principle 7 and Basket III were undermined as internal repression in the Soviet Union increased with a tightening of censorship and an intensified use of prison, psychiatric institutions and exile to deal with dissension."

Voicing the optimism of democratic societies, Kampelman countered the historical determinism of Marx-Leninism, declaring "We believe that in the long run, the aspirations of mankind toward greater individual freedom will inevitably be attained and cannot be defeated no matter how severe the repression.

"We are convinced that the historic inevitability for the human being is the inevitability of human rights, of individual freedom, and not of some ideologically defined doctrinal concept of revolution."

Chairman of the U.S. delegation Griffin E. Bell summarized the U.S. position after carefully delineating numerous denials of basic human liberties: "The fact that a principle has been violated does not make that principle less valid, or reduce our obligation to seek fuller implementation of the Final Act. . . My country will continue to speak out, in specific terms, against abuses of human rights."

We Pray for Success at Madrid:—Patriarch Pimen

"We regard success as the participating states agreeing to renunciate the policy of military confrontation and its consequence—the further unrestrained qualitative growth of nuclear arms deployed on the territories of countries signatories to the Helsinki Final Act, and to return to the policy of detente, with special emphasis laid on military detente in Europe and disarmament as its most important condition."

Listing the broad participation of the Russian Orthodox Church in peace conferences, including those involving the National and World councils of churches, Patriarch Pimen concluded his statement, "I called upon the churches and religious circles of countries signing the Helsinki Final Act to develop cooperation among themselves and with other peacemakers, so as to more effectively promote ending the arms race and advancing peoples and states to disarmament, consolidating detente, building trust and establishing mutually advantageous cooperation and a lasting and just international peace."

El Salvador— Exodus from Oppression

"Everybody feels that anything may happen at any time," is the way a recent visitor to El Salvador described the situation. The smallness of the country, the concentration of people in the capital of San Salvador, and the restriction of freedom of speech all serve to intensify the war-like atmosphere.

Today the army is the strongest force in El Salvador. It is used to repress the opposition, which includes the various political factions as well as all who speak against prevalent injustices, such as the rural priests and their poor parishioners. The contradiction inherent in US government foreign policy is this: Aid has been promised to the El Salvador government if the repression is stopped and reforms are immediately implemented, thus weakening the power of the popular political movements, which can only be put down by more repression. Complicating the situation is the hard fact that the US-backed junta is out of favor with just about everyone in El Salvador.

The struggle in El Salvador needs to be seen as part of the larger struggle of countries in Central America, such as Nicaragua and Guatemala. There are marked economic and political similarities in all three countries. They have predominantly peasant populations who live in the most abject poverty. Illiteracy is high, malnutrition and illness are endemic to the areas. Approximately 2.1 percent of the population owns 60 percent of the agricultural land in El Salvador (compared with 72 percent in Guatemala). In Nicaragua, before its revolution, one family—the Somozas—owned 25–30 percent of the arable land and nearly 1/6 of the national territory. Rural workers average \$1 per day wages. The status quo is maintained by military dictatorship, with the army used to repress peasants and workers.

Because of its traditional position and power in these countries, the Roman Catholic church has had the widest influence.

The Protestant churches, smaller and non-hierarchical, have had to work out for themselves their own response to the injustices and violence against their own people. They are recognizing that a genuine ecumenical effort is needed to speak out effectively against the power and force of their governments. As one pastor put it, "This is the

exodus for our people, when we free ourselves from oppression." (American Baptist News Service)

Church is Target of State Organs

The San Salvador diocese weekly newspaper, *Orientation*, recently printed a two-part article entitled, "A Chronology of Persecution Against the Church: January to October 1980." Actions by the Salvadorean Government armed forces and security forces, as well as by government-condoned rightist paramilitary groups, predominate in entry after entry of this chronology.

In its March 1979 report on El Salvador, the OAS Inter-American Commission on Human rights concluded that "priests, members of religious orders, and lay persons who cooperate actively with the Church have been the object of systematic persecution by the authorities and organizations that enjoy the favor of the government."

This report, presented at the OAS General Assembly in October 1979, goes on to recommend "that the necessary measures be taken to prevent continuation of the persecution of the members of the Catholic Church who act in legitimate exercise of their pastoral mission" and that "the campesino sector be permitted to resort to every means of organization existing in a democratic society . . . and that the government should also encourage and protect the campesinos—and those who cooperate or wish to cooperate with them, such as the churches, particularly the Catholic Church—in the efforts to organize themselves to exercise their rights and to affirm their dignity."

Despite the October 1979 coup which ended General Romero's rule and the subsequent dismissal of some 40 high-level military officers, official or government-condoned persecution against the Catholic Church, as described by the OAS in its 1979 report, continues in El Salvador and has escalated in dramatic proportions since the formation of the Military-Christian Democratic government in January 1980. In 1980 alone, four priests have been assassinated, and great numbers of the 2,811 peasants killed by government forces through September of that year belonged to Christian Community Groups.

In a mid-November interview, a senior government official indicated that El Salvador "very definitely"

needed more U.S. military aid and that helicopters were required given the inadequate road system. He also confirmed that the U.S. is now training Salvadorean helicopter pilots and mechanics.

In Washington, the U.S. government is in the final stages of approving additional military aid for the Salvadorean junta. Although Congress has yet to approve the fiscal year 1981 economic and security assistance bill, recent Administration and Congressional agreement on the inclusion of El Salvador in a normal procedure entitled "continuing resolution" will enable the sending of \$5 million in what is described as "non-lethal" assistance in the near future, before final passage of a foreign aid bill.

Carter officials are now considering the leasing of six helicopters to El Salvador, and have reopened discussion on mobile training teams as a next step. Earlier U.S. attempts to send mobile training teams to El Salvador prompted the late Archbishop Oscar A. Romero to write to President Carter in February 1980, opposing any additional aid to the Salvadorean government, on the grounds that Salvadoreans needed to resolve their own problems.

Washington policy-makers therefore are giving the green light to more military aid for a government unwilling to end systematic repression against its people, with a particular focus against the Catholic Church. The Salvadorean government troop invasion of the San Salvador Archdiocese premises on November 19, 1980, is the latest and

Church Council Funds For Salvadoran Relief

NEW YORK—Church World Service, the international relief and development arm of the National Council of Churches, has raised over \$150,000 to help victims of the near civil war in El Salvador since its June appeal for funds.

Most of the money has been passed on to the Ecumenical Committee for Humanitarian Assistance (CEAH) in El Salvador, through the World Council of Churches. The Ecumenical Committee, which includes both Protestants and Catholics, provides food and medical care to victims of the conflict.

"Repression against the civilian population remains severe," according to CWS Executive Director Paul McCleary. "Reports confirm that the armed forces are still bombarding and mounting attacks on villages and farms in Morzan Province, killing hundreds of civilians. Reliable sources speak of 3,000 dead up to the present. (NCC)

most glaring example of actions by present and future recipients of U.S. "non-lethal" military aid.

(Continued on p. 16)



Amnesty Groups Finds Rise in Political Killings

People were murdered by government forces or executed for political reasons in more than 30 countries in the 12 months reviewed by Amnesty International's annual report, published today. (Tuesday, December 9, 1980).

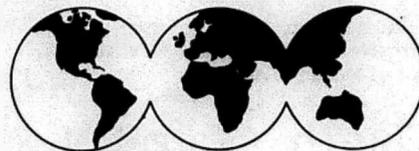
The victims included peasant families in El Salvador and Guatemala; members of political, religious and ethnic groups in Iraq, Iran and Ethiopia; and people in all walks of life in countries as far apart as Afghanistan, Chile and the Philippines.

Organized on a regional and country-by-country basis, with entries on 110 nations, the report offers a wide-ranging account of challenges to human rights. It shows that the problem cuts across national and ideological boundaries, pointing out violations in countries north and south, east and west, industrialized or developing.

It describes the use of restrictive laws, labor camps and psychiatric abuse to punish dissenters in the Soviet Union. It calls attention to police brutality to members of ethnic minorities in the United States, sometimes resulting in deaths.

In a preface to the report, Jose Zalaquett, Chairperson of the organization's International Executive Committee, says: "The death toll from executions and political murders recorded in these pages is a matter of the gravest and most urgent concern." He notes that Amnesty International urged the United Nations Security Council in 1979 to discuss the rise in political killings as "a threat to international peace and security," and that more than a year later there are continual reports of new abductions and deaths. (Amnesty International)

INTERNATIONAL DATELINE



Churches Testify on Namibia

PARIS—"There is a general loss of confidence and trust among the Christians in Namibia in the whole process surrounding the implementation of the plan for UN elections" said a statement presented by a church group to the International Conference in Solidarity with the struggle of the people of Namibia, held here recently.

The statement summed up the Namibian Churches' position as affirming the illegality of the presence of South Africa in Namibia—a presence maintained by an army and police terror. The Namibian Churches also welcomed and supported UN resolutions which called for an end to the occupation and for free and fair elections under UN control.

The declaration called on all who support the Namibian people's freedom aspirations to "provide full and unconditional political and material support for SWAPO" (South-West Africa People's Organization) in order to replace the illegal South African regime in that country.

In addressing itself to both governments and other organizations the conference urged the UN Security Council to impose sanctions and called for the mobilizing of public opinion in support of the struggle for Namibian independence. (EPS)

Church Near Extinction

OSLO—"The church in Kampuchea (Cambodia) has been as close to extinction as possible, but it is still alive," says Svein Tornas, information officer of Norwegian Church Aid.

Reporting on a recent visit to the country, Mr. Tornas said there are between 300 and 500 Christians in Cambodia but only two of 25 pastors have survived the Pol Pot period.

He reported that he met both of the pastors in Phnom Penh, and they told him that while Christians are now "tolerated" in Cambodia, they are forbidden to discuss their religion in public.

Despite these restrictions, Christians gather secretly in five to six locations in Phnom Penh for Sunday services.

Juvenaly Answers WCC Critic

GENEVA—Replying to unprecedented public criticism by the World Council of Churches, a Russian Orthodox leader has defended the recent trials of Russian Orthodox dissidents, saying that "leniency" was granted "in all instances where the accused admitted to their guilt and showed repentance."

Metropolitan Juvenaly, chairman of the Department of External Affairs of the Moscow Patriarchate, was responding to a letter from Dr. Konrad Raiser, acting general secretary of the WCC.

In an earlier letter to the Russian Orthodox leader, Dr. Raiser had broken with a 32-year tradition of the WCC not to make public any criticisms of Soviet religious policies on the ground that to do so might endanger the churches in that country. The letter had expressed concern over the trials and sentencing of several Russian Orthodox activists in the Soviet Union.

In his response, Metropolitan Juvenaly said he had contacted the Council for Religious Affairs of the USSR and asked it to provide information "stating the rationale of the respective accusations and the legislative basis on which the verdicts were arrived at."

Representatives of the British Council of Churches have given officials of the Soviet Embassy here (London) a petition signed by 3,500 clergy calling for the release of Christians imprisoned in Russia.

The petition states "I wish to record my prayerful support for my colleagues Father Dimitri Dudko and Father Gleb Yakunin and for their friend Mr. Lev Regelson. I believe their arrest and present imprisonment has come about solely as a result of their faithfulness to the Gospel, of which I am also a minister."

The document adds, "In a country which insistently proclaims that its citizens have complete freedom of religious belief, I believe that it is right that they should be free to continue their ministry."

The Russian leader added that "unfortunately, many aspects of the life of

our society, including human rights and questions of religious freedom in particular, are often reflected by Western information agencies in an extremely distorted manner. . . ."

Metropolitan Juvenaly said he did not think the trials and convictions were "likely to provoke a mood of antagonism in Soviet society, directed against the life of the Church; indeed, throughout the above-mentioned trials neither accusations nor criticism were voiced against our Church as a whole, nor against its representatives."

As an example of "leniency," the Russian Orthodox leader cited the case of the Rev. Dimitri Dudko, who was sentenced to five years in prison and five years internal exile after making a televised confession of anti-Soviet activities last June.

"Father Dimitri has already been appointed by me to serve in my own diocese, which is the closest to Moscow, at the church of the Vladimir Icon of the Holy Mother of God in the Village of Vinogradovo," Metropolitan Juvenaly said, "although the investigation of his case is not yet complete." (RNS)

Resigns Over Racial Policy

JOHANNESBURG—Dr. Frans O'Brien Geldenhuys has resigned as chief executive officer of the Nederlandse Gereformeerde Kerk (NGK), South Africa's largest Dutch Reformed denomination.

He did not immediately announce his reasons for leaving, but observers speculated that he had found it increasingly difficult to support the church's position in favor of the country's apartheid (racial separation) policies.

The news service of the South African Council of Churches (SACC), said Dr. Geldenhuys "was the leading personality in the NGK's relations with other churches in and outside South Africa. This often made it difficult for him to defend the church's position, when he was tackled on issues he himself did not agree with in his church."

Jordan Transports Pilgrims

JERUSALEM—As Jordan moved to assist Iraq in its war with Iran, it also intervened at the last moment to provide transport for nearly 5,000 Israeli



Arabs who wished to make a Muslim pilgrimage to Mecca, in Saudi Arabia.

During the last two years, Muslim Mecca pilgrims from Israel were transported through Jordan on Iranian buses. The Iranians canceled prior transportation arrangements for this year's pilgrimage because of the outbreak of the war with Iraq.

Ask Release for Mandela

LONDON—Eleven British church leaders have issued a joint appeal calling for the release of Nelson Mandela, a leader of the African National Congress (ANC) who has been imprisoned by South African authorities for 17 years.

Dr. David S. Russell, general secretary of the Baptist Union of Great Britain and Ireland was among those calling for the release of Mandela and several other defendants who were sentenced to life imprisonment in 1964 after one of the longest political trials in the history of South Africa.

The appeal by the British Church leaders said that Mr. Mandela's "continued incarceration and that of his fellow prisoners has deprived South Africa of a vital leadership which is of crucial importance at this time. All were convicted of plotting a "violent revolution" against the country's racial-separation policies.

Poles Build New Churches

WARSAW—Baptists in Poland are experiencing a surge in church construction, with a number of edifices being erected or recently completed.

At Krowicz Holodowska, a village near the USSR border, a new house of worship was just occupied by the forty-members, who had done most of the work. The Baptist Union of Poland assisted in financing.

In Bialystok, the congregation opened a home for the aged early this autumn. Fifty persons occupy the new facility which is adjacent to the new church building in that city.

The church at Bielsk-Podlaski began worship in their new 150-seat center in November. This congregation of about eighty members was founded sixty years ago. Gifts for the project came from the Baptist Union, American Bap-

tist Churches, and the Slavic Baptist Union of the USA and Canada.

Under construction are buildings in Gdansk, Elblag, Chelm, Katryzn, and Katowice.

The 1200-member Central Baptist Church, one of the two Baptist congregations in Alma-Ata, USSR, dedicated a new house of worship in late October. Baptist Superintendent and pastor of the church, Nikolai Koleshnikov, said the building was erected with government funds and by government-supplied labor in recompense for property which had been condemned. The Rev. Koleshnikov recently assumed the position of treasurer-financial director of the All-Union Council of Evangelical Christians-Baptists at the Moscow offices.

[Note: Unlike the Soviet Union which provides facilities for worshipping congregations, in Poland congregations must build their own church facilities, with long-term land leases available from local governments.] (EPS)

Disaster Relief

NAPLES—Christian believers in Italy and neighboring countries made an immediate response to the needs of thousands of persons victimized by the recent earthquake.

The Baptist Union of Italy joined other member bodies of the Evangelical Federation in distributing significant amounts of foodstuffs and clothing. In Altamura and Gravenna, church buildings served as collection centers. Baptist in Austria and students from the Baptist Seminary at Ruschlikon, Switzerland, joined in relief efforts.

Pass-law Changes Suspect

PRETORIA—The South African government has made public draft legislation that it said would lift some regulations on blacks now living and working in urban areas.

At the same time, however, it includes proposals designed to inhibit more strictly the migration to urban centers of blacks from the rural, underdeveloped tribal "homelands."

"These are just a few crumbs for urban blacks," said Anglican Bishop Desmond M. Tutu, head of the South African Council of Churches. "We re-

ject the division of blacks into urban favored and the rural not-so-favored, whose numbers will steadily increase, because we feel that all South Africans are entitled to share in the wealth generated by their work."

The proposed new system "stops all black urbanization dead in its tracks," said Sheena Duncan, an official of the Black Sash, a group of white women helping blacks who have violated the so-called "pass" or influx-control laws.

Under the new system, blacks who are "qualified" to live in an urban area—that is, those who have a job and government-approved housing—will have the right to move from one township to another, provided that they find a job and housing in the new place.

The population of South Africa, including the black tribal "homelands" is about 27 million, of whom more than 19 million more blacks.

Broadcast Take-over Scored

NEW YORK—The National Council of Churches has expressed concern over reports that the government of South Korea has taken over two private radio networks and severely limited operations of the country's Christian Broadcasting System.

In a cable to South Korean President Chun Doo Hwan, Dr. Claire Randall, NCC general secretary, said the reported actions "represent a severe limitation on the basic human right of access to information and the right of private enterprise to operate freely in the mass media."

Lender Loses Account

TORONTO—The Canadian Catholic Organization for Development and Peace has removed all its accounts from the Royal Bank of Canada after demanding unsuccessfully for several months that the bank stop lending money to the regimes of South Africa and Chile.

The transfer of the account to the Toronto-Dominion Bank was meant as a gesture of support for the bank's decision last April to refuse further loans to the white-controlled government of South Africa, according to a spokesman for the Catholic agency.

CORRESPONDENCE

Baptist Joint Committee staff believes in two-way communication. Reader response to the actions taken by this office and reported in this publication, and to the feature material on these pages creates worthwhile dialogue and helps sharpen our understanding of the issues. Letters should be kept to about 200 words, signed, with address. Editors reserve the right to edit for length.

To the Editor: In all debate swirling around "Moral Majority," and in light of the article included in the October issue by Dr. Norman DePuy, I'd like to make a few simple observations.

While I agree with such objectives of "Moral Majority" as opposition to legalized abortion, legal rights to teach small children by homosexuals, etc., I suspect some of the leaders of the Moral Majority Movement are using these issues to build empires. I am not interested in helping others build empires around themselves, whatever the issues.

When articles are printed in journals that are supposed to be responsible, the issues should be faced truthfully and factually, without distortion . . . So far as I can see, and in light of the statement of objectives printed in their own newspaper by Moral Majority, DePuy distorts the goals Moral Majority holds to.

As a citizen and a Georgian, I personally feel that the leadership given this state by Jimmy Carter as governor and the nation as president has been incompetent and contrary to the Biblical standards of morality in many, many instances. In my judgment, the president and those who support him have only themselves to thank that a climate has been engendered that spawned the "excesses" of Moral Majority, if such there be.

Douglas M. Reddick
Valdosta, GA

To the Editor: No doubt, the Moral Majority, and those other incipient Klans, will claim victory in the election of Ronald Reagan and in the defeat of liberal candidates in the congressional races. I suggest however, their creed was not the element of change, but only reflects and parallels the prevailing culture. What America is looking for, like Israel and the Pharisees of old, is a political Messiah; a royal figure, who will return us to the glory and grandeur of yesteryear; who will make America strong and great again, re-

claim our lost principles, and unshackle the free enterprise system.

I ask those that share these fantasies of nostalgia, have they forgotten that our strength as a nation has been our earnest pursuit of justice, and not an economic system based upon greed with its Achilles heel of inflation? Have they forgotten the robber barons, (who are still with us) the exploitation of the poor and working classes, the gutting of the environment, and a militant and imperialistic foreign policy?

Reagan, not only shares these fantasies, but, I think, envisions himself, as such a Messiah, to save America. He represents our idolatry of wealth and symbolizes the success we desire, the rags-to-riches complex that secretly possesses our souls. So, away with the confused, poor prophet from Plains. We chose to worship the Baal of nostalgia.

Bob Wallace
Maysville, NC

To the Editor: Ricky Norris's letter in the October *Report* claims that "secularist, materialist, evolutionist, socialist," etc. views are allowed in public schools and questions whether "government should control education." I think he is looking at our public schools through a distorted and cloudy lens.

"The government" does not control public education. Our public schools are run by 16,000 separate school boards elected by, responsible to, and representing 16,000 local communities in our country. The more than two million men and women who run and teach in our public schools are a cross section of our population—Baptist, Catholics, Methodists, Jews, Presbyterians, etc.

Under our Constitution and in our diverse, pluralistic society, public schools may not favor one religion or one group of religions over any others or show hostility to any or all religions. If any school or teacher should stray from this required neutrality, concerned parents can generally get school officials or boards to straighten out the matter. If that does not work, resort can be had to the courts. When five New Jersey public schools began teaching Transcendental Meditation a few years ago, a coalition of Protestants and Catholics, supported by Americans United and other groups, went to court and had it thrown out.

Religious neutrality is respectful and friendly. And while public schools may

not sponsor or mandate devotions, or provide any sort of religious or antireligious indoctrination, they may and a great many do offer academic, objective instruction about religion.

The public schools belong to "we the people."

E. Mallary Binns
Falls Church, VA

To the Editor: In the September issue the Rev. W. W. Finlater, Chaplain to the North Carolina AFL-CIO, contends that Baptists are "unsupporting" to labor, and claims that we are poor sports when dealing with industrial and agricultural workers.

May an 82-year old Baptist, who has seen Union labor from both sides, contend that the typical labor union is not only unsporting, but also unfair, greedy, ruthless, monopolistic, coercive, and secretive about its finances to its members.

Compulsory union [membership] is sinful and tyrannical. It forces it's will on a minority, with raw power which it received by a governmental umbrella in the 1930's, known as the Wagner Act. Labor unions are thereby exempt from anti-trust laws, which is unfair to business management which is not exempt. (Continued, p. 16)

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James M. Dunn
Executive Director



REFLECTIONS

*Four things a man must learn to do,
If he would make his record true:
To think without confusion clearly;
To love one's fellowman, sincerely;
To act from honest motives, purely;
To trust in God and heaven securely.*

Henry Van Dyke, who wrote these words, was a Presbyterian pastor, poet, writer, and diplomat. As a friend of President Woodrow Wilson he often applied his personal faith to public causes. We probably remember him best as a hymn writer. He gave us "Joyful, Joyful We Adore Thee," sung to a tune from the fourth movement of Beethoven's Ninth Symphony.

His fourfold charge must have been inspired by the words of Jesus in the Great Commandment, "love the Lord thy God with all thy heart, and with all thy soul, and with all thy mind, and with all thy strength." (Mark 12:30) This commandment for all seasons has remarkable relevance for Baptists right now.

To think without confusion, to love God with one's whole mind calls for more stewardship of brainpower than most of us muster. One could say many things of this dramatic injunction, (I'll probably come back to it in later *Reports*) but for now, it seems that if our minds are in gear it means at least that we learn something from history.

We need a sense of history. Oversimply, we ought to have a profound awareness of what has gone before. An appreciation of our roots is often missing. Our quick fix, fast learn, instant coffee culture has, in fact, reduced an entire people to Elton Trueblood's "cut flower civilization."

We Baptists are no exception. The voices of many among us seem to have no awareness of the precious heritage that is ours. Some seem to have forgotten the price that was paid for a free church in a free state.

Beyond a sense of history it is also imperative that we know the facts of history. We do not live in a spaceship moment with no ties to the past or future. Rather, what's gone before makes us who we are. God has been at work in the lives of his people and it is blasphemy to say that you don't care about history.

Then, we'll apply the lessons of history wisely. If, for instance, if we recklessly sow the seeds of religious enthusiasm, insensitive to the consciences of those about us,

we will reap the whirlwind of anti-clericalism, division, suspicion and distrust. So it has always been.

To love one's fellowman, one's neighbor as himself is the great challenge of Christian social ethics. Fortunately, we do not have to live out the gospel message without help from the past, without biblical principles clearly set out.

To translate the revealed message of God's love into public policy is a massive and sometimes tricky undertaking but our generation is not the first to try. God's children have been bringing morality to public life for centuries. Christian social ethics is a well developed discipline, not merely a collection of reactions to news reports.

The underlying and overriding thrust of Christian social concern is in working out God's love in the world. The Bible pleads for a certain solidarity within the human family among all of us made in God's image, all the objects of His love. The Old and New Testaments reveal a special concern for the poor, fatherless, widows. God's Word calls us all to be peacemakers interested in "the things that make for peace." The scripture calls for "justice to roll down as the waters and righteousness as a mighty stream." The biblical revelation demands stewardship on the part of the children of God. We are to be caretakers, not undertakers, of His Creation.

Love, for self, others, the creation, is the theme. God's message is consistent and Christian morality worthy of the name is rooted in and permeated with that love.

To act from honest motives, to love God with all our strength, calls for doing our Faith. Faith works. The Christian commitment is not academic, theoretical or speculative.

As we throw ourselves into the fray, we do so humbly. We will make mistakes. We are free to fail. We are not free to fail to act. Our salvation is by God's Grace not a matter of merit, hence we do not always have to win. In fact, in a sinful world we should expect victories by the forces of greed, fear and hate. We are expected to faithfully act from honest motives, purely.

Finally, to trust in God and heaven securely is the most fundamental appeal of all. Love the Lord thy God with all thy soul. Baptists historically have depended upon the Bible. We take the Bible seriously and place our trust in the God of the Bible. It is that faith that will continue to be the hallmark of the Baptist Joint Committee on Public Affairs.

A handwritten signature in cursive script that reads "James M. Dunn".

REVIEWS



THE WOOING OF EARTH

New Perspective on man's use of nature

By René Dubos, 183 pp.
New York: Charles Scribner's Sons, \$8.95

In an entirely optimistic, sometimes celebrative vein, and without arid polemics, René Dubos states the case for a positive love-in-woosing relationship to nature, believing that "we human beings can improve on nature by manipulating it with respect, imagination, and intelligence."

"The diversity of the natural world," he says, "has often been enriched by human management," though he later cautions that this management of the earth must be value conscious and value oriented.

In a chapter on "The Human Origins of many 'Natural' environments" he notes that Hawaii once was deficient in biotic treasures "no pine trees, no oaks, no maples, no willows, one single species of palm, and only a few insignificant orchids in contrast to its present environment. England's hedgerows, Presidio Park in San Francisco, and the American prairie represent instances where mankind's achievements surpass that of nature. Perhaps the prime example is the Netherlands, Dubos citing the saying, "God created the world, the Dutch made Holland."

Human arrogance would claim that we can engineer our future according to our whims by arranging and rearranging the natural world, a view Dubos rejects. He does believe that knowledge increases the range of options, and knowledge "is more effective as a generator of possibilities than as a guide to choice and as a source of ethics."

For those who look upon the humanization of the earth with a sense of Biblical stewardship, understanding Genesis 1:28 to mean fruitful cultivation and not the heedless exploitation of the earth, Dubos adds his support, holding that the present ecological crisis lies in the "failure of people to anticipate the long-range consequences of their activities . . ."

Woosing of Earth encourages an active relationship in nature but one which distinguishes mankind from nature. He uses the words of the poet Tagore as the title of this book to suggest that

the relationship must be one of respect and love rather than domination. The outcome of woosing can be "rich, and more interesting when both partners retain elements of their individuality." (VT)

Unelected Representatives

By Michael J. Malbin, 272 pp.
New York: Basic Books, \$15.95

The picture of Congress as a deliberative body which hammers out legislation only after extensive, informative, and often, heated debate is no longer accurate. Members of Congress cast the final vote on a bill, but that vote is often the product of discussion, negotiation, and bill drafting carried out by people who serve as personal or committee staff of the Member. Those who are involved in the process of attempting to influence legislation long ago recognized the seminal role played by staff. Those outside the legislative process often still picture Congress as it was in Daniel Webster's time.

Unelected Representatives, which is subtitled "Congressional Staff and the Future of Representative Government," is an attempt to analyze and evaluate the impact of congressional staff on the deliberative process. "For a process of legislative deliberation to function reasonably well, at least three distinct requirements must be satisfied. The members need accurate information, . . . time to think about that information, and they need to talk with each other about the factual, political, and moral implications of the policies they are considering. The new use of staff undercuts each of these."

Malbin, in this well-written small book, is basically making a plea for Congress to find a way to return to its deliberative role. He really offers no practical suggestions as to how it can do so. However, the problem is real and Malbin does a very good job of describing and documenting it. Anyone interested in how Congress really functions will find this book essential. (JWB)

Correspondence, from p. 14.

The labor laws of this nation sponsor the right to strike which results in a right to injure the innocent. Compulsory union laws bind an individual to the dictates of the union leaders, who become master to that individual.

Labor unions have violently fought against the Right to Work laws (14-B). Those in open shops can choose whether they want to save the difference or pay tribute to a labor union. Isn't it Baptistic to support freedom of choice?

D.M. Baker
St. Louis, Mo.

Correction: The U.S. Court of Appeals had not rendered a decision in the suit against the City of Philadelphia to collect monies from the Roman Catholic Diocese to pay for the altar platform constructed for worship during the visit of Pope Paul II. The Rev. Maryann Forehand, one of the two plaintiffs in the case called REPORT's attention to this item which appeared in the Nov-Dec. issue. (See page 3.)

Views, from P. 6

which adhere strictly to the rules would probably be constitutional.

For any number of reasons known only to the Supreme Court, it declined to hear the case. In so declining, it did not necessarily state its approval of the lower court's decision. It did not open the doors to all religious programs. Schools may not plan any kind of religious programs they want in order to celebrate a religious holiday.

Church is Target, from p. 11

[Since this reported was collated, four U.S. Roman Catholic religious workers were brutally murdered. In response, at the President's request the State Department has suspended the \$5-million earmarked for interim assistance.]
(Washington Office on Latin America)

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