

December, 1947

CHRISTMAS THE PEACE, NEW YEAR THE HOPE

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*The* age-old wish this time turns into a prayer. A world crying for relief, agonizing for order and justice, and demanding true freedom, supplicates the Eternal God for a Christmas with peace and a New Year with hope.

We who battle for religious liberty in the homeland and crusade for it in all lands believe this freedom is the nurturing mother of all freedoms and the fountain source of all human liberty. Nothing short of the freedom where-with Christ makes men free can avail for the millions in bondage the earth around.

The return of the glad anniversary of the birth of Jesus the Christ awakens afresh, and more insistently than ever in the centuries since that far-off Divine Event, the longing for a just peace among men with real hope for its permanence.

For the achievement of the wish, for the answer to our fervent prayer, we know we must work with Him who is the Prince of Peace, with Him who is Our Hope. First of all, we hail the church, which is His Body, through which He would express His message and accomplish His will as well as perform His ministries. We rejoice, too, in the agencies and instrumentalities, the movements and institutions which are the creations of His spirit making for the weal of mankind. We especially give thanks for the United Nations, intended to establish and maintain a just and durable peace, and trust in His guidance in the ultimate outworking and attainment of the aims of His human means for realizing something of the divine purposes.

Amid the darkness and the strife which still encircle the globe we are enheartened by His Presence. He stands among us, to inspire all to good will, to prompt all to remembrance of the needs, to induce in each of us the faith that is in the heart of a child, to impel in everyone the courage that was in the Strong Son of God, and to bespeak toward the great goal that He has set for the world. Even so, Lord Jesus our Savior dwell evermore with us. Amen.

### CHURCH AND STATE

In Europe two totalitarian systems are in mortal grapple. The Russians represent political totalitarianism; the Roman Catholics represent ecclesiastical totalitarianism. Baptists find in both these systems most serious defects which compel disapproval.

To state the case: In Communism, on the one hand, Baptists cannot abide its atheism, materialistic philosophy and denial of freedom, particularly of religious freedom. In Catholicism, on the other hand, Baptists cannot consent to its official intolerance with denial or abridgement of religious freedom to non-Catholics in all lands wherever it has continued dominant, nor can they consent to its insistence on clerical participation in civil government and demand for governmental support, including financial aid out of tax funds for church institutions.

As to the true relationship existing between church and state, Baptists hold the two should be entirely separate. This does not mean that state and church should be hostile toward each other, but to the contrary, they should be sympathetically co-operative. They are two different orders with distinctly different functions and operating on differing bases. The state has to do with civil relationships and derives its authority from law, empowered with force. The church has to do with moral relationships among men and spiritual relationships with God, and its authority is purely moral, dependent upon reason and love, using means harmonious to them, without resort to force.

Civil government is divinely sanctioned, though no particular state can claim to represent the infallible will of God. Obviously when Paul wrote "The powers that be are ordained of God", he was not asserting the Roman Empire as such constituted the express agency of God, but only that it stood on God's recognition of the necessity for civil government. The exact form of government is left to man's judgment, to be guided by divine principles as men may conceive them. Thus our cherished democracy itself must construe "the voice of the people is the voice of God" only when it is clearly the embodiment of divine principles.

The tense rivalry between the Communist theory and the Russian program on one side and the aggressive campaign of the Roman Church to retain its influence by claiming to be the Supreme, absolute Christian ideal and program has produced a situation unprecedented. Without clear, discriminating thought and loyal adherence to fundamental principles, decisions exceedingly hurtful to human progress may be pressured. The danger is all the more serious in the fact that the Soviets assume that the United States is linked for economic and political imperialism with the Roman Church ambition for ecclesiastical imperialism. The Roman Church encourages this Soviet claim by aligning the power and prestige of the United States in its vigorous fight against Communism and Russia, as if the United States had become a great advocate and promoter of Catholicism.

Baptists in refusing to march under the Catholic banner in order to stand against the evils we see in Communism feel we must never lose sight of basic freedoms, especially religious liberty as guaranteed through separation of church and state. We cannot, therefore, afford to abandon our historic, espoused principle of religious freedom under a mistaken idea that temporary expedient surrender of them to the Catholic group, which has historically denied such freedom, will prove the most effectual deliverance from the dire Communist threat.

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CONCERNING THE ACTION OF THE JOINT CONFERENCE COMMITTEE IN FILING  
MOTION AND BRIEF OF AMICUS CURIAE IN THE APPEAL FROM THE SUPREME  
COURT OF THE STATE OF ILLINOIS TO THE SUPREME COURT OF THE UNITED  
STATES IN THE CASE FROM CHAMPAIGN, ILLINOIS.

Inasmuch as there is widespread interest among Baptists holding membership in the four Conventions which set up and sustain the Joint Conference Committee on Public Relations, concerning action by the Committee before the United States Supreme Court in the appeal case from Champaign, Illinois, it appears desirable for the Executive Secretary of the Committee to offer a statement for the information of all.

First, should be stated something of the origin of our action. Knowing of this pending case and realizing the possible opportunity and duty of the Committee in respect to Separation of Church and State, the Executive Secretary brought before the fall meeting of the Committee on October 7, a request for specific attention to be given the matter by some Subcommittee clothed with power to act. After discussion the minutes of Recording Secretary W. B. Lippard show:

VOTED that the question of employing counsel in the discussions on church and state be referred to the Executive Committee with power, providing that any expenditure be kept within the limits of the budget of the Committee for the current year.

The Executive Committee, convened on October 24, voted that in its judgment the Champaign case involved the principle of separation of church and state which the Joint Conference Committee was established to defend, and appointed Dr. E. B. Willingham, and Messrs. W. W. Everett and E. H. DeGroot, Jr., a committee to engage a suitable lawyer, which committee on October 29, employed Mr. E. Hilton Jackson of Washington, D. C.

Mr. Jackson then prepared and arranged to submit a motion and brief of Amicus Curiae, indicating that he did so in the name of "the Joint Conference Committee on Public Relations set up by The Southern Baptist Convention, The Northern Baptist Convention, The National Baptist Convention, Inc., and the National Baptist Convention." It will be noted carefully that the motion and brief were submitted for this single Committee and not in conjunction with any other person or organization, though it is understood that such were presented at some time or other by other individuals and groups, many of which were religious. Ours had nothing to do with those.

Before attempting to state why this action was taken, it may be in order to outline plainly and candidly the policy of the Joint Conference Committee in its effort to arrive at a decision for action on any given matter. Certainly we do not ever presume to speak in an ex cathedra sense. We are not an ecclesiastical authority attempting to lord it over our constituency. When Baptists speak in convention, particularly when two or more conventions speak in the same voice on a matter, as frequently they do, we feel we have a mandate which we can assuredly proceed under. There is another true and obvious way in which we feel we can act with assurance, and that is when we do so in regard to a well recognized, historic principle on which Baptists have repeatedly declared themselves, such as separation of church and state and religious liberty. Here, however, it is manifest to all that it is not possible to call the Conventions together to ask for a special mandate on each separate issue arising, or to wait even for several Conventions to act in succession. Such constituted committees as ours, in the democratic process customary with representative bodies, exercise their best judgment, always under a proper regard for its responsibility. In that case the Committee assumes it will be applauded when it meets with

popular favor and will suffer when greeted by disapproval. There is, to be sure, an admitted authoritativeness, which men commonly call scientific and moral authority, distinguished from official authority, which is based on knowledge - factual knowledge supported by careful investigation and thorough information. On such a basis we are constantly called upon to represent the Baptists in the State Department and various other departments of government where it is expected some one will speak for the Baptists, or in many desirable conferences entered into with all kinds of groups, civic and religious. Representation of Baptist views in general cannot conceivably be made otherwise, and usually there is confidence reposed in those chosen by Baptists to make such representation for them.

We come now to explanation of the reasons which impelled the Joint Conference Committee to undertake a plea in the Champaign Case. We submit herewith the brief prepared by Mr. Jackson, which we think presents the true legal arguments against the use of public school buildings for religious instruction, a use which we hold is an encroachment on the Constitution of the United States. The brief speaks for itself, and we do not here quote from it. It is, we feel, a worthy statement of our view of the case, and indeed may prove historic.

In making up our mind to appear before the Supreme Court on this issue, we could discover no resolution adopted by any of our Baptist Conventions at any time which upholds religious instruction in public school buildings. We were well aware of the fact that some of our churches are cooperating with such an arrangement. The Executive Secretary of the Committee, for thirty-one years the pastor of the Baylor University Baptist Church, Waco, Texas, for a time actively supported an arrangement for week-day religious instruction in church buildings adjacent to public school buildings, an arrangement, by the way, quite distinct from released time for religious instruction in side public school buildings. We cannot believe a majority of our Baptist people support religious instruction conducted inside public school buildings. To the contrary it is our deliberate judgment that much as our people are concerned for religious instruction they do not feel that this latter arrangement is wise or in the light of our country's Constitutional right.

We are not surprised that the International Council of Religious Education, which has vigorously promoted week-day religious education publishes in its pamphlet, Remember the Weekday, item 14, the advice: "It seems wisest not to use public school buildings if this raises legal question. Also, a church building is usually, but not always to be preferred for religious education". The United States Office of Education Bulletin reports, "during the past eight years more than half of the school systems releasing pupils in 1932 have either discontinued the program or the program has too little interest to prompt a reply to the survey inquiry." In addition to attacks of educators upon the plan as operated, numerous religious groups, such as the Jews, and many civic organizations have opposed it. Our Baptist Professor Conrad Henry Moehlman Colgate-Rochester, author of Schools and Church: the American Way, writes a devastating account of its ineffectiveness and danger.

Without imposing a long list of documents against it, may we summarize our more important reasons for rejecting the use of public school buildings for religious instruction and for taking a positive stand for more adequate measures to insure religious education.

First, the plan is, as our Mr. Jackson's brief asserts, a commingling of church instruction and state instruction in such a manner as to introduce serious complications. We cite the argument of a national civic organization: "Tax-exempt churches

should keep out of tax-supported schools. If they enter, they are directing how tax money should be spent. Would not then, the government have a reciprocal right to tell the churches how their funds should be dispersed? The use of any school or civic property for religious purposes is equivalent to the spending of tax monies for such purposes, and implies the rights of taxpayers of all religious or non-religious beliefs to use the schools for propagating their own ways of thinking." In some localities, where it was supposed religious instruction would be confined to Catholic, Protestant and Jewish teachers, the school boards have been confronted with applications from Moslems, Hindus, various curious sects and even Communists, all insisting they had a right under the Constitution to enter, if sectarian instruction is allowed. Thus the school authorities would be compelled either to let these in or else set themselves up with power to pass on religious beliefs of teachers and content of teaching, an assumption evidently contrary to the United States Constitution.

But supposing the Judeo-Christian religion is the only one permitted in the schools, no matter how suavely we may say that is not sectarian teaching, it nevertheless is in the eyes of the law, in relation to non-Biblical religions. In spite of the claim that no public school teacher's time will be taken, practice proves that they must handle registration, reports of attendance, grade records, keep discipline, enforce attendance, and accept awkward difficulties in adjusting classes, which is the reason for complaint on the part of so many teachers and for school boards, after trial, ousting the system tending to disrupt the regular work of the school. This was notably so in the case of San Diego where the plan was discontinued.

In San Diego the Roman Catholic bishop raised a loud outcry against the ousting but failed to get it reinstated. Everywhere the Catholics constitute the group to make the fullest advantage of the released time plan. It is incidentally their strongest means of breaching the wall of separation between state and church. The official Catholic position is that the schools should belong to the churches but the government should finance them, hence the effort to get free bus transportation, free textbooks for their parochial schools and more obtain full financial support from the tax funds.

Dr. Reuben Nelson, General Director of the Council on Finance and Promotion, in a letter to Rev. J. O. Cederberg, Champaign, Illinois writes: "For the last several years it has been quite evident that there has been a marked resurgence of the type of thinking in this country that would lead to entangling difficulties between the church and state. Evidence of this lies in the many attempts made by the Catholic Church to secure the use of school buildings. From a purely logical viewpoint, therefore, it puts the Protestant groups at a disadvantage to fight the use of funds for parochial schools if Protestants use the school buildings for religious instruction. I think this is basically the logic that is behind the action of the Joint Conference Committee on Public Relations in Washington, D. C."

Finally, not to mention its non-democratic character, we think a more objectionable element in the instruction in public school buildings most repugnant to Baptists is that of compulsion. It is sad to relate that weekday religious instruction offered in nearby church buildings on a voluntary basis almost invariably breaks down. It is felt by the proponents of released time that they must invoke the compulsory school law in order to make it a success. While it may be shown that no child is directly compelled, yet it operates under a compulsory scheme. To quote Dr. Nelson of the Northern Baptists again: "From our earliest history Baptists have insisted there must be such a complete separation of church and state as that the state guarantees to the Christian, to the Jew, to the atheist, or any one else the right to worship as he may wish." Baptists cannot consistently lend their cooperation to any plan which would

put the weight of a feather upon the conscience of any citizen to compel him to accept a given religious faith!

We believe that God ordained the home and the church to supply religious instruction and that it is a serious error to depend on the public schools for such. For centuries sectarian religion has been obligatory in Germany, with three to five classes a week for all children in all grades: Protestant children under Protestant teachers, Catholic children under Catholic teachers, and Jewish children under Jewish teachers. Has it worked out either for the good of the church or state? The answer, of course, is no. Democratic America pledged to separation of church and state must have a revival of interest in the home and church as religious agencies and in the public schools as moral agencies for social training and national unity.

#### DECEMBER MEETINGS OF CONVENTION BOARD SPEAK

At Cleveland and Nashville in December, for the first time since the establishment of the Joint Conference Committee, both Northern and Southern Executive groups consented to give serious attention to the scope and policies of this Committee. With the procedure of the Committee in filing a brief of Amicus Curiae before the Supreme Court in the New Jersey Case last year no objection was raised and the Committee was universally applauded. Following the same procedure in the Illinois Released Time Case, question arose as to the Committee's rights. The Committee welcomes, even rejoices in this realization of the importance of its actions and the desirability of defining its functions.

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#### NEW YEAR IN NEW OFFICE

With the close of the old year, the office of the Joint Conference on Public Relations will be moved from 715 Eighth Street, N. W. to 1628 Sixteenth Street, N. W. The new location will be in the Baptist Building, recently purchased by the Baptist organizations for the purpose of housing the District Baptist Convention Headquarters, the office of the Baptist World Alliance and our own. In removing we can but express gratitude to the Calvary Baptist Church which through the years has generously allowed use of a section of its church plant for our work. We would like also to bespeak our satisfaction in the fact that the Baptist Building is on Sixteenth Street, popularly called "Church Street", rather than on Massachusetts Avenue, commonly referred to as "The Street of the Embassies." Come to see us.