

# REPORT FROM THE CAPITAL

## BAPTIST JOINT COMMITTEE ON PUBLIC AFFAIRS



The American Baptist Convention  
The Southern Baptist Convention  
The National Baptist Convention of America  
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### CHURCH-STATE ISSUES FOR 1957

Literally thousands of bills are thrown into the legislative hopper during the opening days of a new Congress. Many of these bills are offered by the representatives out of consideration for some movement or public opinion element in their home constituencies without any serious expectation of passage. Some proposals, then, are perennial with little attention. On the other hand, in the matters that are politically alive and in which some kind of action is to be expected, many representatives will turn in bills dealing with the same subject. All proposals are referred to one of the standing committees.

Among the fields that seem very much politically alive now at the opening of the 85th Congress, several have very important church-state relationships. Mr. Kelley (D.-Pa.) was able to gain the House No. 1 for his new bill proposing federal aid for school construction. Other bills in this same field have since been offered by Mr. Perkins (D.-Ky.), Mr. Donohue (D.-Mass.), Mr. Elliott (D.-Ala.), Mr. Frelinghuysen (R.-N.J.), Mr. Powell (D.-N.Y.), Mr. Kearns (R.-Pa.), and perhaps several others.

All the above proposals have been referred to the Committee on Education and Labor. This Committee will hold hearings and formulate a proposal to the House. The administration's proposal has not yet been completed but will certainly be added within the coming weeks.

Baptists, as traditional friends of the public school system and of separation of church and state, will certainly be interested in encouraging the members of the Committee on Education and Labor in the House and the Committee on Labor and Public Welfare in the Senate to make the vocabulary of the final proposals clear in principle and purpose. Some of the suggested measures are clear in that they propose funds for use of public schools only, while others seem to be less clear in principle.

Another group of bills have been offered suggesting a system of loans to students at the post-high-school level. Bills to this intent have been offered by Mr. Kelley (D.-Pa.), Mr. Poage (D.-Tex.), Mr. Elliott (D.-Ala.), Mr. Boland (D.-Mass.), Mr. Rodino (D.-N.J.), Mr. Donohue (D.-Mass.), and Mr. Multer (D.-N.Y.). These bills have also been referred to the Committee on Education and Labor.

Some bills propose revisions in the tax laws in such manner as to change the relationship between the institutions of the churches and the government. A bill by Mr. Harrison (D.-Va.) is described in the Congressional Record as "A bill to amend the Internal Revenue Code of 1954 to grant nonprofit educational institutions exemptions from the excise taxes which are now applicable

to public educational institutions." A bill by Mr. Derounian (R.-N.Y.) is described as "A bill to exempt churches from the excise tax on bowling alleys, billiard and pool tables."

Mr. Poage (D.-Tex.) has proposed a bill "to authorize the Secretary of Health, Education, and Welfare to make loans for the construction of non-profit hospitals." This bill was referred to the Committee on Interstate and Foreign Commerce.

A new field of church-state relationships arises in the movement to designate churches as part of the United States park system. (See August, 1956 Report from the Capital.) A bill by Mr. Dollinger (D.-N.Y.) would designate "St. Ann's Churchyard in the city of New York as a national shrine." A bill by Mr. James (R.-Pa.) would "authorize the Secretary of the Interior to proceed with the development of the Independence National Historical Park" in Philadelphia. A bill by Mr. Byrne (D.-Pa.) would "authorize the Secretary of the Interior to acquire certain additional property to be included within the Independence National Historical Park." Undoubtedly additional scores of bills will make their appearance which need careful study from the viewpoint of preservation of our American traditions in church-state relationships. In some instances companion bills have been introduced in the Senate.

#### ROMAN CATHOLIC EDUCATION POLICIES MADE CLEAR

Immediately after the national elections, in the issue of November 10, 1956, the Jesuit magazine America published a lengthy article entitled "Aid to Private and Parochial Schools" by Richard Joyce Smith. Basing the arguments on the strong position of the Roman Catholic institutions in the state of Connecticut, the author presses all the arguments for "aid." The institutional and control factors are by-passed on the assumption that public funds should be used to "aid" children without concern about the institutions that control those children.

In the matter of transportation the argument goes this way:

"The use of public funds to transport children to school is justifiable only because the community requires children to go to school, and therefore should see to it that their health or safety is not threatened by unreasonably long journeys on foot along public highways. Whether the child goes to a public school, a parochial school or a privately endowed school, the journey to and from school can be equally hazardous, and the community's concern for the child's health and safety should be fairly exhibited in each case."

With reference to health programs the reasoning is this:

"Similarly, if a community believes the physical condition of its children is important enough to justify the use of public schools as sites for extensive programs in physical education and prophylactic health activities, it would seem necessary to use the private and parochial schools for the same purpose. No thoughtful citizen would say that, viewed as a community matter, the health and well-being of hundreds of its children should be ignored simply because the parents of the children have exercised their right to send them to private schools."

The author then contends that:

"The same reasoning applies to many other remedial activities now carried on at the public schools. If literacy and emotional stabil-

ity are important community assets, then it is just as important to help the retarded or disturbed child who attends a private school as it is to provide special teachers, psychologists, visiting teachers and the like for public-school pupils. . . . .

"How far any community or any particular State should go in making contributions to the education of pupils in private and parochial schools seems to be essentially a question of practical policy to be determined at the level of the particular community. If, for instance, a city in Connecticut could avoid the cost of building and operating a new school in one of its districts by contributing a relatively small amount per pupil for the extension of an existing parochial school, the community ought to be allowed that alternative as a matter of economy."

From this reasoning it would follow that any institution which can succeed in forcing its way into the educational field is then by virtue of its existence entitled to support by the taxing authority of the state without consideration of the purpose for which the school exists or of the democratic nature of its control.

Rather ominously the author seems to feel that the public school system of Connecticut is already at the mercy of those who control the parochial schools. In calling for a "partnership" which will give support to the parochial schools, he says:

"The inevitability of such a partnership is indicated by the strong possibility that in some cities it may be necessary for the parochial schools to send back to the public schools their students in certain grades to make room for the expanded numbers in the remaining grades. The effect of such a move, say in the town of Thompson, where the school population is now split fifty-fifty between public and parochial schools, would be chaotic unless some partnership arrangement were worked out. If the parochial schools in Thompson were to decide to concentrate on four out of the eight elementary grades, the town would be faced with the necessity of meeting an immediate increase of fifty per cent in the public school enrollment. When we consider the gigantic effort, financial and administrative, that is now required to meet even a ten-per-cent increase in public school enrollment, the impossibility of coping with such a sudden shift is obvious."

#### CARDINAL McINTYRE IN DALLAS

Cardinal McIntyre of Los Angeles, California, carried essentially the same reasoning into his address at Dallas in early December. The Cardinal proposed that if federal aid is to be given for education it should be given to the person rather than to the institution.

As reported December 15, 1956 by the Tablet, a Roman Catholic weekly published in Brooklyn, the Cardinal said:

"Perhaps a solution has already been found in the policy of our government in the educational provisions of the G. I. Bill of Rights. Here was aid given to the individual, irrespective of the school attended. Here was a novel and eminently successful method of educational aid, high in accord with the American spirit of justice and fair play.

"There are many who doubt the immediacy and question the urgency of federal aid to education, but if federal aid is to be reality, this

aid can well come with justice in the formula of the much heralded G. I. Bill of Rights.

"There would be no question of injustice, for all would receive a proportional share in the distribution their taxes provided. Neither would the subject of religion intrude itself, nor could the shibboleth of union of church and state be raised, for the allowance would not be paid to any school but to the parents of the child.

"And banished forever from our fears would be the element of compulsion in education that rankles the spirit of freedom."

Obviously, the Cardinal was clearly aware of the concern of some Southern people for the continuation of segregated schools even if they must be "private" schools. Apparently the commitment of the Roman Catholic church to desegregation would not prevent advancing "private" schools if in the process parochial schools can also be advanced. "Aid" for the "individual" seemed to the Cardinal to be the formula which will solve the impasse into which federal aid legislation has come.

The response of the Southern states to this proposal remains to be seen. The Dallas Morning News on December 12, 1956 carried an initial response under the heading "Episcopobaptarians Object." This facetious application of the theorem concluded:

"It would be wrong to tax Cardinal McIntyre to educate Holy Roller children to jump up and shout in the meetinghouse. And it would be wrong to tax him to teach Jehovah's Witness children to spurn the flag, refuse military service in the country's defense and denounce clergy as a branch of the devil's service.

"As a matter of fact, Cardinal McIntyre, as an Archbishop and a church corporation, escapes taxation. Insofar as he is directing charitable and nonprofit activities of the Kingdom of Heaven on earth, that is fair. But any tax-endowed church is wrong."

#### THE WIDER BACKGROUND

Protestant observers are often perplexed at the insistence of the hierarchy that the children of the Roman Catholic parents must at any cost gain their 3 R's and common knowledge from "the Church." All branches of Christianity believe in an adequate program of religious instruction in addition to the common learning given by the community. However, the groups that feel they must call for the support of the coercive powers of the state through taxation, police power, or otherwise, to compel or support religious instruction are few, and resistance to community education is rare. At least a partial answer to the Protestant inquiry regarding the difference was given last week in an address by the Pope.

The Pontiff addressed an audience of teachers from Munich, Bavaria. The Bavarian legislature passed a measure in August, 1955, which will replace denominational teacher-training academies with State operated inter-denominational institutions.

As reported by Religious News Service, the Pontiff said that the "Church's world-wide experience has shown that Catholic doctrine is the 'main sufferer' in so-called neutral schools."

The publicized estimates of the progress of the Roman Catholic church in the United States would not seem to validate the fears of the Pope, unless perchance the quality of Catholic doctrine has suffered in the United States.