



REPORT FROM THE CAPITAL

★ RELIGIOUS LIBERTY ★ BAPTIST PRINCIPLES
★ PUBLIC AFFAIRS

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BJCPA TESTIFIES BEFORE CONGRESSIONAL COMMITTEES ON FEDERAL AID TO EDUCATION

Hearings were conducted before committees both in the United States Senate and the House of Representatives on the various proposals to extend Federal aid to education. C. Emanuel Carlson, executive director of the Baptist Joint Committee on Public Affairs, appeared before several of these committees on different occasions to present Baptist viewpoints.

It is impossible here to give the complete texts of Carlson's testimonies, but the following paragraphs are an attempt to summarize the viewpoints he expressed. (Note: The Baptist Joint Committee on Public Affairs expresses views that have been authorized by the various cooperating conventions that maintain the office. The following points were based on positions taken by responsible denominational agencies.)

The BJCPA is authorized to enunciate, commend and defend historic Baptist principles, to communicate and commend Baptist declarations to governments, and to make government contacts necessary to legitimate Baptist business. The testimonies before congressional committees on education came within the mandate issued by the sponsoring Baptist fellowships.

Here in brief outline are the principle points made before the committees as Carlson sought to make clear Baptist positions on education and in support of separation of church and state.

Baptist Commitments

1. Baptists are committed to a strong public school system for meeting civic needs, for economic productivity, and for developing democratic skills.
2. Baptists are committed to strong family and church programs of religious instruction.
3. Baptists are committed to a wholly voluntary religious participation.
4. Baptists are committed to full freedom and responsibility for church programs.
5. Baptists are committed to the rights of all men to be free from legal coercion in religious practice and support.

6. Baptists are committed to the principle of public control of public funds.

Educational Problems

On the basis of the above commitments Carlson discussed before the congressional committees many of the problems that are involved in public aid to church schools. Here is a list of problems along with a summary statement of the position presented to the hearings.

1. Control of the church agency versus the responsible administration of public funds.

There should be adequate safeguards against Federal control of educational policy. Yet, in view of the fragmentation which could result from Government support of private schools and of recent educational advances in other parts of the world, it seems inevitable that American national interests would demand close regulation of all educational institutions receiving Federal funds, with all the unfortunate compromises of freedom that occur whenever a government directs the thought and life of a church or church institution.

2. Fragmentation of the American educational system.

Financial policies that encourage churches and other private agencies to undertake elementary and secondary schools might produce scores of educational systems, all weak and poor. The resulting educational chaos would be intolerable in the face of educational advances by means of new public school systems in other parts of the world.

If the Federal Government set up a program to build up private and parochial schools with taxpayers funds, it would become a partner with the parochial system in competition with the public educational programs of the several States. A Federal-parochial system of schools would not help the total cause of education, but would represent an obvious violation of separation of church and state.

3. Difference between aid to parochial schools and a genuine credit transaction.

To insert a "loan" provision into an "education aid" bill is to confuse two separate but important

public issues. The clear separation of credit relations from public aid would greatly reduce the current confusion and misunderstanding. However, if credit to religious institutions is included, the bill should stipulate interest rates which protect the taxpayer from a coerced religious participation.

Furthermore, the need for loans has not been clearly established. Experience under Title III of the National Defense Education Act, which provides loans to private and church-related schools for science equipment, etc., seems to demonstrate the absence of need. Only a small percentage of the funds earmarked for this purpose has been used.

4. Business loans versus educational loans.

If legislation is conceived in terms of "credit" as distinguished from "aid," the assignment of administrative responsibility to the office of education seems a misplacement. If Government participation in the long-term credit needs of church institutions is desirable, then such provisions should be handled as credit legislation related to the banking function and not handled as part of an educational "aid" program.

If loans are needed, the "Government secured" concept would seem to be preferred to loans from public funds.

5. Collection and foreclosure on loans to church-related schools.

In case of non-income-producing facilities, churches have no basis for using the self-amortizing concept which applies to loans for college dormitories. On the contrary, expansion of non-income-producing facilities increases the operating costs of the institutions and thus reduces rather than augments the funds available for repayment. This kind of a loan, then, is more likely to develop hardship conditions and foreclosure. Government operation of the properties would not be possible for lack of authorization.

6. Church responsibility for training its leadership.

Theological training is beyond the scope of Government programing. Continuation of Federal grants for graduate fellowships in this field could in time serve as "precedent" for a serious effort to influence religious thought and pattern.

Also closely related to the training of church leadership is the proposal of "loan forgiveness" in favor of teachers who prepare for service in church schools. A church school must be viewed as part of the church program. Therefore, to impose upon the taxpayers in order to build up the teaching staff needed by a church school is to impose upon them in favor of the church.

7. Distinction between "welfare aid to the person" and educational support.

The rise of democracy in the United States, including the idea of popular sovereignty based on popular suffrage, required also popular education.

The rights of the people to be literate, to have access to information, and to develop civic competence in a free community that is rich with facilities for personal development, gave rise to the public school system. The public schools were not designed as pauper relief, or as "child welfare aid." Education for a free people is not a "welfare program."

8. Problems of religious discrimination in tax-supported schools.

In the draft provisions for non-discrimination criteria for participation in the benefits of Federal aid to education, it appears that the drafters know only racial discrimination and are aware of the admissions office only. This requirement should also prevent economic, religious, political, or social discrimination of any kind, in admissions, standards, requirements or instructional program. In short, if public aid is given so as to justify public regulations, then the institutions should be public institutions subject to democratic control by the population and serving all interested persons by means of a non-sectarian program.

TEXAS BAPTISTS TAKE FAR-REACHING ACTION ON THEIR INSTITUTIONS AND CHURCH-STATE POLICY

The Executive Board of the Baptist General Convention of Texas at its June 6, 1961 meeting took far-reaching action as far as the practice of religious liberty and separation of church and state are concerned. The board approved 10 recommendations of a special committee on church-state relations, which will be acted upon by the annual state convention in Austin, Nov. 7-10.

The Texas board expressed the opinion that Government loans to church-related institutions violate moral, spiritual and constitutional aspects of the church-state separation principle. This action marks an abrupt change in policy for the Baptist General Convention of Texas, which if it approves the action of the board, will instruct its institutions to stop borrowing money from the Federal Government.

A special 13-member church-state relations committee asked the board to adopt the 10 recommendations after an exhaustive two-year study of the principle and the actual involvement of Baptist institutions with the Federal Government.

The special committee was dissolved by the board after its report, but the board recommended that the state's 25-member survey committee continue to study church-state relations and the application of its interpretation.

In making its report to the Executive Board the committee said, "We present these recommendations to you for the future guidance of our institutions with the distinct understanding and observation that no reflection on any of our past actions, our people, or our institutions is intended and further, that these recommendations not be given retroactive effect."

The formal report of the committee to the board reviewed the foundations of separation of church and state from two viewpoints: (1) the spiritual and

moral foundation, and (2) the constitutional foundation. Following this came the 10 recommendations with a discussion and explanation of each one. We reproduce here for the readers of the Report From The Capital only the verbatim text of the recommendations themselves.

1. Recommendation concerning direct Government aid.

"That the Executive Board of the Baptist General Convention of Texas vigorously re-affirm the historic Baptist position of an unequivocal opposition to all direct aid, money, or property to church schools, colleges, and other church institutions, whether they be Protestant, Roman Catholic, or Jewish."

2. Recommendation concerning loans from public funds.

"That the Executive Board of the Baptist General Convention of Texas oppose the securing of loans from public funds by religious organizations for the construction of church schools, church college buildings, hospitals, and other church institutional buildings, or for any other purpose under any circumstance."

3. Recommendation concerning loans and grants to college students.

"That the Executive Board of the Baptist General Convention of Texas does not consider that loans and grants to college students from the Federal and State Government are violations of the church-state principle."

4. Recommendation concerning research grants.

"That the institutions of the Baptist General Convention of Texas continue to cooperate with the Government in the field of research but that care be exercised that every project bear a direct relationship to a legitimate field of Government interest, that the Government monies incorporated in the project be not inconsistent therewith and that there be no impairment of either academic or religious freedom; that the monies received from the public funds not be used for the construction of buildings or the purchase of lands that may now or later become the property of the institutions without adequate and reasonable cash reimbursement of the Government for such properties; that the monies received by the institutions for research work shall be solely on the basis of a contract between the Government and the institutions for work to be done in areas that are directly related to Government interest; that this executive board and the institutions involved in such transactions respectfully request that the Health, Education and Welfare Agency of the Government designate and publicize such agreements as contracts instead of grants."

5. Recommendation concerning surplus Government property.

"That the Executive Board of the Baptist General Convention of Texas permit no institution, office, or agency belonging to it to accept any real or personal surplus property from the Government of the United States without payment of a cash consideration. That,

in the case of personal property, such consideration should be equal to the reasonable market value of the property received as 'surplus' which can be best established by competitive bidding, which bidding should not be restricted to religious welfare, charitable or humanitarian institutions and agencies, but should be open to qualified commercial bidders as well. In the case of real property, the value to be paid should be not less than the appraised value as found by Government appraisers."

6. Recommendation concerning properties acquired through the urban renewal program.

"That the institutions of the Baptist General Convention of Texas in dealing with municipal authorities who have adopted an urban renewal program be on guard that the price for any land acquired be at least equal to the 'raw land value' of the property and that each institution avoid taking advantage of its religious character in connection with its negotiations and that, under no circumstances, should it initiate action in this field or exercise preferential privileges by virtue of its religious, educational, eleemosynary or charitable functions."

7. Recommendation concerning postal privileges.

"That the Executive Board of the Baptist General Convention of Texas recognize that unless and until there is a general overhaul in the postal system of the United States whereby postal rates are brought into line with postal costs, there is no practical way to alleviate the Government in this field; that, while there is a technical violation of the principle of church and state by the acceptance in use of a Non-Profit Second Class Mailing Permit, nevertheless, the violation in this regard is more apparent than real."

8. Recommendation concerning tax exemptions.

"That the Executive Board of the Baptist General Convention of Texas does not consider the principle of tax exemptions to be in conflict with the principle of church-state separation."

9. Recommendation concerning vendor pay for medical treatment.

"That the Executive Board of the Baptist General Convention of Texas does not consider vendor pay for medical treatment a violation of the church-state principle."

10. Recommendation concerning the military chaplaincy.

"That the Executive Board of the Baptist General Convention of Texas does not consider the military chaplaincy a violation of the church-state principle."

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**SOUTHERN BAPTIST EDUCATORS VOTE APPROVAL
OF FEDERAL LOANS FOR ACADEMIC FACILITIES**

The Southern Association of Baptist Colleges and Schools voted on June 15, 1961 at a meeting in Nashville, Tenn., (by a vote of 40-3) to back Federal loans to education as "a last hope to avoid Federal aid to private education."

The resolution, introduced by J. Ollie Edmunds, president of Stetson University, Deland, Fla., was almost directly opposed to action taken a week earlier by the Baptist General Convention of Texas. (See previous article in this issue of the Report.)

This action of the Baptist educators is also opposite to that taken by Virginia Baptists last year, when they declared that "to accept a Federal loan at a low rate of interest, and with long terms for repayment is, in effect, to accept a subsidy from the public treasury."

One of the educators at the Nashville meeting is reported by the Baptist Press as saying, "We think the action of the Texas board is wrong."

The text of the resolution adopted by the Southern Association of Baptist Colleges and Schools is as follows:

1. "That we commend President John F. Kennedy for his courageous stand in support of the traditional American principle of the separation of church and state.
2. "That we express our own belief that this principle is not violated when the Federal Government makes loans to colleges and universities at the going rate of interest.
3. "That we express our hope that Federal loans may also be made available to colleges and universities for the construction of academic facilities.
4. "That we urge our denominational press to help clarify any misapprehensions which may exist in the minds of our church leaders about this laudable Federal governmental undertaking as a last best hope to avoid Federal aid to private education."

**STATE PUBLIC EDUCATION ADMINISTRATORS
OPPOSE FEDERAL AID TO PAROCHIAL SCHOOLS**

Top education administrators in the States are opposed to Federal aid to parochial schools, according to testimony prepared for hearings before a Senate subcommittee on education.

Edgar Fuller, executive secretary of the Council of Chief State School Officers, testified on the extension and amendment of the National Defense Education Act. The Council is composed of the state commissioners of the 50 states and the chief school officers of Puerto Rico, the Virgin Islands, the Canal Zone, Guam and American Samoa.

A proposed amendment to the National Defense Education Act is to expand Title III to include classroom construction for teaching science, mathematics, foreign languages and physical fitness.

The basic principle espoused by the Council of State educators is "that public funds should be used for public schools and colleges and that private funds should finance private schools and colleges."

The Council's testimony said that their policy "is based on the conviction that it describes the best course of action for the welfare of the Nation, for religious denominations, and for the public schools." Reasons for the Council's position are:

- (1) Federal funds for private schools require the exercise of Federal discretion in a way that easily results in Federal controls or Federal favors;
- (2) Federal funds for private schools would be detrimental to public education in many areas of the country by causing a proliferation of new private schools by splinter groups of various kinds and by Federal financing of a very limited number of large church-controlled systems of religious schools openly competing with public schools; and
- (3) Federal funds for private schools would make the Federal Government more closely associated with sectarian local schools than with public local schools; more closely associated perhaps than is good for either public or private schools.

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