



# REPORT FROM THE CAPITAL

★ RELIGIOUS LIBERTY ★ BAPTIST PRINCIPLES  
★ PUBLIC AFFAIRS

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## *Shall We Amend the Amendment?*

### A Worse Answer To A Need Is Hard To Find

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(This is the second of a series of three articles on some of the problems involved in the current national discussion of religion in public schools and movements to legislate and litigate on religious matters. Following the Supreme Court decision in the New York prayer case last June 25 many people wanted to amend the First Amendment. No doubt this year when the Court hands down its decision in the Bible reading and Lord's Prayer cases there will be another rash of protests. This article and the one to follow next month help to clarify the issues.)

Before me are dozens of suggested amendments to the First Amendment to the Constitution of the U. S. A. While many of them are obviously not offered seriously, yet there are some which merit alertness. From the viewpoint of our interest in religious liberty there are two groups of suggestions that need to be clearly understood.

The avalanche of amendments was set loose by the Supreme Court decision last June 25. In that decision the Court said that it is not the business of government, local, state, or national, to formulate and prescribe or promote prayers to be used in the public schools. While this decision set the amending impulses in motion, the ice and the rocks which came sliding down were already up there on the mountainside. The objectives and the goals sought are obviously only slightly related to the prayer decision as such. This is merely an occasion for larger projects.

#### Establishment By States

Some of the amendments concern themselves with an effort to define an area in which the state governments and their agencies shall be free of the restraints of the Federal Constitution. These look for change in the Fourteenth Amendment which makes the First Amendment applicable also to the states.

The proposals offered with this objective seem to say that established religion is acceptable provided it is done by state law. So the Supreme Court decision is criticized because it set aside a state law.

"It is none of the Supreme Court's business," said an irate correspon-

dent, who nonetheless had to admit that he did not want government agencies telling him or his children what or how they should pray."

On the other hand, to those who emphasize the ministry of the Holy Spirit in a person's prayer life, and who are convinced of the futility of religious ideas or practices imposed by law, state law is no better than federal laws as a guide to prayer. To be sure, "disestablishment" took place state by state, and a "new establishment" could come again state by state. Some states would then be "Baptist states," others would be "Catholic states," and some could be Lutheran, Methodist, or Presbyterian or Mormon. Each in his own way could then form and use the powers of that state to gain the conformity of children, the economic support of the parents, and the regulation of community standards.

#### Religion By Force of Law

The issue, as far as religious liberty is concerned, is whether the force of law shall be used to such ends, not whether the law should be state or federal. Fortunately, in the course of history our nation has become one nation in this matter. Unfortunate indeed would be the division of our nation into several religious areas and so many religious blocs.

Other amendments, mostly offered  
(See, SHALL WE AMEND, page 2)

#### Note to Subscribers

Many have written complaining that they did not get all of their copies of "Report From The Capital" last year. We regret that due to circumstances beyond our control there were only seven issues in 1962. Normally the bulletin is published ten months in the year. Those who get the bulletin on a subscription basis have had their subscriptions extended by the number of issues missed last year. We will do our best to have the full ten issues this year. —Editor.

## Shall We Amend The Amendment?

(Continued from page 1)

by churchmen, aim at a revision of the First Amendment so as to permit the use of state power to aid religion provided no discrimination is involved among the various religious movements and no one church established or preferred. Episcopalian Bishop James Pike proposed that the phrase "an establishment of religion" be restated as "the recognition of an established church of any denomination, sect or organized religious association."

Cardinal Spellman, a conservative representative of the Roman Catholic faith, wants it put this way: "Congress shall make no law respecting the establishment of a state religion or in encouraging religion the preferment of any religion or denomination of prohibiting the free exercise of religion."

These and many other clergymen are drawing on their historic insights and backgrounds to propose that the powers of state should be usable for the religious ends of the churches. Obviously, they are not convinced that the use of governmental powers to advance religion is dangerous to the quality of religious conviction and participation.

### Strange Political Line-Up

Can the "states rights" concern team up with the desire of some religious leaders for government sup-

port so as to produce a movement toward change in the American constitutional tradition.

Politically speaking, it would seem strange to find Cardinal Spellman and Senator Eastland teamed up in this effort. Yet apparently it was Senator Eastland who opened the door of the Senate Judiciary Committee to hear what Bishop Pike had to say on the subject, when he did not have time to hear others. Fortunately, Bishop Pike does not speak for the Protestant people in this matter, and it is even doubtful whether Cardinal Spellman speaks for the Roman Catholic people on the subject. Let us hope the First Amendment stands.

Should any of these amendments win the favor of two-thirds of each of the two Houses of Congress and of three-fourths of the states, the Supreme Court would have to begin all over again to interpret the new amendment. The new situation would open the doors to endless questions and cases, as well as to a great scramble of ecclesiastical powers to undergird their programs with the powers of governments — without discrimination, of course!

Amendment of the First Amendment would unavoidably produce unending litigation and interminable political feuds among religious movements. A worse answer to a need is hard to imagine.

## High Court Considers School Bible Reading

(The following article was written by Theodore Leskes of the American Jewish Committee and was printed in the Civil Liberties Bulletin of the National Civil Liberties Clearing House.)

Sometime in mid-February, the United States Supreme Court will hear arguments in two cases which will pose the issue of the constitutionality of Bible-reading and recitation of the Lord's Prayer as part of the opening exercises in the public schools. One case, *Murray v. Curlett* (Sup. Ct. Docket No. 119), comes to the Court from the Court of Appeals of Maryland which, by a 4 to 3 vote, upheld the constitutionality of the challenged practices. The

other, *School District of Abington Township v. Schempp*, (Sup. Ct. Docket No. 142) is an appeal by the School Board from a decision of a three-judge federal court which held Bible-reading in the public schools, with or without the recitation of the Lord's Prayer, to be unconstitutional under the First Amendment.

### *Murray v. Curlett*

William J. Murray, III, a student attending Woodburne Junior High School in the City of Baltimore, and his mother, who describe themselves as atheists, commenced an action in the Superior Court of Baltimore City for a mandamus to bar "the reading without comment of a chapter in the Holy Bible and/or the use of the Lord's Prayer." That practice is required as part of the opening ex-

ercise in the public schools by a regulation of the Board of School Commissioners of Baltimore. Adopted originally in 1905, it read as follows:

Opening Exercises. Each school, either collectively or in classes, shall be opened by the reading, without comment, of a chapter in the Holy Bible and/or the use of the Lord's Prayer. The Douay version may be used by those pupils who prefer it. Appropriate patriotic exercises should be held as part of the general opening exercise of the school or class.

On November 17, 1960, the Board amended the regulation by adding the following sentence:

Any child shall be excused from participating in the opening exercises or from attending the opening exercises upon written request of his parent or guardian.

The petitioners contended that the regulation, even as amended, contravened their freedom of religion under the First and Fourteenth Amendments of the United States Constitution in that it violated the principle of separation between church and state.

The Superior Court of Baltimore City dismissed the petition and the petitioners appealed to the Court of Appeals of Maryland. That Court affirmed the lower court ruling and held that "the daily opening exercises of the Baltimore City public schools—wherein the Holy Bible is read and the Lord's Prayer is recited"—did not violate plaintiff's constitutional rights. The U. S. Supreme Court granted certiorari on October 8, 1962.

### *School District of Abington Township v. Schempp*

Mr. and Mrs. Edward Lewis Schempp, who describe themselves as Unitarians, as parents of three children attending the public schools in Abington Township, Pennsylvania, commenced this action in the Federal District Court for the Eastern District of Pennsylvania. They attacked the constitutionality of a statute of the Commonwealth of Pennsylvania which read as follows:

At least ten verses from the Holy Bible shall be read, or caused to be read, without comment, at the opening of each public school on each school day, by the teacher in charge; provided, that where any teacher has other teachers under and subject to direction, then the teacher exercising such authority shall read the Holy Bible, or cause it to be read as herein directed. . . . If any school teacher, whose duty it shall be to

read the Holy Bible, or cause it to be read, shall fail or omit so to do, said school teacher shall, upon charges preferred for such failure or omission, and proof of the same, before the board of school directors of the school district, be discharged.

The complaint alleged that the statute is unconstitutional under both the establishment and the free exercise clauses of the First Amendment. The complaint also charged that the practice of reciting the Lord's Prayer in conjunction with the reading of the ten verses of the Holy Bible, is unconstitutional for the same reasons. It sought a declaratory judgment and injunction.

A three-judge court was convened since the complaint charged that a state statute violated the Federal Constitution. That court in 1959 unanimously declared the Pennsylvania statute unconstitutional under the Establishment and Free Exercise Clauses of the First Amendment. It also struck down as unconstitutional, on the same grounds, the combined practice of Bible-reading and mass recitation of the Lord's Prayer by students in the public schools of Abington Township.

The School District of Abington Township appealed to the Supreme Court. While that appeal was pending, the General Assembly of Pennsylvania amended the state law to read as follows:

At least ten verses from the Holy Bible shall be read, without comment, at the opening of each public school on each school day. Any child shall be excused from such Bible reading, or attending such Bible reading, upon the written request of his parent or guardian.

After the enactment of that amendment, the Supreme Court on October 24, 1960, vacated the Federal District Court judgment and remanded the case to that Court "for such further proceedings as may be appropriate in light of" the amendment of the Pennsylvania statute.

Following a new hearing, the 3-judge court again declared the Pennsylvania statute unconstitutional. In contrast to its first decision, which relied on both the Establishment and the Free Exercise Clauses of the First Amendment, the second decision of the District Court was based exclusively on the Establishment Clause.

The School District again appealed to the U. S. Supreme Court which on October 8, 1962, noted probable juris-

diction and set the case for argument immediately following the argument in *Murray v. Curlett*.

#### The Question Presented

These cases present the U. S. Supreme Court with the question whether readings from the Holy Bible and the recitation of the Lord's Prayer, conducted by school authorities as part of the opening exercises at the beginning of each school day in the public schools of the City of Baltimore and the Commonwealth of Pennsylvania, constitute an establishment of religion in violation of the First and Fourteenth Amendments of the United States Constitution.

Since the practices are based on a school board regulation in one case and a state statute in the other, the constitutionality of the regulation and statute are necessarily involved.

The cases do not question the propriety or constitutionality of the use of the Bible as a source or reference work in the teaching of such subjects as literature, history, appreciation of art or social studies which may be part of the regular school curriculum.

#### School Board Files Brief In Favor of Bible Reading

(Note: The following story illustrates some of the arguments used in favor of Bible reading in the public schools. We plan to present the arguments on the other side before the Supreme Court rules in the Pennsylvania and Maryland cases.—Editor)

Harrisburg, Pa.—A U.S. Supreme Court decision banning Bible reading in Pennsylvania public schools would banish many traditions having religious origins, the Court was told in a brief filed by the state and the Abington Township School District.

In asking that Bible reading in public schools be upheld in the case initiated by Edward L. Schempp, a Unitarian, who holds that the exercise constitutes a violation of the religious consciences and liberties of his children, the brief stressed these points:

1. Neutrality to religion as demanded by the U.S. Constitution means that the government cannot be forced by a court to abolish a traditional and voluntary Bible-reading practice because it may have certain religious connotations. (Compulsory features have been eliminated from the Pennsylvania law and chil-

dren may be excused from Bible-reading ceremonies.)

2. Bible reading as practiced in Pennsylvania schools does not interfere with freedom of religion.

3. This practice is not an establishment of religion within the meaning of the First Amendment to the U.S. Constitution.

If Bible reading as practiced in Pennsylvania public schools is outlawed by the U.S. Supreme Court, the brief added, the result would "open a Pandora's box of litigation which could serve to remove from American public life every vestige of our religious heritage."

Such officially-recognized expressions as "God save this Honorable Court," "So Help Me God," and "In God We Trust," would be abolished, the brief contended.

It said that "the chaplains of our legislative bodies and our military forces could not be allowed to continue to conduct, at the non-religious taxpayers' expense, their religious functions" and "tax exemptions for church property would also fall."

Use of "B.C." and "A.D." would have to be dropped and the names of many holidays changed because of their religious origin, the state and school district charged.

Statutory military draft exemptions for members of religious sects on the ground of religious objection to war also would be nullified, the brief stated. School holidays, such as Christmas and Easter might have to be cancelled.

According to state and school district, an adverse decision could affect the traditional "day of rest." Rather than falling on the Christian Sunday or the Jewish Sabbath, that day might have to be established on a nonreligious Wednesday or Thursday.

The brief said "the neutrality to religion required by the First Amendment means that the government cannot be forced by the religious or by the nonreligious to add to or subtract from the traditional and voluntary religious leaven that has always existed in our public life."

It asked the following questions:

"Is it neutral for the government to aid the nonreligious in their attempt to establish nonreligion as the ruling concept?

(See, SCHOOL BOARD, page 4)

### School Board Files Brief

(Continued from page 3)

"Does not the religious neutrality required by the First Amendment mean that neither the religious nor the nonreligious may use the government to improve their respective positions?"

"The only alternative to such neutrality," the brief continued, "would be a policy that required the government to remove from public life all of the admittedly existing religious leaven and in its place establish an absolute nonreligious state. Such a policy could not be considered by reasonable men to be anything other than one of hostility toward religion as a matter of law."

In reply to Mr. Schempp's contention before a lower court that being excused from Bible reading exercises would make his children, in the eyes of other students, "odd-balls, atheists, un-American, immoral and other things," the brief stated there is no evidence that social disapproval would result but even if it would, the incident would not render the Bible reading practice unconstitutional.

The "excuse phase" of Pennsylvania's law was viewed by Mr. Schempp as a governmental forcing of a profession of belief or disbelief.

The state law at stake provides for the reading of 10 verses from the Bible each day in public school. Participation is optional and students are excused on parental request.

Officials here said the basic difference between the recent New York State case and the pending Pennsylvania case is that in New York the material used was composed by public officials (the Regents) for the schools, while in Pennsylvania the text of the Bible itself is used.

Another case pending before the Supreme Court involves the State of Maryland. Maryland, however, is seeking to have the justices uphold its State Supreme Court ruling that Bible reading is not unconstitutional.

The Pennsylvania case constitutes an appeal from a ruling of the Federal District Court at Philadelphia which ruled Bible reading in public schools to be unconstitutional. (RNS)

### Professors Protest Prayer Proposals

One hundred and thirty-two leading legal authorities have defended the Supreme Court's decision in the New York prayer case and oppose any change in the First Amendment.

A statement prepared by Leo Pfeffer, counsel for the American Jewish Congress, was submitted to the Senate Judiciary Committee for inclusion in the record of the hearings on proposed changes affecting the First Amendment. The signers are deans and professors of law and political science at American universities.

Following the June 25 decision last year in which the Supreme Court outlawed official prayers in public schools there was a demand in the Congress that a constitutional amendment be approved to overthrow the Court's decision. Hearings were held by the Senate Judiciary Committee in which a limited number of witnesses were allowed to testify. The committee closed the hearings and gave others the privi-

lege of submitting written testimony.

The full text of the statement by the deans and professors is as follows:

"In our nation the Constitution is the supreme law of the land and the Supreme Court is the tribunal to which has been committed the responsibility for the final interpretation of its provisions. As a people committed to the rule of law we are obligated to comply with the restrictions imposed upon us by the Constitution as interpreted by the Court, whether or not we agree with the constitutional provision or its interpretation. The people of the United States, of course, have it within their power to change the Constitution by amending it in accordance with its terms, and the recent decision of the Court in the case of *Engel v. Vitale*, 370 U. S. 421, invalidating public school sponsored recitation of prayer has given rise to proposals to amend the Constitution, and specifically the first section of its Bill of Rights, to authorize such recitation.

"We express our strong opposition to any tampering with the Bill of

Rights. We believe the decision of the Supreme Court to be required, not only by its prior decisions interpreting the First Amendment, but by the cause of religious freedom and the welfare of all Americans as well.

"It is not the Supreme Court's decision but the action of state authorities in sponsoring public school recitation of prayer that is truly hurtful to religion. It is unreal to expect that an appreciation of religious values can be communicated to our children by the rote recitation of formalized prayer in public school classrooms. Whatever is good and meaningful in prayer must inevitably be lost by its mechanical repetition in an atmosphere devoid of the religious spirit which only the home and church can provide.

"If the prayer selected by state authorities for public school recitation is taken from the liturgy of one faith, the action is unfair to and a violation of the religious freedom of children adhering to other faiths. If it is formulated so as to appear nonsectarian, as in the case of the New York Regents' prayer, it not only infringes upon the rights of those affiliated with no religious body, but it poses the danger of the establishment of a new, public school religion which, in seeking to be least offensive, will succeed only in being least meaningful, and yet most pervasive.

"The First Amendment's guaranty of religious freedom and the separation of church and state has during its history of almost a century and three quarters thrown its mantle of protection at one time or another over many religious groups. There is indeed no American to whom it has not directly or indirectly secured the blessings of liberty. Every individual and every group in our nation has a great stake in its preservation.

"Since the adoption of the First Amendment, the United States has escaped much of the bitter religious conflict and sectarian strife that have divided other nations of the world and driven men to violence and bloodshed. That good fortune has been due in no small part to two of the truly great contributions the American people have made to western civilization: the concept of the separation of church and state and the free public school system. The first, by protecting religion against the in-

trusion of civil authority and by making it impossible for the state to become a battleground for sectarian preference and favor, has preserved both our political freedom and our religious freedom. The second, by providing for the education of our children on terms of complete equality and without cognizance of their differences in religious beliefs or disbeliefs, has been the cornerstone of our American democracy. The intrusion of religion upon the public school system both threatens the separation of church and state and challenges the traditional integrity of the public schools. That intrusion, if permitted, will greatly endanger the institutions which have preserved religious and political freedom in the United States and have prevented religious warfare in this nation. The decision of the Supreme Court in the Regents' Prayer case has warded off that threat. It would be tragic if the beneficial effects of that decision were nullified by any tampering with the Bill of Rights."

## Court Denies Hearing In Transfusion Case

The United States Supreme Court refused to hear a case in which Jehovah's Witness parents objected to a blood transfusion for their infant child.

Mr. and Mrs. Thomas Perricone, members of Jehovah's Witnesses, refused to permit a blood transfusion for their son, who suffered from a "blue baby" condition. A New Jersey court gave custody of the child to the head of the medical staff at a hospital in order to provide the needed transfusion.

The case which had gone through the New Jersey courts was appealed to the Supreme Court on the ground that the religious liberty of the parents was denied. The New Jersey courts in effect held that the religious liberty of the child was not violated because he was not old enough to have faith.

In denying certiorari in the case the decision remains as the state court ruled.

Justice Douglas disagreed with his fellow judges by saying that he would have heard the case.

## Liberty Involved In Three Court Cases

Sabbath observance and conscientious objection to military service claimed the attention of the United States Supreme Court.

In three cases involving religious liberty the Supreme Court:

1. Upheld (8-1) the constitutionality of Kentucky's Sunday closing law. The Court saw "no substantial Federal question" in the fact that the law exempts from its provisions members of religious faiths who keep a day other than Sunday as their sabbath.

2. Agreed to review a South Carolina state supreme court decision involving employment on Saturday of a member of the Seventh Day Adventist faith. The South Carolina court said that the person must accept work on Saturday, even though it violates religious belief, or forfeit rights to state unemployment compensation.

3. Agreed to look into the question of whether the Federal courts have the right to review findings of fact on which a local draft board bases a decision to deny a claim for conscientious objection. In this case the appeal was from a pacifist member of the Church of Jesus Christ of Sullivan, Illinois, commonly called Harshmanites.

In the Kentucky Sunday closing case the Court dismissed the appeal for lack of a constitutional issue. The case involved the owners of three stores who employed persons in their business on Sunday.

Kentucky law forbids Sunday work "for profit or amusement" with certain exemptions for household duties, works of necessity, charity and public service. It also exempts from penalty "persons who are members of a religious society which observes as a sabbath any other day in the week than Sunday."

In 1961 the Supreme Court upheld the validity of Sunday laws in a series of decision. By its "per curiam" (by the court) order the Supreme Court indicated that it had already made its decision on the subject in previous interpretations of the law.

Justice William O. Douglas was the lone dissenter to the courts decision in the Kentucky case. He

feels that Sunday laws are aids to religion which are forbidden by the First Amendment.

In the other sabbath case the Supreme Court agreed to hear the case of Miss Adell Sherbert of Spartanburg, S. C. She was discharged from her employment after 35 years with the Spartan Mills for refusing to work a six-day week because of her religious objections to labor on Saturday.

Miss Sherbert joined the Seventh Day Adventist church and some years later the Mill went on a six-day week, requiring work on Saturday, the sabbath observed by her church. Her attorneys told the court that this discriminates against Seventh Day Adventists, as a class, denying them state unemployment compensation rights unless they are willing to violate their religious convictions.

The case of Malcolm L. Parker, the Harshmanite, could affect all proceedings under the Selective Service Act concerned with religious objectors. He was denied "conscientious objector" classification because some of the candy made in a factory where he worked was bought by the Army for use in survival kits.

The U. S. Circuit Court of Appeals in Chicago held that there can be no judicial review of the "findings of fact" by a local draft board, as long as there are any facts on which it has based its decision. Thus the verdict of the draft board must stand, even if erroneous.

The Supreme Court has agreed to look into this interpretation of the Selective Service Act. Parker claimed that the local draft board exhibited intense religious prejudice against him and other young men of the Harshmanite sect.

## Seventh Annual Religious Liberty Conference

The seventh annual religious liberty conference sponsored by the Baptist Joint Committee on Public Affairs will be October 2-4, 1963, Washington, D. C. The subject will be "Church-State Relations in the Mass Media." Many problems related to "free speech" will be discussed.

## AID Says It Gives No Help To Churches

Agency for International Development (AID), the United States agency for foreign aid programs, says that "AID does not provide assistance to churches." Also Fowler Hamilton, retiring administrator, says, "it does not provide aid to advance any religious teaching."

These assertions were made in a new policy statement by AID giving guidelines for U. S. foreign aid programs through religious affiliated institutions. The new statement was set forth in a letter from Hamilton to Sen. Clinton P. Anderson (D., N.M.), a member of the Senate Finance Committee.

At the same time AID released a study of current foreign aid projects and contracts that involve religious institutions and agencies. There was no information on past programs. It is the position of AID that it is carrying out policies spelled out in legislation passed by the Congress every year since 1947.

After outlining tests for every foreign aid project, Hamilton added two more tests for projects that might be "necessary or appropriate" through church agencies. These conditions are:

1. United States foreign assistance funds may not be provided for the advancement of sectarian religious purposes, and

2. No funds may be expended, nor any project undertaken, without prior assurance and built-in guarantees that there will be absolutely no discrimination on religious grounds in the matter of who will benefit.

Church agencies become involved in only three areas of foreign assistance programs, according to Mr. Hamilton. These are (1) in distribution of surplus foods to the needy overseas, (2) in contracts for training and technical assistance with United States institutions and organizations, and (3) in assistance to education, health and social welfare in some of the less-developed countries.

"In some foreign countries schools and colleges founded by missionaries or having some connection with a religious body are the only resource

through which to work," Mr. Hamilton explained.

The problem faced by United States assistance programs in some countries is that of "working in a society without our tradition of separation of church and state," he stated.

However, the AID administrator continued; "No assistance will be provided to public institutions of this kind without guarantees that anyone may attend and that no one is forced to take part in religious practices objectionable to him." He added; "Where additional guarantees seem advisable, these will be secured."

In the 1962 distribution of surplus foods to foreign countries 70 per cent was handled by agencies with religious affiliations. These include Catholic Relief Service, Church World Service, Lutheran World Relief, American Jewish Joint Distribution Committee, Assemblies of God, Unitarian Service Committee and Hadassah.

American voluntary agencies for the distribution of surplus food must register with the Advisory Committee on Voluntary Foreign Aid. They also must be approved by the committee. About half, 24 out of 46, of the voluntary agencies now registered are church-related.

Annually about 6,000 foreign nationals are brought to the United States for training and technical assistance. Of the institutions the government uses for this purpose 44 are church-related. These include Roman Catholic, Methodist, Baptist, Presbyterian, Friends, Jewish, Lutheran, Seventh Day Adventist, and Mormon.

Although the AID study did not list all of the schools by name it pointed out that two universities had been used more than others in the U. S. training programs. They are American University (Methodist), and Georgetown University (Roman Catholic), both in Washington, D. C.

Of the 107 technical assistance contracts with United States colleges for work overseas, only two involve church schools. They are Georgetown University (Catholic) and Earlham College (Society of Friends), Richmond, Ind.

Technical assistance contracts with voluntary service organizations

involved only six church agencies out of a total of 792 contracts in force June 30, 1962. However, five contracts are with International Voluntary Services, Inc. (interdenominational) for educational programs in Laos, Cambodia, Viet-Nam and Liberia.

In overseas projects involving education on the elementary, secondary, higher education, and professional levels a wide variety of church institutions are used by AID. These include Muslim, Islam, Roman Catholic, Episcopal, Friends, Methodist and Presbyterian schools. In these schools religion is taught, but the AID study says that in the Islamic countries Christians, Jews and Zoroastrians are exempt. In the Catholic countries Protestants who object are excused from the religious instruction and worship, the report says.

The countries where current educational foreign aid programs through church schools are now in effect are Iran, Turkey, Colombia, Uganda, Kenya, Afghanistan, Chile, Congo, Ecuador, Korea, Liberia and the Philippines.

In defending its use of church agencies AID quoted freely from mandates from Congress. For instance, in 1948 a subcommittee of the House Committee on Foreign Affairs reported as follows: "American voluntary agencies are an essential counterpart of foreign assistance programs conducted by this government. . . . They represent in part the interest of American religious groups in their co-religionists in other countries and in humanity in general."

The Act for International Development of 1961 stated, "it is the sense of Congress that the President, in furthering the purpose of this Act, shall use to the maximum extent practicable the services and facilities of voluntary non-profit organizations registered with and approved by the Advisory Committee on Voluntary Foreign Aid."

Hamilton in his letter to Sen. Anderson said that "this Congressional policy reflects two facts:

1. "Missionary efforts of all American religious bodies have for decades been the major means for expressing, on a people-to-people basis, the American citizen's concern for the welfare of his less fortunate fellow-man in foreign countries, and

2. "Religious institutions in many foreign less-developed nations have borne the main share of the burdens of humanitarian effort in such fields as health, recreation, housing, education, and social welfare, etc."

The original Policy Determination No. 10, "Religious Organizations and the United States Aid Program," was adopted July 16. But after publicity and vigorous protests from religious groups throughout the nation it was withdrawn on August 21.

Hamilton explained that the impression was made by the first policy statement that sectarian interests would be helped by AID programs. However, he said, "in none of these cases are United States assistance funds going into the advancement of any sectarian religious purpose." The new policy statement and survey of projects is designed to uphold this viewpoint.

### Peace Corps Volunteers Teach in Church Schools

Washington, D.C. — The Peace Corps said here that some of its volunteers in Africa and Borneo are working in mission schools conducted by religious groups—but only because there are no other schools in which to teach.

None of the Peace Corps workers are teaching religion, nor are they permitted to engage in religious work while stationed at mission schools, a Peace Corps spokesman said. The Corps also insists that they be assigned to teaching posts without regard to personal religious affiliation.

This has resulted in a number of Protestant volunteers serving in a Roman Catholic school on Borneo, the spokesman said, and may result in Catholic or Jewish volunteers teaching in Protestant mission schools in the Congo or other African lands.

The Peace Corps said that the government concerned asks for the volunteers and that "it is up to that government to place them where they are most needed."

"The host government must take the volunteers regardless of their religious preference," the Peace Corps said. "They may be assigned to teach in private schools—which in many areas of Africa and Borneo are the only schools—but they cannot teach any religious subjects."

It added that it does not know how many volunteers are Protestant or Catholic because "this information is nowhere provided on the forms."

Peace Corps spokesmen also denied a charge that it is discriminating in favor of large Catholic universities like Georgetown and Notre Dame in its training program for Peace Corps volunteers against Protestant church-related colleges.

"In point of fact," the Corps said, "the program at Notre Dame is one in which all the colleges of Indiana participated. Our contract is with the Indiana Conference of Higher Education, and it was the Indiana educators who selected the Notre Dame campus as the site for the training program, although all institutions helped supply faculty and special advisers."

Similarly, the Georgetown program is part of "a consortium of eight major educational institutions in the national capital area," including Methodist-related American University. These schools are cooperating together in the training program and are parcelling out classroom and housing facilities for groups of trainees. The spokesman said that a "real sacrifice" is involved on the part of the cooperating colleges which are hard-pressed for facilities for their growing student bodies.

It had been charged that such evangelical Protestant colleges as Wheaton (Ill.) and Berea (Ky.) have been "disapproved as Peace Corps training centers on the ground that they are too 'religiously' oriented while Roman Catholic schools have been approved.

A Peace Corps official said Wheaton College has never made formal application for such a training program. He added that Berea College is under active consideration and "was approached with a project which it was unable to accept because of the time schedule involved."

"We will probably go back to Berea with another project when this problem can be worked out," the spokesman said.

He said the agency is trying to avoid church-state complications even when working in countries "which have much different ideas about church-state relations than do we." (RNS)

### Cardinal Bea Announces Religious Liberty Study

ROME—The council fathers will have a proposal to proclaim the belief in freedom of conscience and worship when they reconvene the Second Vatican Council Sept. 8, Augustin Cardinal Bea declared.

Cardinal Bea, president of the Secretariat for Promoting Christian Unity, said the document it will submit sets forth the right of each to follow his conscience and worship as he chooses without interference.

The eighth annual "Agape (love-feast) of Brotherhood" at which the cardinal spoke Jan. 13 brought together more than 500 from 21 faiths and 69 nations, including Jews, Moslems, Buddhists and Taoists.

Cardinal Bea spoke of religious wars of the past as "another error of the misunderstood love of truth" in which "men tried to impose by force and in the name of truth certain convictions on other men, forgetting the no-less fundamental value of the love of truth—man's freedom; his right to dispose freely of his own destiny according to his own conscience."

The German-born scholar declared:

"One should always understand another man's point of view. This means putting oneself in his place and seeing things from the position from which he sees them. One should also realize that reality has 1,000 different aspects, 1,000 different facets, whereas the individual, even when very gifted and intelligent, sees only one or a few.

"Love of truth cautions us to bear in mind the limitations of our knowledge and also to recognize the aspect of truth which others see. . . . Preserving faithfully the purity of doctrine, it can be expressed therefore through other and different concepts, according to the mentality and language of men."

Referring to Pope John's Christmas message on man's thirst for peace, Cardinal Bea concluded:

"Today we are also aware that peace does not depend on legislators of nations alone, but on large sections of peoples themselves. This peace must be built therefore with love—through the practice of love in charity. To achieve this harmony, we must seek the help, strength and light of God." (NCWC)

### REPORT FROM THE CAPITAL

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## Religionists Protest Russian Persecution

Protestants, Jews and Catholics have protested religious persecution in Russia. The most recent indication of such persecution was the attempt of 32 Evangelical Christians from Siberia to leave the country by the aid of the United States Embassy in Moscow.

In early January these Siberian peasants entered the U. S. Embassy, reported severe hardships because of their religion and asked for aid to go to some other country. After keeping them a few hours the Embassy turned them over to the Russian authorities, who sent them back to Siberia.

Immediately protests all over the world were voiced against religious persecution and anxiety was expressed because of the lack of help given the refugees by the U. S. Embassy.

Josef Nordenhaug, general secretary of the Baptist World Alliance, and C. Emanuel Carlson, chairman of the Alliance's Commission on Religious Liberty and Human Rights, called in person at the Russian Embassy in Washington, D. C. and asked for an investigation of the facts surrounding the incident.

The Baptist World Alliance spokesmen asked that "a group of known and responsible leaders from international organizations of governments and of churches might be given free access to the facts and the people involved." They suggested representatives from the United Na-

tions, the Red Cross and the World Council of Churches.

At the same time the Baptist World Alliance sent a letter to Secretary of State Dean Rusk asking for "a clarification of the reasons why the United States Embassy in Moscow was not in a position to render these people more substantial aid than has been reported."

Seventh Day Baptists, Harley D. Bond, executive secretary, petitioned the U. S. Ambassador in Moscow to assist the Siberian Christians. They said, "We urge that every possible strategy provided by lawful international procedure and by the force of moral influence be exploited in their behalf."

The National Association of Evangelicals sent a cablegram to Nikita Khrushchev asking that he guarantee the safety of the 32 refugees and that they be given permission to leave the Soviet Union.

The Russian Center at Fordham University, a Jesuit-conducted school, protested the persecution in Russia. A spokesman said the incident "helps us to realize again how, in fact, the 220 million souls living in Soviet Russia are deprived of the most basic rights of man. He pointed out that the 32 Siberians "have helped awaken the world" to the problems of believers in Russia.

Jewish leaders, Rabbi Marc Tennenbaum, director of the Department of Interreligious Affairs of the American Jewish Committee, and Dr. Bernard Mandelbaum, provost of the Jewish Theological Seminary of America in New York, added their voices of protest against the persecution.

Rabbi Tennenbaum noted that American Jewish leaders have made frequent protests against persecution of religious groups, especially Jewish groups, in the Soviet Union.

"While we believe that the Jewish community in Russia suffers from special disabilities of anti-Semitism," he said, "we are at the same time deeply committed to upholding the religious and human rights of all people regardless of creed, race or ethnic group."

Before the American Embassy gave up the Siberian refugees they received assurances from Russian officials that the refugees would receive protection from the government.

A later news release from Russia gave an official version that the Siberian refugees were religious fanatics who abused their children by beatings, chaining them, and locking them up for long periods of time. This explained, they said, why the government threatened to take the children away from their parents.

In the meantime, the whole situation remains unclear until the State Department further clarifies the U. S. Embassy role in the events, and until the Russian government allows an investigation of the situation. It is not clear just who these "Evangelical Christians" are, what persecutions they may have endured, why the U. S. Embassy gave them no more assistance than they did, why the Russian Government allowed the news stories to come through so freely, and exactly what is the status of religious liberty in Russia at the present time.