



REPORT FROM THE CAPITAL

★ RELIGIOUS LIBERTY ★ BAPTIST PRINCIPLES

★ PUBLIC AFFAIRS

A bulletin published by the Baptist Joint Committee on Public Affairs, Washington, D. C.

Vol. 19, No. 2

March 1964

Should There Be A Constitutional Amendment To Provide Governmental Sponsorship of Religion?

An Analysis of the "Becker Amendment"

By C. Emanuel Carlson, Executive Director, Baptist Joint Committee on Public Affairs

I. A PROPOSED AMENDMENT TO THE CONSTITUTION

Approximately 140 proposals have been filed suggesting amendments to the First Amendment, supposedly in support of prayer and Bible reading in the public schools.

While there are many different proposals, one formula (H.J.Res. 693) has become the accepted one, namely, that which is sponsored by Congressman Frank Becker, a Roman Catholic and a representative from New York. Twenty-six congressmen have joined in offering this resolution. The latest reports are that 161 signatures have been attached to a discharge petition asking that this resolution be discharged to the floor for debate and action without committee analysis. Such a petition requires 218 signatures to be effective.

The vocabulary of the proposal merits careful study and discussion inasmuch as it proposes to change the fundamental law of the land regarding the freedom of the people. The proposal reads as follows:

"Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if rati-

fied by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress:

"ARTICLE—

"SECTION 1. Nothing in this Constitution shall be deemed to prohibit the offering, reading from, or listening to prayers or biblical scriptures, if participation therein is on a voluntary basis, in any governmental or public school, institution, or place.

"SEC. 2. Nothing in this Constitution shall be deemed to prohibit making reference to belief in, reliance upon, or invoking the aid of God or a Supreme Being in any governmental or public document, proceeding, activity, ceremony, school, institution, or place, or upon any coinage, currency, or obligation of the United States.

"SEC. 3. Nothing in this article shall constitute an establishment of religion.

"SEC. 4. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress."

While other proposals vary greatly from the above, the several elements present in the form quoted above may be analyzed with rele-

vance to most if not all the other forms. In September 1963, 57 sponsors who had introduced resolutions agreed to have a committee of six "to draw up an amendment which we could all support rather than having 57 different resolutions." That amendment as quoted was introduced on September 10, 1963, with the approval of the committee of six and of "many of the 57." The committee consisted of Walter S. Baring (D., Nev.), William C. Cramer (R., Fla.), Don Fuqua (D., Fla.), Delbert L. Latta (R., Ohio), Horace R. Kornegay (D., N.C.), and Frank Becker (D., N.Y.). This is the basis, therefore, of the discharge petition, and represents the concerted thrust for change in the fundamental law regarding the government's role in religion.

II. ANALYSIS OF THE PROPOSAL

An Erroneous Assumption

I. Section 1 proceeds on the erroneous assumption that the Supreme Court opinions in the New York, Maryland, and Pennsylvania cases ruled out "offering" prayers, "reading" from the Bible, or "listening" to prayers or Bible reading. The Court's decisions restrained governments (federal, state, or local) from undertaking the formulation or the promotion of such devotional exercises. Those decisions do not attempt to define what religious activity

(Continued on page 2)

people may or may not undertake on their own initiative. The Court held that the religious activities of the people lie beyond the competence of government determination. Hence the Court's decisions do not deal with that "free exercise of religion" which is represented by a personal decision regarding "offering," "reading," or "listening."

Many of our readers will recall that in June 1962 the Supreme Court ruled in the *Engel v. Vitale* case that the New York Board of Regents had exceeded its constitutional authority, as had a local school board, in formulating and promoting a particular prayer for the opening of the school day in the state. In June of 1963 the Court ruled against the states of Maryland and Pennsylvania in cases in which state law set up *devotional* exercises in which Bible reading and prayer were required. In both of the above instances the Court restrained governments from taking official actions regarding the religious practices of the people.*

There are many state situations in which there is need of clarification of the proper scope of personal "free exercise of religion" in public institutions, operated as they are under law, supported by taxation, and attended under compulsory attendance laws. However, Section 1 of this proposal does not give this clarification. In fact, it is very doubtful that congressmen, meeting in Washington far from the public schools and from the diversity of people in the school districts, can do that job. In this writer's opinion, Section 1 is no improvement on the present statement in the First Amendment, which says:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof . . .

Trend To Culture Religion

2. Section 2 is designed to keep "any governmental or public document, proceeding, activity, ceremony, school, institution or place," as well as public coins, currency and obliga-

* Many incorrect reports have been published about these decisions. Readers who are unclear regarding their contents and their meaning may write for a packet containing the decisions themselves and studied analyses by the Director of the Baptist Joint Committee on Public Affairs. See page 7 for list of pamphlets and prices.

tions open as channels for religious ideas. These ideas may express "belief in," "reliance upon" or "invoking the aid of God." This proposal represents a modern trend that also merits careful thought by all who cherish religious freedom.

Throughout our history public leaders have been free to exercise their own religion and to express it freely. At very few points have legislators tried to use the *power of the state* to advance their religious ideas. Thus in the midst of the war between the states "faith" was added to our coins in a slogan, "In God We Trust." Recently this has been extended to paper currency. In 1954 the phrase "under God" was legally added to the pledge of allegiance. While such use of the *public power* has occurred, it has been the exception rather than the rule. Americans have not expected, nor have they received, their religious guidance, instruction, or inspiration through public documents, channels, or institutions.

It is understandable that political leaders, especially those who do not differentiate clearly between the powers that are used to make public policy and those that are used for religious growth and experience, may wish to have a piety or a religious image on their work. However, when a political leader votes for a bill containing religious sentiments he does not thereby express his convictions nor engage in prayer. It is an impersonal expression rather than a personal witness or prayer. This means that the religious language being protected by this proposed amendment must be viewed as American culture and American heritage rather than as a religious impact. We may well ask whether there is an increasing tendency to look upon religious ideas as being simply cultural heritage.

Government and Religion

If the nation increases the use of these public channels for "religious" expressions we must be prepared to have all varieties flowing equally. "Roman Catholicism," "Buddhism," "Baptism," "Christian Science," etc., must be equally acceptable. If the tensions between them are resolved to some neutral inoffensive common denominator it can only be a synthesis of those movements that

hold this to be significant religion. Deism, theism, or spiritualized patriotism may well be more confusing than helpful. Whatever it is, religion on a government platter has never provided much spiritual nurture for the people nor has it given strength to the nation.

If public documents and public activities are appropriate channels for religious thought and for directing religious activities then we are back where a decision of a government, local, state or federal, can determine what kinds of religious ideas, experiences, and activities shall be promoted at the taxpayers expense.

Many European countries have long histories of religious shifts from one religion to another and back again, as the government has changed its policies. The First Amendment has served well to spare the United States from political controversies over such religious alignments while guarding the freedom for the people to exercise the religion they have. To tamper with the First Amendment is to tamper with a priceless tradition at a crucial point.

A Contradictory Statement

3. Section 3 is a disclaimer, saying "Nothing in this article shall constitute an establishment of religion." This obviously means that anything that is done under Section 2 shall be acceptable regardless how much legalized religion may be forthcoming. Thus it makes the "no establishment" clause of the First Amendment of no effect in this whole field.

The First Amendment has kept a focus on both protection against legalized religion and protection of free exercise. The restraint on government is a necessary part of the protection of personal religious rights. Therefore any move that would erode the "no establishment" clause actually endangers also the "free exercise" provision. Thus a proposal that may be motivated by a desire to let the majority in a community impose their ways on the minorities is likely to result in the erosion of freedom for both majority and minority.

III. ANALYSIS OF THE FORCES

The motivations of any one person are always complex and defy objective analysis. Therefore, we shall

not attempt a personal study of motivation. However, the American system of government is a "representative" system in which public leaders offer their services to interests and viewpoints and then carry on their work within the permissive bounds of their own political consciences. It is therefore not only possible but necessary to try to understand the forces which are represented in a movement that demands a revision of the fundamental law of the land in so basic a matter as freedom of religion.

1. The Proposed Amendment and Geographic Regionalism

In seeking to understand the forces one normally asks first about the areas involved. A distribution by states of the available names of sponsors gives the following pattern:

State	No. of Rep.	State	No. of Rep.
Alabama	3 of 8	Montana	1 of 2
Alaska	—	Nebraska	—
Arizona	—	Nevada	1 of 1
Arkansas	—	New Hamp.	2 of 2
California	7 of 38	New Jersey	6 of 15
Colorado	1 of 4	New Mexico	—
Conn.	1 of 6	New York	9 of 41
Delaware	—	North Car.	9 of 11
Florida	6 of 12	No. Dak.	1 of 2
Georgia	3 of 10	Ohio	4 of 23
Hawaii	—	Oklahoma	—
Idaho	—	Oregon	1 of 4
Illinois	6 of 24	Penn.	11 of 27
Indiana	3 of 11	Rhode Island	—
Iowa	1 of 7	So. Car.	4 of 6
Kansas	—	So. Dak.	—
Kentucky	2 of 7	Tennessee	3 of 9
Louisiana	1 of 8	Texas	2 of 23
Maine	1 of 2	Utah	—
Maryland	2 of 8	Vermont	1 of 1
Mass.	2 of 12	Virginia	2 of 10
Michigan	4 of 18	Washington	1 of 7
Minnesota	—	West Va.	3 of 5
Mississippi	4 of 5	Wisconsin	1 of 10
Missouri	—	Wyoming	1 of 1

These facts seem to mean that no easy answers can be given on this point. Yet it is interesting to note that all but 18 of these 110 sponsors are from east of the Mississippi River. Concentrations show up in a few states such as Alabama, Florida, Mississippi, New Jersey, North Carolina, Pennsylvania, South Carolina, West Virginia, all of which show more than one-third of their delegations among the sponsors. While each of these states contains a diversity of agricultural and urban

communities there is no overall simple formula that places them in a category by themselves. Apparently we must move on from geography to more cultural and religious forces.

2. The Proposed Amendment and Party Politics

The rules of the House of Representatives do not provide for the publicizing of the names of those who sign discharge petitions until the petition is filed. Thus the identity of the 161 is not available, on an authentic basis. Some who have signed might decide to withdraw prior to actual discharge because this legislative device is not a favored one. Congressmen do not wish it used against their own committees and therefore they are slow to use it against others. Only two laws have been enacted by the use of this device during the past 40 years.

However, the identity of the sponsors of resolutions is public knowledge. A review of 147 current resolutions shows 110 sponsoring names. Of these 64 are Republicans and 46 are Democrats. This partisan imbalance is substantiated by the action of the House Republican Policy Committee on February 18 in endorsing passage of a constitutional amendment.

3. The Proposed Amendment and Religious Backgrounds

A movement to safeguard a role for government in religious observances could possibly reflect the distinctive theology of some special tradition or heritage. A person could be influenced by a heritage which has been brought from a nation with a state church or he could be thinking on the basis of theological premises which assume a role for the state in religious matters. A factual study of the sponsors, however, makes this kind of conclusion difficult. Among the sponsors we find the following distribution of religious affiliations: "Protestant," 6; Apostolic Christian, 1; Baptist, 16; Christian Church, 2; Church of Christ, 1; Congregational Christian, 7; Episcopal, 8; Evangelical Free, 2; Evangelical and United Brethren, 1; Jewish, 1; Latter-Day Saints, 1; Lutheran, 3; Methodist, 21; Presbyterian, 25; Roman Catholic, 13; Schwenkfelder, 1; and Unitarian, 1.

When the major groupings are converted into percentages of the number of that faith in the House of Representatives sponsoring the amendment we find that 32 per cent of the Baptists are included, 26 per cent of the Methodists, 36 per cent of the Presbyterians, 15 per cent of the Roman Catholics, and 18 per cent of the Episcopalians.

American Religious Leaders

A review of the positions taken by the leaders of the major religious groups shows very little support for the proposed amendment. Few Roman Catholic leaders have spoken out for the amendment, and *America*, the Jesuit social action magazine has opposed it. Rumors of a strong Roman Catholic support are not substantiated by the facts available.

While some Presbyterian congressmen show a tendency to support it, the United Presbyterians in their General Assembly, 1963, voted support of the Court's position. The Presbyterians asked that "religious observances never be held in a public school or introduced into the public school as part of its program." They continued, "Bible reading in connection with courses in the American heritage, world history, literature, the social sciences, and other academic subjects is completely appropriate to public school instruction."

A special study commission on church-state relations of the Methodist Church is recommending to the General Conference of the denomination that Methodists "be urged to refrain from encouraging or supporting in their local communities devotional exercises as a part of the educational program of the public schools."

Likewise, the Baptist Joint Committee on Public Affairs took a position which deviates from the 16 Baptist congressmen in the list of sponsors. The Baptist Joint Committee on Public Affairs, being made up of Convention committees which consist of responsible Convention leaders from the eight Conventions, adopted the following statement, March 1964:

The Baptist Statement

"The Baptist Joint Committee on Public Affairs has taken note of a
(Continued on page 4)

trend in many parts of our land to assume that the prayer and devotional experiences of children are and should be subject to legislation by boards of education. Accordingly, many are urging that the Constitution of the United States should be amended so as to permit such regulations by boards of education or by state legislatures.

"1. The Baptist Joint Committee reaffirms its conviction that laws and regulations prescribing prayers or devotional exercises do not contribute to a free exercise of religion and should not be encouraged.

"2. The Baptist Joint Committee also expresses a deep concern lest such laws and regulations become the means for confusing the moral values of American society for a devotion to religious insights. While the Committee is enthusiastic about much in the American heritage as a national way of life, the equation of religious ideas and practices with our national culture will erode rather than strengthen the American heritage.

"3. The Committee holds that it is the business of the public schools, operated under law, supported by taxation, and attended by pupils under compulsory school attendance laws, to transmit the cultural legacy of our land. This requires the objective recognition of religion as part of the experiences of the people and as one force operating in our society. These premises, however, do not constitute religion and should not be advanced as the ultimate commitments for which people exist.

"4. The Committee recognizes that some political leaders may make appeals for the establishment of religious acts through legalized means to arouse public sentiment. This we regard to be in bad taste as a violation of the principle of separation of church and state. This is the basic principle of the Constitution of the United States that 'Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.'

"5. Conversely, the Committee appeals to Baptists everywhere to inform themselves carefully regarding the fundamental principles of freedom and to participate as informed citizens in the creation of a social order in which people of all religions or of no religion have the equitable

civic treatment which they merit as people. Legislative representatives and political leaders should be made aware of our Baptist support for a clear distinction between the roles of the churches and those of state agencies."

4. Community Patterns and the Freedom of the Person

Most of the displeasure with the Supreme Court's opinions on freedom of religion have been expressed as concerns for practices long unchallenged in homogeneous communities. Many of the States and their communities have learned to live with pluralism and to avoid legal devices dealing with religion. However, some States have either had no need of such adjustments or have become embroiled in religious controversy over heritage.

Those who follow Congressional voting patterns closely have adopted the phrase "conservative coalition" for the description of the political combination of Republicans and Democrats. This pattern of voting has been carefully portrayed in *Congressional Quarterly* and by other reporting channels in terms of the percentage of votes which a Congressman casts in line with or in opposition to the standard pattern.

When 93 sponsors of amendments to the First Amendment were checked in relationship to the *Congressional Quarterly* "conservative coalition" for 1963, 66 were found to have voted 50 per cent or more of the time with the coalition and only 27 had voted with the coalition less than 50 per cent of the time. Since 71 per cent were in the upper half and only 29 per cent in the lower half, the relationship can hardly be coincidence.

Religion in Society

Apparently the proposed amendment somehow relates to ideas on the role of religion in society. What is religion and what ought it to do in society?

This is a question which tends to produce two kinds of answers, namely, those which emphasize the conserving or preserving functions as opposed to those which emphasize the "prophetic," "corrective," or "changing" role. It has often been observed that those who favor

change in society and in the economy are prone to favor freedom of religion from social or political controls. Conversely, those who are most concerned for the continuity of community practices may be less confident that people can be left free to worship or not to worship. Thus religious practice can become a vehicle for carrying the status quo forward to the next generation.

This writer freely admits that if this is the concern back of the proposed amendments it represents a misplaced emphasis on American heritage. The heritage which has made America great as the land of the free is the heritage of free exercise of religion. As population and industry move and expand the community traditions face new circumstances in which the freedom of the people must prevail.

SUMMARY OF CONSIDERATIONS

The foregoing studies have led us to conclude that the First Amendment in its present form is adequate protection of the freedom of the people to exercise their religions and adequate protection against the use of governmental powers in this field, because:

1. If governmental units at any level are given powers to promote or support religion this means that they also gain the powers to neglect, to propose, and to change it. The present provision of the Constitution and its interpretations by the Supreme Court call for a fully neutral government.

2. The presence of atheistic public policy in some countries should be a clear warning against the revision of policy that has proved itself so well in the cause of freedom as has the First Amendment.

3. Most constitutionalists look upon the first Ten Amendments as a "bill of rights" for the American people, protecting them against oppression by their own governments. It is, therefore, held that this "bill of rights" should be unamendable.

4. People who want to pray, to read religious materials, and to generally exercise their religion are not prevented by the absence of governmental support. People can pray without the directives of law. They should and can be protected in the "free exercise" of their religion.

Baptists Ask Changes in Food Distribution

Atlantic City, N.J.—The Baptist Joint Committee on Public Affairs in semi-annual session here registered its dissatisfaction with the church-state relationships involved in the distribution of American surplus food overseas.

C. Emanuel Carlson is executive director of the Baptist Committee, which has its headquarters in Washington, D.C.

The occasion of the Committee's views is the proposed extension of Public Law 480 for five years. P.L. 480 provides for agricultural surpluses to be given free to voluntary agencies for distribution abroad. It also provides the cost of transportation of such products.

A proposed amendment would make it possible for the government to buy foreign currency and give it to the voluntary agency for distribution costs after the food arrives overseas.

Many of the voluntary agencies involved are church-related. The five largest distributors are: American Jewish Joint Distribution Committee, Catholic Relief Services, Church World Service, CARE, and Lutheran World Relief.

The stated purpose of P.L. 480 is "... to promote the economic stability of American agriculture and the national welfare" and the "furtherance of the foreign policy of the United States."

In view of the fact that many of the commodities are distributed by church agencies the Baptist Committee urged a restatement of the purpose of the act to emphasize "the meeting of human need rather than the purposes of state policy."

The Baptists also expressed the hope that the government would build up "channels of distribution which relieve the churches of the danger of distortions of their mission or the use of inappropriate influence."

The reason for this was that the use of church channels for distributing government foods tends to identify the church agency with American foreign policy rather than to emphasize its humanitarian and evangelistic motives.

The hope was expressed that such

Says Public Aid Requires Public Policy

Washington — United States Supreme Court action here involving two North Carolina hospitals may have far-reaching effects on church-state institutions that have been aided in government programs, according to C. Emanuel Carlson, executive director of the Baptist Joint Committee on Public Affairs.

By declining to review a case decided by the United States Court of Appeals for the Fourth Circuit the Supreme Court in effect said that private hospitals that have received Hill-Burton grants must be regulated by public policy regarding discrimination.

The Moses H. Cone Memorial Hospital and the Wesley Long Community Hospital, both in Greensboro, N.C., are private, nonprofit corporations. The Cone Hospital has received \$1,269,950 and the Long Hos-

pital has received \$1,948,800 in Hill-Burton grants.

Prior to the Court decision Long Hospital denied admission to all Negro patients and did not grant staff privileges to Negro physicians and dentists.

The Cone Hospital did not grant admission to Negro patients on the same terms and conditions as white patients. When the complaint against it was filed, it did not admit Negro physicians and dentists to staff privileges.

Negro physicians, dentists and patients instituted action in the United States District Court for the Middle District of North Carolina, Feb. 12, 1962. The District Court ruled in favor of the hospitals on the ground that they are private corporations and are not regulated by public policy.

The case was taken to the Fourth United States Court of Appeals, where it was decided, 3-2, that acceptance of Hill-Burton grants, is "sufficient involvement to imbue the activities of the hospitals with 'state action' and bring them within the Fifth and Fourteenth Amendment prohibitions against racial discrimination."

The refusal of the Supreme Court to review the decision of the lower court has the effect of making the lower court decision the law in the Fourth District. Although it is not binding on the other federal court districts, it is expected that they will adopt this decision as their view.

In commenting on this major court action Carlson said that "it is quite understandable." He pointed out that "the American Constitution knows only one kind of citizenship" and that there is no constitutional basis for discrimination.

"This far-reaching principle of democracy would be meaningless," he continued, "if churches or other groups could become the administrators of public services using public funds but not public policies."

The significance of the decision, the Baptist official said, is that "public funds are accompanied by public policies." For this reason he said that

(Continued on page 6)

non-church agencies as the Red Cross, the Peace Corps, and others might be increasingly used by the government for its channels of distribution.

Hearings on P.L. 480 have already been held by the House Committee on Agriculture Operations of the House Agriculture Committee. No hearings have been held in the Senate. The bill is still in the process of formulation.

At the hearings only the Lutheran World Relief representative raised questions about the propriety of church organizations being used as government agencies. Although the Lutherans argued against the practice, they spoke mainly against enlarging the operation rather than asking for its discontinuance.

According to testimony by Paul C. Empie, executive director of the National Lutheran Council, five agencies shipped 98.15 per cent of government surplus foods received by all voluntary agencies in 1962. The breakdown is as follows:

American Jewish Joint Distribution Committee, 79 per cent; Catholic Relief Services, 58.4 per cent; Church World Service, 12.91 per cent; CARE, 23.69 per cent; and Lutheran World Relief, 2.36 per cent.

Protestants Favor Limited Federal Aid

Columbus, Ohio—Opposition to federal support of the educational programs of parochial schools was voted by the National Study Conference on Church and State in session here.

However, the conference approved "under some well-defined circumstances" government support of health and welfare programs of church-related agencies and schools.

Delegates from 24 Protestant and Orthodox communions in a 2100-word report on "Separation and Interaction of Church and State" agreed on the following:

1. "A strong commitment to religious liberty as man's natural right and indispensable condition of a free society,
2. "Recognition that ours is a pluralistic and not simply a Protestant society,
3. "Acceptance and support of Supreme Court decisions insofar as they prohibit officially prescribed prayers and required devotional reading of the Bible in public schools,
4. "Recognition that the court's decision underscores the responsibility upon the family and the church for religious education,
5. "Opposition to any proposal such as the so-called Christian amendment which seeks to commit our government to official identification with a particular religious tradition,
6. "Rejection of over-simplified formulations such as that which seeks to make religion exclusively a private matter or to make all public matters secular, and
7. "Awareness that the functions of church and state must be clearly defined as separate, yet relationships should be flexible enough to encompass the increasing areas of interaction."

The conference was called by the National Council of Churches and was directed by the department of religious liberty, Dean Kelley, secretary.

The opinions of the conference, expressed only the views of the delegates present and do not necessarily represent those of the National Council nor of the denominations represented. Delegates were present from

several denominations not affiliated with the Council.

The conference took note of the changed relations between church and state in present-day America. The situation is different from what it was in the early days of the Republic, the conference said.

At that time, it continued, "the nation which adopted the first amendment at the same time considered itself both Christian and Protestant and saw no contradiction in passing laws which required Sunday observance, prayer and Bible reading in the public schools."

Now, however, the conference said, due to the "enrichment of immigration," the development of a "pluralistic" society, the growth of health and welfare services of the government and expanding church programs in the same areas, crucial questions have been raised "concerning both separation and interaction between church and state."

Among areas requiring further study, the conference pointed out, are:

1. "The role of the state in promoting programs affected with a religious interest,
2. "The ways in which the state exercises its responsibility to advance religious liberty,
3. "Whether and under what conditions the church may legitimately accept public monies in church-related programs of health and welfare, and
4. "Whether and under what conditions the church may legitimately accept public monies in church-related programs in elementary, secondary and higher education."

A section of the report approved by the conference, but which registered a recorded dissent of over 25 per cent of those voting, said "under some well-defined circumstances, government may legitimately support specific programs of church-affiliated health and welfare agencies."

Specifically, the limitations placed on these government-supported programs of church agencies were:

- A. "That government programs must not be aimed primarily at the support of religious institutions or objectives,

B. "That any support of church-affiliated agencies must be an incidental part of a large program directed to appropriate public interests,

C. "That the agency does not discriminate on the basis of race, color, creed, or national origin, and

D. "That reversionary clauses, limited to a fixed and reasonable period, be written into all contractual arrangements to insure that funds, buildings and equipment are not diverted from the purposes from which they were originally acquired."

The conference was divided into 12 study sections. Each section made a report to the conference as a whole, but the reports were only "received" and were not approved or disapproved. Divergent and conflicting views were sometimes expressed in the section reports.

PUBLIC AID

(Continued from page 5)

hospitals built by public money "have no legal grounds on which to discriminate in their admissions policies, in services rendered, or in employment practices."

A further effect of the decision Carlson pointed out is that now "physicians who have been excluded because of religious differences on medical codes have proper grounds for protest, and the use of public medical facilities for religious impacts and propaganda can expect to be challenged."

Carlson viewed the case as having a direct bearing on church colleges receiving government grants and on the desire of parochial schools on the elementary and secondary levels for public aid.

"The concept of a 'church-public' college, for instance," he said, "has no constitutional base and has no real prospect in American history. This case, therefore, highlights the importance of the policy decisions now being formulated by colleges with denominational backgrounds or connections."

As for parochial schools he said, "Continued religious discrimination in administrative control, in admissions, in employment of teachers, in curricular content, or in requirements and activities could quickly become issues for legal action if the demands of parochial educators are met with federal grants."

Literature Available for Wider Distribution

Church groups and denominational agencies frequently need information for study or for general distribution. Pastors and persons in denominational leadership often wonder where they can get materials that will be dependable and at the same time will reflect a New Testament viewpoint. The Baptist Joint Committee on Public Affairs is seeking to fill these needs as resources make it possible. The following items are now available:

ORDER BLANK

Baptist Joint Committee on Public Affairs, 1628 - 16th Street, N.W., Washington, D. C. 20009. Please send me the following items:

Number	Cost
..... "The Meaning of Religious Liberty"	\$
(10c per single copy, 75c per dozen, \$5.00 per hundred, \$35.00 per thousand)	
..... "The American Tradition and Baptist Insights"
(10c per single copy, 75c per dozen, \$5.00 per hundred, \$35.00 per thousand)	
..... "Questions and Answers On The Supreme Court and Public School Religion"
(10c per single copy, 75c per dozen, \$5.00 per hundred, \$35.00 per thousand)	
..... "Premises Of The Supreme Court Restraining Government Regarding Devotions"
(10c per single copy, 75c per dozen, \$5.00 per hundred, \$35.00 per thousand)	
..... "Baptists Cooperate For The Advance of Religious Liberties"
(10 copies free, 11 to 99 copies 5c each, \$3.50 per hundred)	
..... "Report From The Capital"
(\$1.00 per year; 10 or more copies to same address 75c per year)	
..... "Report From The Capital"
(Extra copies of any issue, 1 to 25 copies 10c each; 26-50, 7c each; 51 or more, 5c each)	
..... Engle v. Vitale (text of Supreme Court's decision in New York Regents' Prayer Case, 15c each)
..... Schempp and Murray (text of Supreme Court's decision in Maryland and Pennsylvania Bible reading and recitation of Lord's Prayer cases, 35c each)
..... 1963 Report To Baptist Conventions, 5c each
..... 1964 Report To Baptist Conventions, 5c each
..... Sample packet of each of the above, \$1.00
Total Amount Enclosed	
\$	

Send to:

Name

Address

War On Poverty Would Use Church Agencies

Washington—A careful study of President Lyndon B. Johnson's "war on poverty" reveals serious church-state problems. His program calls for a mass attack on poverty through a combination of federal, state and local governments, plus private and nonprofit agencies.

In an obvious effort to avoid the religious issue of federal aid to church schools the President's program would administer educational programs through public agencies. However, he would provide a variety of aids to private nonprofit agencies. Church schools and agencies could develop parts of the program provided they do not involve "sectarian instruction and religious worship."

The President launched a program that, he said, "strikes at the causes, not just the consequences of poverty." "Our goal," he continued, "is an America in which every citizen shares all the opportunities of the society, in which every man has a chance to advance his welfare to the limit of his capacities."

One-fifth of the nation's population is in need, the President declared. He said that the "struggle to give people a chance" must be pursued because it is right, wise and possible to conquer poverty.

Calling on Congress for immediate action Mr. Johnson proposed the Economic Opportunity Act of 1964. It calls for \$962.5 million the first year and "thereafter such sums as may be necessary."

In a 2800-word message to Congress and in a 39-page bill the President proposed a number of sweeping programs to eliminate poverty in America. Sargent Shriver, at present director of the Peace Corps, will be appointed by the President to direct the new Office of Economic Opportunity.

No time was wasted in getting the

poverty legislation before Congress. Hearings were begun before the Committee on Education and Labor in the House of Representatives the day after the President's message.

Illustrations of the church-state problems in the poverty program are:

Job Corps Program: The director would be authorized to enter into agreements with any federal, state or local agency or private organization for the provision of such facilities and services "as are needed." This program would provide "residential centers" for "education, vocational training, and useful work experience."

Work-Training Programs: Both public and private nonprofit agencies would be aided in work programs for young people. However, projects "involving the construction, operation or maintenance of any facility used or to be used for sectarian instruction or as a place for religious worship" would be prohibited. The "non-religious" projects of private agencies could be aided.

Work-Study Programs: Students in institutions of higher education would be aided in work programs to enable them to attend school. Such programs could not involve those facilities of the school used for "sectarian instruction or as a place of religious worship."

Community Action Programs: Both public and private agencies could be aided. If elementary or secondary education programs are involved they must be administered by the public educational agency or agencies in the community. The Act requires that "no child shall be denied the benefit of such a program because he is not regularly enrolled in the public schools."

Family Farm Development: Both public and private nonprofit corporations would receive aid in programs to develop family farms.

Volunteers for America: The director would be authorized to "recruit, select, train and refer" volunteers for a wide variety of domestic programs involving both public and private nonprofit agencies. Many of these, no doubt, would be church agencies, but the restrictions against "sectarian instruction and places of religious worship" would apply.

Bulk Rate
U. S. Postage
PAID
Washington, D. C.
Permit No. 41353

Baptist Newsman Will Report Vatican Council

Atlantic City, N.J.—A Baptist newsman will report on the third session of the Vatican Council II, which meets in Rome Sept. 14 to Nov. 20.

The Baptist Joint Committee on Public Affairs voted to send its associate director, W. Barry Garrett, back to Rome to cover the Council's session this year. The Committee, which was in semi-annual session here, has its headquarters in Washington, D.C.

Garrett reported on the second session last year. His 14 reports from Rome were sent to Baptist publications in the United States. European Baptist Press sent several of his stories to publications throughout the Continent.

An accredited news correspondent in the Senate and House press galleries and the White House in the Nation's Capital, Garrett is also the Washington regional editor for Baptist Press, news agency of the Southern Baptist Convention. He also operates a separate news service from the Baptist Joint Committee on Public Affairs for publications of other Baptist conventions throughout North America.

REPORT FROM THE CAPITAL

Published 10 months during the year
by Baptist Joint Committee on
Public Affairs
Washington, D. C., 20009
Subscription—\$1.00 per year

C. Emanuel Carlson, exec. director
W. Barry Garrett, assoc. dir., editor