

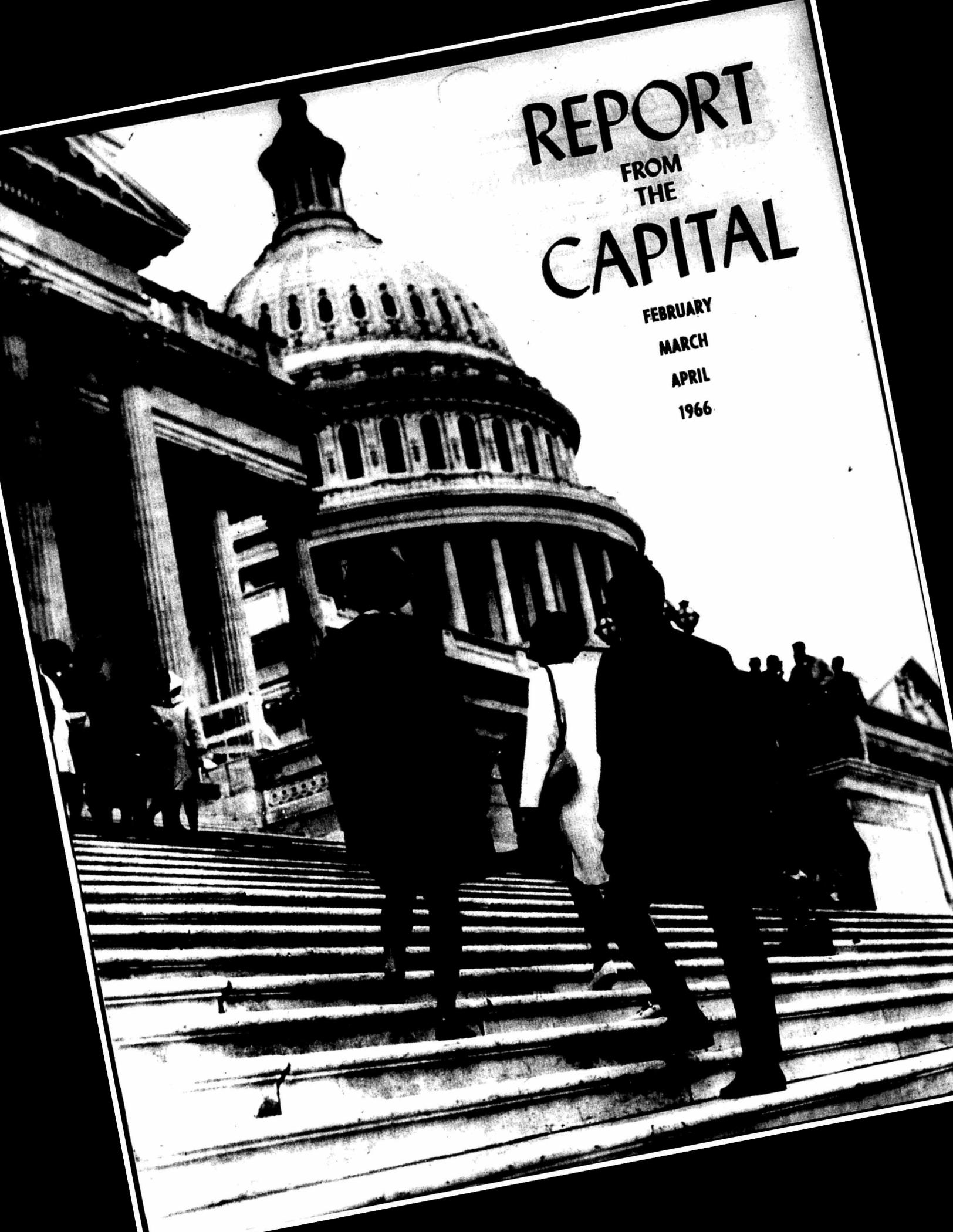
# REPORT FROM THE CAPITAL

FEBRUARY

MARCH

APRIL

1966



## Religious Liberty In Travail

# Costa Rican Archbishop Shies At Vatican Council Declaration

Vatican Council II took an advanced position on religious liberty even though the declaration contains several serious weaknesses. The Roman Catholic Church now faces the problem of implementing the new position and of adjusting its thinking in relation to other religious groups.

Such adjustments do not come overnight nor are they made smoothly and without "incidents." A reversion to the old Catholic position took place recently in Costa Rica. We anticipate that as the spirit of Vatican Council II permeates the Catholic Church such incidents will become fewer and fewer and that genuine freedom both within and without the church will be the normal experience.

A communication from Joseph B. Underwood, consultant in evangelism and church development for the Foreign Mission Board of the Southern Baptist Convention, gives some information about what happened in our neighboring Latin American country.

The Baptist churches of Costa Rica planned a simultaneous evangelistic revival campaign to begin on March 6, 1966. In preparation a series of newspaper advertisements were published. We do not know the contents of those "ads" except that the evangelistic crusade used the title, "The religious movement for which you have been waiting."

On March 6 the Archbishop of San Jose,

Costa Rica, Dr. Carlos Humberto Rodriguez Quiros, published a communication in "La Nacion," the country's largest newspaper. The paper refused to carry another "ad" by the Baptists after the Archbishop had spoken.

The Archbishop prohibited Roman Catholics from taking part in the evangelistic crusade and warned against misinterpretations of the Vatican Council's statements on ecumenism and religious liberty. He did not charge the Baptists with acting "in bad faith" but as being "impelled by a lamentable mistake."

The Archbishop then set forth the traditional Roman Catholic position that has led to so much persecution and restriction on the freedoms of others. He said, "On many occasions, the Roman Church has censured that all religions are good. There is only one truth. The Roman Church possesses all the truth. Therefore, in the field of truth, the Roman Church must not be intransigent to the error. It must defend itself of those who have the error. Error has no rights. Propagating the error is combating the truth."

He then cites the Costa Rican constitution to establish his case: "In a profoundly Roman Catholic nation, as is Costa Rica, where its constitution in article 67 constitutes the Roman Church as the official religion of the State, where the State helps to support the Church, it is not possible to tolerate religious error which seriously disturbs the public well-being. It would be a contradiction for the State to permit religious error while giving help to the official church. It would be absurd in a Democratic State to permit subversive propaganda, such as Communism, which is against the established power."

At least two comments can be made about the Archbishop's actions. First, he must be embarrassing to many of the leaders in the Roman Catholic Church. His action and viewpoint is not in the spirit of the

Vatican Council, the Decree on Ecumenism and the Declaration of Religious Freedom.

Second, the Archbishop points up the fact that the Roman Catholic Church, although it has made a good beginning in the area of religious liberty and ecumenical relations, still has a long distance to go.

The Vatican Council turned from the old view that "only truth has rights" and turned to the view that people have rights. The Declaration on Religious Freedom says, "The Council further declares that the right to religious freedom has its foundations in the very dignity of the human person as this dignity is known through the revealed Word of God and by reason itself. The right of the human person to religious freedom is to be recognized in the constitutional law whereby society is governed and thus it is to become a civil right."

The Vatican Council declaration also recognized the right of religious communities to practice their religion both in private and in public. This right, together with the apprehension of the Catholic Church, is seen in this quote from the Vatican Council declaration: "Religious communities also have the right not to be hindered in their public teaching and witness to their faith, whether by the spoken or by the written word. However, in spreading religious faith and in introducing religious practices everyone ought at all times to refrain from any manner of action which might seem to carry a hint of coercion or of a kind of persuasion that would be dishonorable or unworthy, especially when dealing with poor or uneducated people. Such a manner of action would have to be considered an abuse of one's right and a violation of the right of others."

What the Archbishop of Costa Rica did not anticipate was that the curiosity of the people was stimulated by his attack. The missionaries there report that many of them attended the Baptist meetings and heard the gospel for the first time. (WBG)

## Cover Picture

Each year during the "tourist season" millions of Americans visit the Capitol of the United States. Among these are many Baptists. The staff of the Baptist Joint Committee on Public Affairs cordially invites visitors to Washington to visit the Baptist office only two blocks from the Capitol. The address is 200 Maryland Ave., N. E., on the third floor of the building of the Veterans of Foreign Wars.

**REPORT FROM THE CAPITAL**—a bulletin published 10 months during the year by the Baptist Joint Committee on Public Affairs, 200 Maryland Ave., N.E., Washington, D.C. 20002. A purpose of the bulletin is to set forth information and interpretation about public affairs that are relevant to Baptist principles.

The Baptist Joint Committee on Public Affairs is a denominational agency maintained by the American Baptist Convention, Baptist Federation of Canada, Baptist General Conference, National Baptist Convention, National Baptist Convention, Inc., North American Baptist General Conference, Seventh Day Baptist General Conference, and the Southern Baptist Convention.

**Executive Staff** of the Committee: C. Emanuel Carlson, executive director; W. Barry Garrett, director of information services and editor of Report From The Capital; James M. Sapp, director of correlation services; and Walfred H. Peterson, director of research services.

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# Washington Observations

*News — Views — Trends*



April 21, 1966

**PRAYER AMENDMENTS** to the Constitution are again in the air. Sen. Everett McKinley Dirksen (Ill.), Republican minority leader, has proposed an amendment which he vows to get to the floor of the Senate "soon." Any lesser person than Sen. Dirksen would not evoke much concern on this subject at this time.

**THE LAST SERIOUS PRAYER AMENDMENT** effort in Congress was in 1964 when the "Becker Amendment" was being pushed. It was soundly squelched at the time when the major religious leaders and denominations stood against it. Since then the Congress virtually ignored the subject until the Dirksen proposal. Even now no steam can be detected for it.

**ALTHOUGH IT IS MORE SKILLFULLY DONE** and is less comprehensive than the Becker Amendment, the Dirksen proposal is essentially the same. Its effect would be an adjustment of the power of public authority in relation to the prayer life of the people. It would authorize public authorities to "provide for" or "permit" voluntary prayers in schools and other public buildings.

**OPPOSING THE DIRKSEN AMENDMENT** the Baptist Joint Committee on Public Affairs reaffirmed in its semi-annual meeting in March that the First Amendment remains adequate for the "free exercise of religion" for the people. The Committee also authorized its staff to work on positive ways religion can be presented in classrooms.

**THE ELEMENTARY AND SECONDARY EDUCATION ACT** is up for legislative review, adjustment and extension. The Administration is asking for a four-year extension of the one-year-old Act. The Baptist Joint Committee on Public Affairs has opposed more than a one year extension unless some major church-state problems in the administrative regulations can be worked out. (See article, page 5.)

**TWO RECENT SUPREME COURT DECISIONS** are closely related to religious liberty and may have long-range effects on freedom of speech and freedom of association. These are the Ginzburg obscenity case and the Arizona loyalty oath case.

**THE COURT UPHELD** the conviction of Ralph Ginzburg for sending through the mails Eros, a magazine "devoted to the subjects of love and sex" and other material. The publisher's claims for his material as well as the advertising content of the magazine were taken into account by the Court. Ginzburg is now appealing for a rehearing, and, if that fails, for a reduction of his five-year sentence.

**A QUAKER COUPLE IN ARIZONA** were vindicated by the Supreme Court which declared the Arizona loyalty oath to be unconstitutional. Vernon and Barbara Eifbrandt were teachers who refused to sign the loyalty oath on the ground that it violated their individual rights. Although the decision did not void loyalty oaths in other states it does indicate the trend the Court is taking.

By JAMES M. SAPP

**Public Affairs Committee Strategically Located In Nation's Capitol**

Eight major Baptist denominations now have a more strategic vantage point, on the Washington scene.

The new quarters of the Baptist Joint Committee on Public Affairs, leased on July, 1963, is on the third floor of the immaculate, white marble Veterans of Foreign Wars building.

This excellent facility, built in 1960, is within sight of the United States Capitol, the Supreme Court, the Library of Congress, two Senate Office buildings and the three House Office buildings.

The new site provides greater opportunity and convenience for access to government processes and day by day surveillance. Moreover, the Baptist image is enhanced as more government officials and staff personnel become aware of the proximity and resources of the Baptist Joint Committee offices.

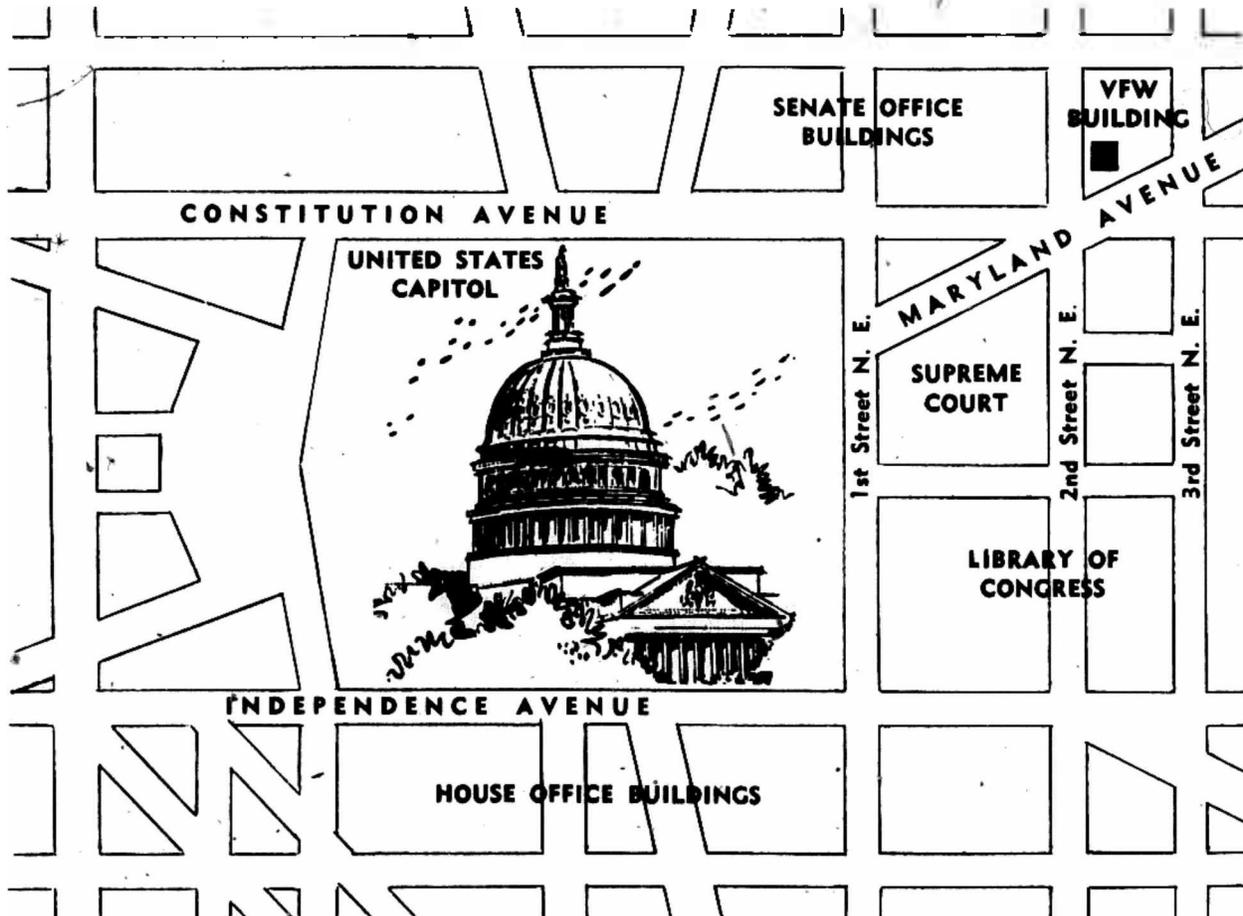
The location makes the research and information services of the Baptist Joint Committee the chief beneficiaries of proximity to government buildings. However, it also makes it possible for the office to be more helpful to denominational leaders and groups who may wish to see the democratic process in action. Some of these visitors will be casual visitors to Capitol Hill. Others will be the result of planned seminars or consultations in cooperation with Joint Committee staff.

The new location also provides a more ready access to other religious groups with the attendant opportunity to share Baptist views on church-state issues.

Whatever the call upon this chief denominational resource in the capitol city in the area of public affairs, the Baptist Joint Committee now stands ready to use its new

location for the maximum benefit of its eight constituent Baptist conventions.

The map below shows the location of the Veterans of Foreign Wars building in relation to the Capitol and other government buildings.



# Education Act of '65 Undergoes Church-State Analysis

By **Walfred H. Peterson, Director of Research**  
**Baptist Joint Committee on Public Affairs, Washington, D. C.**

The Elementary and Secondary Education Act of 1965 was a landmark in many ways. It combined massive federal aid to education with an emphasis on using education for an attack on poverty, and it encouraged experimentation in new instructional methods. Its impact, which will be large, is just beginning to be felt.

But already a controversy about the administration of the Act has developed—a controversy centered in church-state relations. On March 30 it occasioned a resolution by the Baptist Joint Committee on Public Affairs which criticized the administration of the Act by the Office of Education. What is the controversy about? How and why did the Joint Committee act?

## The Meaning of 'Child Benefit'

Passage of the complicated act involved at one point a compromise between Congressional supporters and opponents of aid for private education. The compromise was this: while no federal funds under the Act would go to private schools, federal funds could go to programs which aided children enrolled in private schools. This difference sounds subtle, and it is.

The compromise was grounded in what was thought to be the delicately drawn constitutional law interpreting the establishment clause of the First Amendment. The law had been summed up in the "child benefit" theory. This theory assumes that a distinction can be made between benefits for the pupil and benefits for the school he attends.

Legal support for the theory and for its constitutionality is found in the Cochran case of 1930 and, though it is debatable, in the Everson case of 1947. In the former case the Supreme Court accepted state grants of secular textbooks to private school pupils in Louisiana. While the opinion did not rest on the First Amendment, the Chief Justice chose to discuss First Amendment issues. His key sentences read as follows:

"The schools, however, are not the beneficiaries of these appropriations. They obtain nothing from them, nor are they relieved of a single obligation, because of them."

This dicta was, perhaps, buttressed by the Everson decision by which the Supreme Court accepted payment to parents for the

bus rides of pupils going to Roman Catholic schools in a school district in New Jersey.

However, the sketchiness of the Cochran case and the 5-4 margin in the latter case together with the Court's assertion that free bus rides approached "the verge" of constitutional authority combine to make the "child benefit" theory a limiting as well as an empowering tool.

## Legislative 'Reports'

Obviously, where the lines of constitutionality get as fine as this, unambiguous legislation is difficult, and in actual administration it could be misapplied. Therefore, the House and Senate committees which handled the Elementary and Secondary Education Act drafted extensive "Reports," to explain the bill. These "Reports" made it clear that Congress intended only to aid pupils in private schools and not to aid the private schools themselves. For interested parties, the final meaning of phrases in the law was supposed to be discernible in these "Reports."

Here is one example of many, which could be drawn from the Senate "Report" to show how conspicuously the "child benefit" theory was developed:

*No provision of the act authorizes any grant for providing any service to a private institution, but at the same time the bill does contemplate some broadening of public educational programs and services in which elementary and secondary school pupils who are not enrolled in public schools may participate.*

Such explanations as this make it clear that *the legal base for the Elementary and Secondary Education Act sharply restricts the Office of Education's administration of the law on the nature of possible aids.*

## Failure of the Office of Education

The magnitude of implementing the Elementary and Secondary Education Act is, of course, very great, and the administration is trying to act with all possible speed. Problems of interpreting the law where church-state issues are not involved are difficult enough. Where church-state issues arise, the difficulty is compounded, for the "child benefit" theory is hard to apply to specific situations.

All of this speaks for caution in voicing criticism of the Office of Education, and ideally more time should be given to that office before its work is subject to public review. However, the Office of Education is asking for a four-year extension of authorizations (not appropriations) under the Act, and this forces those interested in church-state relations to study the infant administration of the Act immediately and to reveal publicly the results of that study.

Several groups have done this and have reported their work to the General Subcommittee on Education of the House of Representatives. C. Emanuel Carlson of the Baptist Joint Committee on Public Affairs, Dean Kelley of the National Council of Church's Commission on Religious Liberty, and George La Noue, who has been associated in the past on these matters with both the National Council of Churches and the American Civil Liberties Union, all testified to the same effect.

*In short, they all argued that the Office of Education was administering several parts of the Elementary and Secondary Education Act in ways that violated the "child benefit" theory—that is, in ways that violated the intent of Congress and a proper interpretation of the First Amendment.*

Here are three examples of their complaints.

## Mobile Services, Equipment

Title I of the act requires that where there are "educationally deprived" children, a local, public school authority can devise programs to improve their educational level. Federal money will be given for approved programs. In ways limited by the "child benefit" theory, these programs must reach such children as are found in private schools in that locality. The Act said that this could be done through "mobile services and equipment." In the formative period of the legislation, this referred to book-mobiles and traveling exhibits.

But when the Office of Education issued its "Regulations" for administering the act, the phrase in question had become "mobile or portable equipment." Since the "Regulation" does not specify this to be equipment used by children or define "portable," the new phrase could very well be used in ways which would give substantial material

aid to private schools for things the pupil does not directly use.

### Library Sources

In Title II the Act's authors devised a plan to provide pupils and teachers in all schools with better library sources. Modeled after the public library and explained by using the public library as an example, the concept was carefully developed in floor debate and in the "Reports." It projected state or regional or local depositories which would make cataloged materials available for limited periods to any teacher or pupil in the area.

But as the Office of Education began implementing the act, its "Regulations" and "Guidelines" made it possible for state or local educational authorities to place materials, even non-circulating materials such as encyclopedias, directly in private school libraries. No central catalog need be maintained for the public. Also for practical purposes the placement of materials will be permanent, though in theory the materials could be called back by the public authorities. In short, public funds will be used to build up private school libraries.

### Dual Enrollment

A third example is drawn from Title III. There the Office of Education's "Regulations" define the act's "dual enrollment" to mean "shared use of public facilities." The intent of the drafters had been to use "dual enrollment" as a means of bringing some "educationally deprived" children from private schools into special courses offered for their problems in public schools. Such students would be enrolled in two schools simultaneously as individuals. But "shared use of public facilities" could easily mean that a whole private school class with its teacher could claim the use of public facilities that were supported by this act.

It may seem to the reader that these illustrations involve rather fine points. If so, it must be noted that: (1) the constitutional justification for any aid to private school pupils is based on fine points; (2) Congress specifically spoke its mind on the issues involved in a manner which requires the most deliberate administration; (3) the bias of the Office of Education in drawing the fine lines seems to be consistently directed toward one end—the maximization of any conceivable aid under the Act to private school pupils. Thus, the "fine lines" converge to a point outside the "child benefit" theory. They do not cancel each other out in a random fashion. They have a cumulative effect.

### Baptist Joint Committee Action

In its semi-annual meeting the Baptist Joint Committee on Public Affairs reviewed the evidence concerning the Elementary and Secondary Education Act's administration that its staff had developed. It then adopted a resolution which said that at several points the effect of the Office of Education's administration of the Act was "to do more than the 'child benefit' theory would reasonably allow." In light of these excesses, the resolution opposed "a four-year extension of authorizations until these administrative problems have been solved."

Anticipating the argument that administrative economy justifies the route taken by the Office of Education the resolution asserted, "We do not think that administrative efficiency or convenience or financial economics warrant this violation of what we think is the meaning of the establishment clause." That is, the First Amendment is a higher value than administrative efficiency.

The resolution was sent to Rep. Carl Perkins (D., Ky.), Chairman of the House General Subcommittee on Education together with supporting materials. Plans call for testimony before the Senate Subcommittee on Education headed by Sen. Wayne Morse (D., Ore.) in late April or early May.

For testimony before the Senate Committee, it is hoped that the results of a large number of spot checks of local administrative practices will be available. This should give additional evidence in support of the contention that the Act is improperly administered where church-state issues are concerned.

The evidence from the field is needed, because important final details of administration are left to state authorities and their agents. The final proof of the impropriety of the Office of Education's interpretation of the Act in its "Regulations" and "Guidelines" is in the way local officials carry out the program.

Unfortunately, local officials with rare exception do not study the Act or the "Reports" which indicate the "child benefit" limits. They read what the Office of Education develops as an interpretation of the Act in its "Regulations" and "Guidelines." Thus, it is unlikely that local administrators will do better than the federal administrators in using the "child benefit" theory.

Pressure on local officials can, of course, be intense. In New York City the original plan developed to use federal funds under the Act was so poorly drawn that, once a group devoted to defending the establish-

ment clause put in a complaint it had to be revised. Unhappily, such local vigilance cannot be expected commonly.

### Prospects For Change

The prospects for changing the Office of Education's "Regulations" and "Guidelines" are not clearly favorable. While these were being formulated, the Baptist Joint Committee staff, among others, kept abreast of developments and voiced their objections. So did those who seek to maximize the benefits under the program that affect private education. The present definitions probably reflect the balance of pressures.

Thus, remedial action can be expected only if the two Congressional committees choose to slap the wrists of the responsible administrators. Many Congressmen will not want to act to raise a church-state issue in an election year, and they can argue that the administration is still in its infancy. Hopefully, this argument will make them think twice about a four-year authorization, for it implies that legislative action may be needed but at present is still a bit early.

Perhaps, the public press can force Congress to raise the issue. The *Christian Science Monitor* carried a page-one article on the matter, and the New York papers recounted the local debate on the New York City plans. But if Congress acts quickly, even this developing interest may come too late.

Final recourse in the Congress, short of an effort to attack the "child benefit" parts of the Elementary and Secondary Education Act head-on by trying to amend them, would be at the level of appropriations. But there is no reason to suppose that the appropriations committees would act much differently on these issues than the education subcommittees. The results of present efforts before the two committees that handle education problems are, therefore, being awaited with great interest and deep concern.

### Religion In School

"One's education is not complete without a study of comparative religion or the history of religion and its relationship to the advancement of civilization. It certainly may be said that the Bible is worthy of study for its literary and historic qualities. Nothing we have said here indicates that such study of the Bible or of religion, when presented objectively as part of a secular program of education, may not be effected consistent with the First Amendment."—Supreme Court in *Abington School District v. Schempp*.

## Baptist Leader Describes Liberty Hopes In Spain

*C. Emanuel Carlson, executive director of the Baptist Joint Committee on Public Affairs, Washington, D. C., in February went to Spain and Switzerland where he conferred with a wide assortment of well-informed people concerning new developments in religious liberty. Here is an interview with Dr. Carlson, conducted by W. Barry Garrett, editor of the "Report From Capital," with special reference to the developments in Spain.*

**Question:** Much has been said of the restrictions on the religious liberty of non-Catholics in Spain in recent years. What are these restrictions?

**Answer:** First it is necessary to understand the purpose of the limitations. Since St. Thomas, the official teachings have recognized that faith cannot be coerced into being. However, the state could enforce the regulations on the members of the Church. In addition the state undertook to protect people from "error." To this end other forms of worship than the Roman Catholic should be prevented.

With the new agreement (Concordat) between the Spanish government and the Vatican in 1953, the state remained the protector of the "true" church. Education was given as the right of the Church. Accordingly, Protestants have had trouble conducting schools or seminaries, importing or printing Bibles and other books, getting and identifying buildings.

Marriage was also left in the control of the Church, particularly where baptized Roman Catholics were concerned. Many who were baptized as infants were not Roman Catholic by the time they were ready to marry. For years the Church would not consent to a secular marriage for such "members."

In a sense we have the same thing in a small way in the United States—that is the minister is recognized as an officer of the state for marriage contracts. But secular marriage is available and the minister's approval is not necessary.

**Q.** Is there religious liberty for Roman Catholics in Spain?

**A.** From what we have just said, state powers have been used to keep Roman Catholics "faithful" to their church. In one sense they have less freedom than the Protestants, especially the resident foreign Protestant. A Roman Catholic cannot be married without the services of the Church. He cannot get a secular education. He cannot choose the books he wants to read, or the motion pictures he wants to see. The theory is that he has accepted such re-

straints by Church and government as good discipline for himself.

Some people are uneasy under this institutional control. Many of the clergy know that they are unduly confined. The cause of religious freedom has many potential friends in the Roman Catholic Church, and in the political order, if they only could make the transition.

**Q.** Has the Vatican Council's declaration on religious liberty made any real impact on anyone in Spain?

**A.** Yes it has—on leadership of all kinds. Spanish leaders have been proud of their loyalty to the papacy. Even the police have new orders directing them to treat Protestants as "Christian brethren," people of real merit, good and responsible people.

Many of the clergy are trying to arrange for "dialog" for exchange of information and ideas with Protestants. Spanish Protestants are being invited to speak to Roman Catholic groups. Others are holding back.

Perhaps the most important impact has been on the Spanish hierarchy. A number of bishops have said candidly that the Spanish people are not prepared for religious liberty. Many people are not committed to their Roman Catholic Church affiliation. They lack the knowledge or the roots of conviction to stand anywhere in particular. A mass movement in most any direction could take place, so the question is how to bring renewal to "the church" quickly. The bishops will go along with the Council as best they can.

**Q.** What has been the impact on the Protestants?

**A.** That, too, is diverse. Some are aware that probably the majority of the Spanish people are in reality "unchurched" even though they have a nominal and a cultural catholicism. For these Protestants the thought of full freedom is a challenge.

Other Protestants actually fear freedom. They have worked so long under restrictions and prohibitions that they would not know how to be effective otherwise. They fear they may lose their kinship with the New Testament church, and that the nature of

the churches would change under conditions of freedom.

**Q.** There have been hopes that a new law would be forthcoming from the government covering religious liberty. Has that matter been helped or hindered?

**A.** It has become more complicated. These proposals grew out of an attempt to improve the nation's image abroad. Spain does not want to be considered medieval.

But the Vatican Council's declaration enunciates religious freedom as rooted in the dignity of man given by God. This requires recognition of "human rights," and becomes a matter of justice instead of foreign policy. Now segments of the Church are pulling apart from the established political policies, asking more freedom for the people and for the church.

Any country that has tried to legislate on "rights" and to get privileged groups to accept "equality" will understand that this takes time. Spain has a tough job on her hands.

**Q.** We have been getting an assortment of reports about the freedoms and the restrictions in Spain. Are some reports right and others wrong?

**A.** They are probably all true, but each is only part of the truth. Let me illustrate. The First Baptist Church of Madrid has just received a legal permit to operate as a place of worship. Someone could say this must mean more freedom. Not really! That church has been there for 80 years and has 460 members. It is and has been a great witness. They were not stopped. They were not "illegal"—they were just "extra-legal."

Spain, like all countries, has much unused law. Lawyers may measure freedom by reading law books, but people measure it by practice in a community. This means that the actual freedoms vary in different parts of the nation, and in different periods of time under the same law. Freedom consists of relationships. These can be helped but not made by law.

*(Continued on page 8)*

## Liberty Hopes In Spain

(Continued from page 7)

**Q.** What, then, are the recent trends in actual practice?

**A.** All of the churches are open. It is easier to start new preaching stations. It is easier for Protestant young people to get married. It is easier to get permits for churches. It is easier to print materials, and easier to import Bibles and religious books. The books must be approved by the censor but approval is easier to get. It is easier to buy property for churches, and a bookshop even has a sign on it, but the laws remain unchanged.

A new spirit of freedom and confidence is in the air for the Protestant minority now. The Protestants even have an accredited press representative who is free to go to public functions whenever the press is admitted. Preaching to home groups is permitted. Theoretically the group should not exceed 20 people, but if the preacher is respected the officers do not work too hard on their arithmetic.

A Protestant pastor who has worked with hundreds of Protestant young couples claimed that 13 of the 15 judges in the area are very cooperative with the Protestant couples. The two die-hards will probably make the news.

**Q.** Are the Protestants trying to make a concerted effort to get the laws changed?

**A.** I think the answer must be "no." They are too few to feel able to exercise a political influence. Some of the Roman Catholic groups would like the Protestants to press hard, and gain more freedom for Roman Catholics also. Everyone is aware of broad sympathies in the political arena for freedom, but no one knows just what those forces are like, or what to expect. Furthermore, many of the Protestants have some kind of linkage to movements abroad which makes cooperation among them less easy. There does seem to be a large measure of cooperation and goodwill among the various Protestant elements even though they have distinctive ideas and emphases.

**Q.** What constitutes the basic problems that make this matter so difficult in Spain?

**A.** The problems are beyond number but perhaps these are nearer to being basic:

1. The theory of the state which looks to government to protect people against the errors of mind and spirit is not compatible with freedom. All Americans who want government to promote religion should spend some time in Spain.

2. The word "proselytism" is a genuine

source of difficulty. Evangelism by Protestants is called proselytism by Roman Catholics. Perhaps in time the word can mean "corrupted or unethical evangelism" and be condemned by both in favor of a true and free witness.

3. Church and state have leaned on each other so long that they dare not walk alone. Ability to trust the people to associate themselves for religious purposes will grow slowly.

4. The equations of national heritage with national religion has produced a whole set of thought categories which will not change suddenly.

5. The government is in a kind of transition stage. No one knows who or what will follow Franco. Religious freedom is hard to establish or maintain without having it demand such civic freedoms as free speech, free press, free assembly, free political association.

A beautiful country, a gracious people, a booming economy—Spain is on her way. Probably to a greater freedom!

## New Separationist Group Campaigns Against Religion

Advocates of separation of church and state find themselves in strange company sometimes. One of the newest organizations dedicated to this objective is the "Society of Separationists."

The Society of Separationists is headed by the notable Mrs. Madalyn Murray O'Hair, the Maryland atheist who won her case against required religious devotions in public schools.

The most recent court activity of Mrs. O'Hair is to press a case against tax exemption for churches. Her contention is that taxes are higher because churches are tax-exempt, thus creating a violation of separation of church and state.

The Maryland Court of Appeals has ruled that tax exemption for churches is not a violation of the Constitution of the United States. The case has been appealed to the United States Supreme Court.

A caution should be sounded to those who react negatively to the activities of atheists in advocating complete separation of church and state. The temptation is to react so strongly against the atheism of these persons that the principles of proper church-state relations are overlooked. In an effort to counteract the atheism the religious people may create a situation worse than the evil they seek to correct.

Most Protestants see a strong Biblical

basis for religious freedom. They think that separation of church and state is best for both the church and for the state. While the atheist's reasoning and objective may not be the same, his basic position on church-state relations may be commendable.

Mrs. O'Hair, whose residence is now in Austin, Texas, is pushing her campaign for publicity, public discussion, radio and television presentations, political action, and court cases.

A recent pressure communication to the members of the United States Senate demanded to know their positions on a number of difficult church-state issues. Mrs. O'Hair threatened the Senators by saying that no reply from them would be published to mean either non-support or disinterest in the First Amendment to the Constitution and the heritage of separation of church and state.

According to Mrs. O'Hair 75,292,551 persons in the United States do not belong to or attend any church, 6,811,000 persons are atheists, and 52,075,600 are non-believers of various types. (WBG)

### Note To Our Readers

Due to circumstances beyond our control this is the first issue of "Report From The Capital" since January. This note is to assure our readers that every effort will be made to produce ten issues of "Report" during 1966.—Editor.