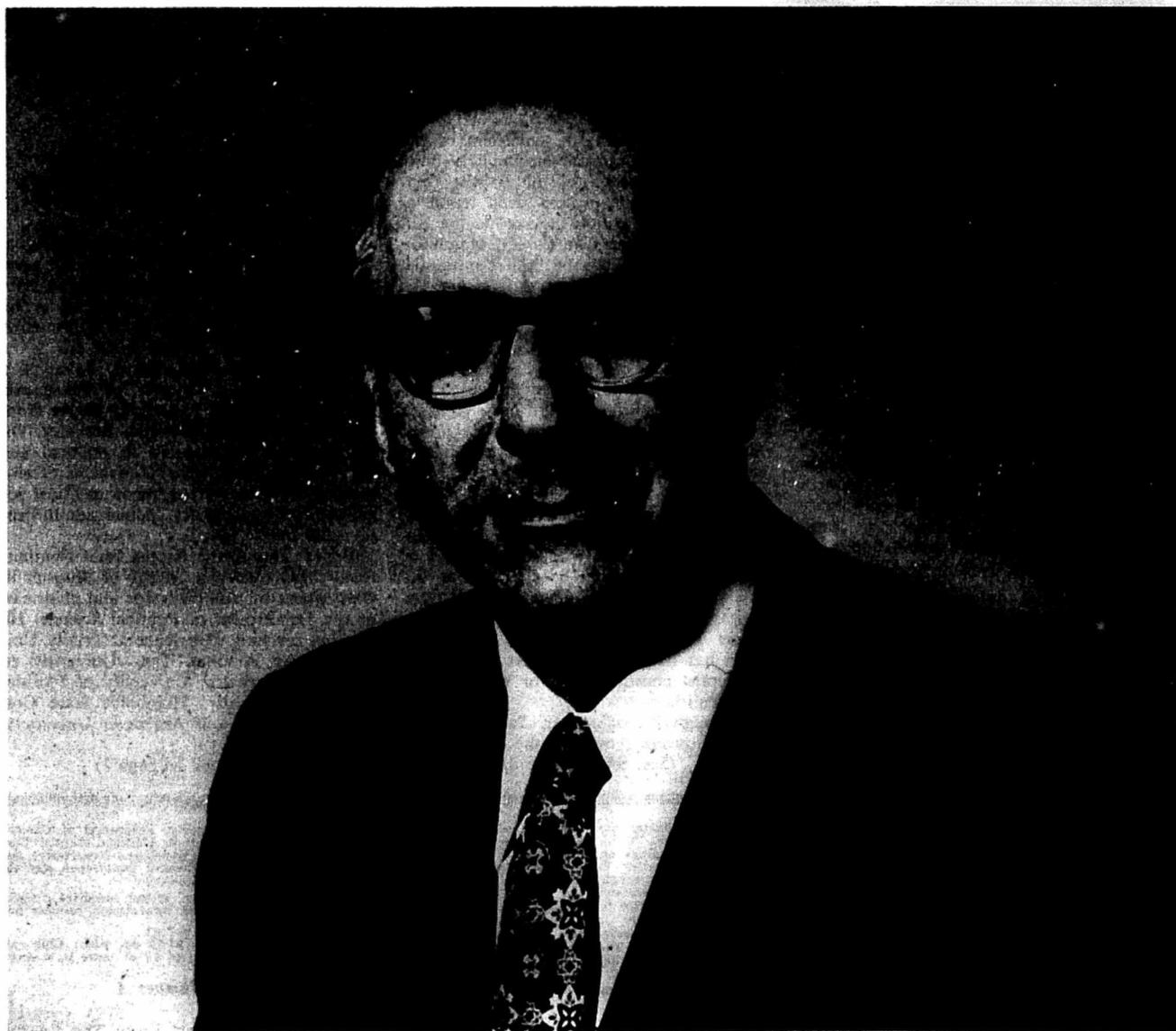
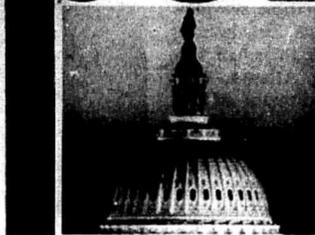


Report from the In Capital

JANUARY
1972



DARGAN OAKLEY
S. B. C. HISTORICAL COMMISSION
NASHVILLE, TENNESSEE

COVER PICTURE

James M. Sapp Leaves Joint Committee For SBC Mission Board

James M. Sapp, for seven years and nine months the director of correlation services of the Baptist Joint Committee, began new duties with the Home Mission Board of the Southern Baptist Convention, Atlanta, Ga. on January 1. He will be the director of the Division of Communication.

In his new position Sapp will direct and correlate the work of the Communication Division, which includes art services, editorial services, audiovisual services, library services, picture services and missionary education.

Before joining the staff of the Baptist Joint Committee, Sapp was director of program development and promotion for the Southern Baptist Brotherhood Commission. Prior to that he was a staff member of the First Baptist Churches of Atlanta, Raleigh, N.C., Memphis, Columbia, S.C. and Austin, Tex.

Warren R. Magnuson, chairman of the Baptist Joint Committee on Public Affairs and general secretary of the Baptist General Conference, expressed deep regret at Sapp's resignation. In a message to the editor of *Report From The Capital* Magnuson expressed the feelings of both the Baptist Joint Committee on Public Affairs and the members of the staff.

Magnuson wrote:

"Mr. Sapp has served the Committee with distinction since April 1964. His expertise and counsel both to the Committee and its cooperating agencies have in large measure enhanced the image of the Baptist Joint Committee as one of the finest agencies in the field of public affairs.

"During these nearly eight years in office with the responsibility for the direction of correlation services Mr. Sapp has distinguished himself through the development of religious liberty conferences as one of the outstanding authorities in conference techniques. He has also served as editor of the *Report From The Capital*, a publication which has had a great impact far beyond the Baptist constituencies for which it has been published.

"Through his office Mr. Sapp has also been the prime mover in the organization (See, SAPP, page 8)



W. Barry Garrett

Garrett To Edit Report From Capital

W. Barry Garrett is the new editor of *Report From The Capital* beginning with the January 1972 issue. He succeeds James M. Sapp who has been editor since 1967 and who has accepted a position with the Home Mission Board of the Southern Baptist Convention.

This is the second time Garrett has served as editor of the monthly bulletin of the Baptist Joint Committee on Public Affairs. When he became director of information services in 1958, his duties included responsibility for the *Report*. The bulletin was transferred to the director of correlation services in 1967.

Garrett's other duties with the Baptist Joint Committee include: Washington bureau chief of Baptist Press for the Southern Baptists, editor of Baptist Public Affairs (BPA) which is a news service going to the other denominations supporting the Baptist Joint Committee, and an associate to the executive director for the ongoing work of the Baptist Joint Committee.



John W. Baker

Baker Continues As Acting Director

John W. Baker is the acting executive director and the director of research services of the Baptist Joint Committee on Public Affairs. He has been serving as acting director since the retirement of C. Emanuel Carlson at the end of March 1971.

A native of Austin, Texas, Baker is a graduate of the University of Texas and holds the Doctor of Philosophy degree from the University of California, Berkeley. On his doctorate he majored in political science with the following major fields of emphasis—American government, political sociology, political theory, public administration and public law.

Baker came to the Baptist Joint Committee in 1969 from the College of Wooster in Ohio where he was professor and chairman of the Department of Political Science. He also has teaching experience at Trinity University, San Antonio, Tex., University of California, Berkeley, University of Florida, Harvard University, Humboldt State College, California, and American University, Washington, D.C.

(Continued on page 7)

REPORT FROM THE CAPITAL—a bulletin published 16 months during the year by the Baptist Joint Committee on Public Affairs, 200 Maryland Ave., N. E., Washington, D. C. 20002. The purpose of this bulletin is to report findings on the interrelations between churches and governments in the United States. It affords church leaders a chance to understand developments, policies and trends affecting public policies and it affords public officials a chance to understand church structures, dynamics and positions. It is dedicated to religious liberty, to free and effective democracy and to equitable rights and opportunities for all.

The views of writers of material for *Report From The Capital* are not necessarily those of the Baptist Joint Committee on Public Affairs or its staff. The bulletin also provides for the sharing of views between leaders of the cooperating conventions and between leaders of various religions and traditions.

The Baptist Joint Committee on Public Affairs is a denominational agency

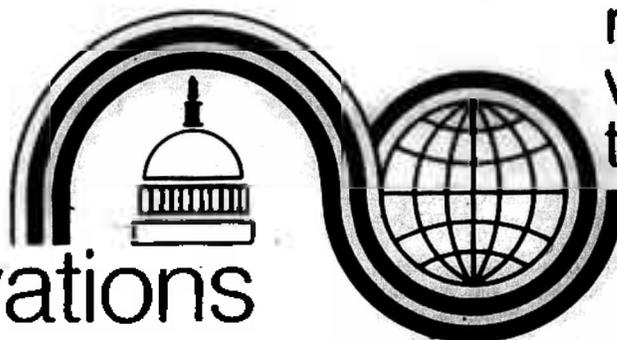
maintained by the American Baptist Convention, Baptist Federation of Canada, Baptist General Conference, National Baptist Convention, National Baptist Convention, USA, Inc., North American Baptist General Conference, Progressive National Baptist Convention, Inc., Seventh Day Baptist General Conference, and the Southern Baptist Convention.

Executive Staff of the Committee: John W. Baker, acting executive director and director of research; W. Barry Garrett, director of information services and editor of *Report From The Capital*.

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January 1972—Volume 27, Number 1

washington observations



news
views
trends

January 1, 1972

WHERE TO FROM HERE about religion in public schools? This question is being asked increasingly throughout the nation. The defeat on November 8 of the "prayer amendment" in the House of Representatives left the nation emotionally unstable on the problem. Solutions must be found soon or the nation could be plunged into much unnecessary religious divisiveness.

IN REPLY TO THE QUESTION, the prayer amendment advocates have vowed "right on." It is fully expected that the battle will be taken to the U. S. Senate early in 1972. This could come in a number of ways to avoid hearings before the Judiciary Committee. The prayer amendment could be substituted for another piece of legislation. It could be attached as a rider to another proposed constitutional amendment.

REGARDLESS OF WHAT HAPPENS IN THE SENATE the issue of prayer in public schools will be made a political issue in the elections of 1972. Those who voted against the "prayer amendment" will be charged with voting against prayer, voting against God, promoting atheism, etc. The issue could become a partisan platform with the Republicans taking the initiative in advocating some sort of return to an official religiousness for the nation.

IN THE MEANTIME, there are those who are convinced that constitutional prayer amendments, continuing court cases, and national religious bickering are not the answers to the real questions concerning religion and education. Something needs to be done to develop a national understanding and to put religion in the proper perspective in the educational processes.

A NATIONAL CONFERENCE on Religion and Public Education has been proposed by one source. This, however, is not being pushed at the present time in the light of another development that could be nationally significant.

A NATIONAL COUNCIL OF RELIGION AND PUBLIC EDUCATION has been formed in New York for the express purpose of facilitating "a constitutionally acceptable and educationally appropriate" way of including religion as an integral part of "secular programs of public education."

THIS NEW ORGANIZATION holds great promise provided it broadens its agenda to include the total program of religion in public education and provided its membership becomes representative of the many divergent viewpoints. The staff of the Baptist Joint Committee on Public Affairs is working for such a broadening of this new effort toward a national solution of the problem of religion and education.

WHEN CONGRESS RECONVENES on January 18th it will have to come to grips with welfare reform almost immediately. H. R. 1 is in the Senate Judiciary Committee and any input by the churches will need to come soon. Church-state issues will confront all branches of government in 1972. See page 6 for discussion.

A Bit of History

Joint Committee Arose To Meet Unique Needs

By Alice M. Moody

September 15-16, 1938, could be considered the birthdates of the Baptist Joint Committee on Public Affairs.

On those days the Committees on Public Relations of the Northern and Southern Baptist Conventions met together in Washington for the first time. After meeting under various names, the group named itself the "Joint Conference Committee on Public Relations."

In September 1946 Joseph Martin Dawson moved from Waco, Texas, to Washington to become the first executive director. During his service, 1946-1953, the name was changed to "Baptist Joint Committee on Public Affairs."

C. Emanuel Carlson, former dean of Bethel College in St. Paul, Minn., succeeded Dawson January 1, 1954, and served as executive director until his retirement March 31, 1971.

To put flesh on this skeleton history, we need a bit of background.

The first session in September 1938 had been made possible by earlier forward looking actions. Rufus W. Weaver, then chairman of the Southern Baptist Convention's Committee on Chaplains of the Army and Navy, recommended in 1936 that the name be changed to "Committee on Public Relations" and:

... that the present work of the Committee shall be continued and that, as situations arise, in which agencies of this Convention are compelled to confer, to negotiate, to demand just rights that are being threatened or to have other inescapable dealings with the American or other Governments, this Committee shall function, when so requested by any existing board or agency of this body, as the representative of Southern Baptists. . . .

A comparable committee of the Northern Baptist Convention was established in 1937 with a clear purpose of cooperating with the Southern Baptist Convention committee "when principles held alike by Northern and Southern Baptists are in any way endangered."

Only two conventions were represented in the first joint session. The next year saw the first efforts to enlist other groups of Baptists, with the result that by now nine Baptist conventions and conferences in the United States and Canada cooperate in the joint committee.

Under the original plan any convention or one of its agencies could bring an issue to the attention of the committee. It soon became clear, however, that such involvement was difficult without disturbing agencies who felt the new committee was encroaching upon their areas of leadership.

In the light of threats to the freedom of Baptists in Rumania and other countries, the substantive issue that gave rise to the first joint session, they found that the conventions could speak together on the subject of religious liberty. Early in 1939 Rufus W. Weaver proposed that a pronouncement be drafted on the Baptist position on church and state for approval by the separate conventions. "The American Baptist Bill of Rights," approved that summer by Northern, Southern, and National Baptist Convention, U.S.A., Inc., was a landmark of cooperation and won world-wide recognition.

Findings ways in which Baptist conventions could work together toward common objectives was not an easy matter, but by 1956 the cooperative effort had proved itself to the point where the cooperating conventions were ready to approve a multilateral statement of purpose for a joint Baptist agency:

The scope and purpose of the Baptist



ALICE M. MOODY holds seniority among the staff members of the Baptist Joint Committee on Public Affairs. A native of Cambridge, Minn. Miss Moody came to the Committee in April 1954 after serving a stint in the Washington, D.C. accounting department of the Red Cross.

As administrative assistant in the office she has served in many capacities—office secretary, bookkeeper, librarian, church-state file specialist, and the most authoritative resource person for information on the staff. Without the contribution Miss Moody has made to the Baptist Joint Committee the office would be poorly equipped, indeed, to do its work.—Editor.

Joint Committee shall be to act in the field of public affairs whenever the interests or rights of the cooperating Conventions which constitute the Committee call for conference or negotiation with the Government of the United States or with any other Governments, or whenever Baptist principles are involved in, or are jeopardized through, governmental action, or when any of the cooperating Conventions or any of their agencies may refer to the Joint Committee any matter of common interest or concern, for consideration and recommendation. The Baptist Joint Committee is empowered to enunciate, commend and defend the historic Baptist principle of religious freedom with particular application to the separation of church and state as embodied in the Constitution of the United States; to communicate and commend to the President, Congress, Courts and Departments of the Federal Government or state governments such declarations as Baptists from time to time officially adopt concerning public matters; to make such contacts with the various departments of any government as may be found necessary or desirable in the legitimate transaction of legal or other business between such government and the Baptist agencies or approved representatives; and to inform the Baptist constituencies of governmental movements and measures affecting principles held essential to true relations between church and state and the right application of Christianity to the life of the nation. The Baptist Joint Committee shall transmit through its constituent committees to the cooperating Conventions and/or their proper agencies, any findings that result from its investigations and research in the field of public affairs, together with any recommendations which in its judgment need to be considered by the cooperating Conventions.

Long before the cooperative effort reached this stage, however, the members of the convention committees had faced the fundamental problem of finances. At the first joint session in September 1938 each of the two conventions represented was asked to contribute \$100 "to care for necessary expenses."

The next year one convention appropriated "\$100 for the necessary expenses and \$250 additional, in case a situation arises that necessitates instant action." By 1943 it was found wise to select a finance committee to prepare a budget, and to open a bank account upon which the treasurer was authorized to draw.

Another need of the infant program was (See, HISTORY, next page)



BETH HAYWORTH, a native of High Point, N.C. has worked for the Baptist Joint Committee since August 1965. She serves as assistant to the director of information services.

Miss Hayworth came to the Baptist Joint Committee from the Baptist World Alliance where she worked briefly after engaging in Baptist student work for 15 years. She was an assistant in the state student departments in Kentucky and in Louisiana.

In the nation's capital Miss Hayworth is an accredited newswoman in the press galleries of the Senate and House of Representatives. Her byline on Baptist Press and Baptist Public Affairs news stories is familiar to Baptist readers. Her specialty is a feature article concerning people and humanitarian projects.

History ... from page 4

working personnel. At the first meeting the members as a body visited the State Department to express concern about the suppression of rights of Baptists in Rumania. As the convention committees were made up largely of busy denominational executives, widely scattered geographically, this method could not be used often. So an Executive Committee was authorized, with confidence that the procedure for immediate action may be safely left to the judgment of the newly appointed Executive Committee.

As new issues arose, committees were appointed to deal with them. This presented problems, however, as all the members were busy and could give only limited time to this joint effort. Thus the need for executive staff was recognized early, but it was not until 1946 that financial resources and convention approvals permitted the opening of a joint office in Washington.

With the passage of legislation authorizing more and more government programs to meet human need or to utilize existing institutions to attain specific objectives, such as national security, it became clear that the field of church-state relations was expanding rapidly. Soon after Carlson succeeded Dawson as executive director in

(Continued on page 8)

Committee Faces Future Changes

The Baptist Joint Committee on Public Affairs is at another of those crossroads that has characterized its 34 year history. A new and different direction for this interdenominational Baptist agency could be decided during 1972.

When the Committee was constituted in 1938, it functioned without a staff under the chairmanship of Rufus W. Weaver. By 1946 it was apparent that the issues were so great and numerous that staff help would be required. J. M. Dawson was elected to serve as the first executive director.

When Dr. Dawson retired in 1953, the Committee restudied its approach to its task. It decided that an educational approach to religious liberty and church-state relation was what was needed. In casting about for an educator to succeed Dr. Dawson the Committee elected C. Emanuel Carlson, dean of Bethel College, St. Paul, Minn., a school operated by the Baptist General Conference (Swedish Baptists).

Dr. Carlson retired in 1971 and the Baptist Joint Committee now faces decisions of future leadership and future programming.

The American Baptist Convention is undergoing a reorganization under its Study Committee for Denominational Development (SCODS). If present planning is carried through, the American Baptist Convention will be related to the Baptist Joint Committee on Public Affairs through its new home mission agency, Board of National Ministries, which will replace the American Baptist Home Mission Societies.

This change could mean a renewed interest and increased financial support of the Baptist Joint Committee by the American Baptist Convention.

The Executive Committee of the Southern Baptist Convention has a special Committee of Fifteen with the assignment to study the total program of the Southern

Baptist Convention. A number of proposals have been considered by the Committee of Fifteen concerning the future programming of "public affairs" for the Southern Baptist Convention.

Although at this writing no decision by the Committee of Fifteen has been made, it has a meeting scheduled for January 6 and 7 at which time a firm recommendation may be made. Such a recommendation would then go to the SBC Executive Committee in February, and then to the Southern Baptist Convention in June.

The other Baptist conventions and conferences that sponsor the Baptist Joint Committee have expressed intense interest in the continuation of the Committee. Some of them have indicated their willingness to step up their financial support of the office.

In the meantime, the Baptist Joint Committee itself has a personnel and "agenda" committee at work on possibilities of future staff and programming of the agency. The work of this committee depends largely on the decisions made by the individual denominations that support the Baptist Joint Committee.

The Baptist Joint Committee is budgeted through the first nine months of 1972 for its present organizational structure. Future programming as well as personnel could be determined at the October meeting of the Baptist Joint Committee.

The present executive staff of the Baptist Joint Committee consists of John W. Baker, acting executive director and director of research services, and W. Barry Garrett, director of information services. Responsibilities normally carried by the executive director and the director of correlation services have tentatively been divided between Baker and Garrett until decisions about future program and staff are agreed upon.

High Court To Decide Amish Case

WASHINGTON (BPA)—A three-way issue involving educational rights and religious liberty will be decided by the U.S. Supreme Court early in 1972.

At stake are the questions:

1. Do Amish parents have a right based on the free exercise of religion to withdraw their children from public school education after the eighth grade in conflict with the compulsory school attendance laws?

2. Does the state have such a compelling interest in the education of children that this overrides the free exercise of religion by Amish parents who take their children out of school beyond the eighth grade?

3. Do Amish children have educational rights for a full education through high school in spite of the religious views of their parents?

Such a case was argued before the U.S.

Supreme Court on December 8.

On October 23, 1968 the School District Administrator of New Glarus District No. 1, Green County, Wisconsin filed criminal complaints against the parents of Freda Yoder, Barbara Miller and Vernon Yutzy, two of whom are members of the Old Order Amish and the other a member of the Conservative Amish Mennonite Church.

The charges were that the parents had failed to cause their children to attend school (public or private) contrary to the requirements of the Wisconsin Compulsory School Attendance Law.

The lower courts in Wisconsin convicted the parents, but the Supreme Court of the state reversed the decision on January 8, 1971. The high state court ruled that Wisconsin had not shown such compelling in-

(Continued on Page 7)

Nation Faces Religious Liberty Issues In 1972

By John W. Baker

The first two years of this decade have borne out the prediction that the 1970's would be filled with issues of religious liberty and church-state relations. The number and importance of these issues seem to accelerate each year with the result that 1972 promises to be yet another landmark year in the struggle to present and maintain proper positions on church and state.

A brief description of some of the problems already in view for 1972 shows the scope of the task before the nation. There will probably be some issues that will surface during this year of which we are not now aware. Today we address ourselves to four major problems.

1. Churches and Taxes

This sensitive problem will again be in the forefront. Taxes on church-owned real property are under review. The Internal Revenue Service (IRS) is becoming more active in dealing with churches. The threat of taxation, in some instances, has raised the possibility of governmental control of church programs:

a. In 1972 the U.S. Supreme Court will



MRS. HELEN M. DUNNAM, a native Washingtonian, has worked for the Baptist Joint Committee on Public Affairs since April 1961. For years she was a general secretary, maintained mailing files and assisted all departments in their work. More recently Mrs. Dunnam has been serving as secretary for the director of correlation services, James M. Sapp.

A stabilizing force in the office, Mrs. Dunnam has a keen sense of humor and a solid understanding of denominational relationships with which the Baptist Joint Committee works.

rule on whether a midtown Miami, Florida, Baptist church must pay taxes on a parking lot acquired when the county required that the church provide off-street parking. Income from commercial use during the week goes into regular church channels. The church claims the lot is vital to the religious activity of the church.

In 1970 the Court decided that states may grant tax immunity on property used for religious purposes if they choose to do so. In 1972, or shortly thereafter, it may decide whether the First Amendment "requires" that church-owned property that is also used for commercial purposes must be exempt when the states try to tax that property.

A recent decision of the Tennessee Court of Appeals authorizes the state to determine what parts of church property are used exclusively for religious purposes and what parts are not completely religious and, therefore, are taxable. This is an example of the complexities involved.

b. New regulations issued by the IRS will go into effect in 1972. The staff of the Baptist Joint Committee last year joined with other church groups as the regulations were being drafted in an attempt to guarantee safeguards for churches. The authority for examination of the books of account of churches, conventions, and associations has been broadened.

Many of the reasons for examination are valid—to determine if the organization is, in fact, a church, and to determine whether or not a church is involved in nonrelated businesses. However, vigilance must be maintained so that the new authority does not become an open invitation for the IRS to harass the churches and individual members.

c. The growing trend toward either the removal of church tax exemption or making contributions to a church nondeductible is relatively new. As churches have become more involved in a broader concept of mission they have found that states and the national government have made direct or veiled threats to alter tax status. Individual churches have modified or dropped programs. Associations of churches have felt threatened.

The issue to be resolved is: Who has the responsibility for determining which programs are a part of the religious activities of the church? The states? The IRS? The churches themselves?

2. Religion in Education

This is a broad category which contains some serious problems to be faced in 1972.

a. In November 1971 a proposed amendment to the Constitution, which would have put governmental authority into the prayer and devotional life of school children, was defeated in the House of Representatives.

The proponents of this amendment have

not given up. Probably in February, 1972 the idea will surface in the Senate either as a separate amendment or as an addition to some other proposed amendment. This may necessitate mounting another campaign to convince the Senators that the First Amendment remains an adequate protection of religious liberty.

b. Despite the Supreme Court decisions declaring programs of aid to religious education in Pennsylvania and Rhode Island to be unconstitutional, the movement to get public aid for parochial schools continues. Several states have enacted some form of aid. These acts are being challenged anew in the courts and will move on toward the Supreme Court with its new and unpredictable members in 1972.

President Nixon's repeated calls for federal aid to religious education may be translated into specific proposals. His Commission, which was established to study ways to aid religious education, will report. At (See, NATION FACES, p. 7)



MRS. ROSEMARY BREVARD from San Antonio, Tex. has worked for the Baptist Joint Committee on Public Affairs since October 1967. At first she was part time secretary for James M. Sapp, director of correlation services.

Presently Mrs. Brevard is secretary for acting executive director, John W. Baker. She also assists in the research work of the Baptist Joint Committee.

Mrs. Brevard is the youngest and liveliest member of the Baptist Joint Committee staff. Her presence adds spice to what otherwise would be many dull days at the Baptist Joint Committee.



MRS. RUTH deCARMO is the newest employee of the Baptist Joint Committee on Public Affairs, coming to the office in August 1971. Her duties include general office secretary, maintenance of mailing lists, file clerk, miscellaneous jobs and morning coffee maker.

Mrs. deCarmo worked as secretary in the Sunday School Department of the Florida Baptist Convention before moving to the Washington area. Prior to that she was secretary and receptionist at the District of Columbia Baptist Convention.

Nation . . . (Continued from Page 6)

tempts to implement that report may be made in Congress. The Office of Economic Opportunity continues to push the educational voucher system. This must be watched closely. This year could be a turning point in this arena.

c. The question of how, in public schools, one teaches about religion as a vital part of the American culture rather than teaching religion and attempting to indoctrinate children will be the subject of continuing conferences in 1972. Many school officials have either misread or failed to read what the Supreme Court said about the proper role of religion in public schools. This year holds much potential for constructive teaching about religion in the schools if churchmen and educators will be willing to understand the issues and assume their responsibilities in this matter.

3. Religious Liberty and Conflicting Rights

Illustrative of this dilemma is the case which the Supreme Court will decide in 1972 concerning a group of Old Order Amish in Wisconsin who, for religious reasons, refuse to send their children to school beyond the eighth grade. At issue is the religious liberty of parents who have legal and moral responsibility for the education of their children opposed by the rights of the children to an education and the right of the state to have all its people fully educated in order that they might be better informed, more productive citizens.

The same types of issues arise in attacks

on abortion laws in legislatures and in courts. The examples are almost endless and the problems of religious liberty cannot be eliminated from them.

4. Political Questions and Religious Liberty

This year is an election year. An issue may be made about the religious affiliation or its lack in the case of some candidates. Many of the items mentioned above will become political questions as well as issues of religious liberty. There will be attempts to use a congressman's vote in favor of religious liberty and against the proposed prayer amendment as a political issue. We must all be alert.

Amish . . .

(Continued from page 5)

terest in the education of the Amish as to deny the religious liberty of the parents. The State of Wisconsin appealed the case to the U.S. Supreme Court.

Earlier the National Committee for Amish Religious Freedom had been organized. William B. Ball, noted church-state attorney and a long-time advocate of state aid to parochial schools in Pennsylvania, was employed to defend the Amish parents.

The State of Wisconsin was represented before the Supreme Court by Assistant Attorney General John W. Calhoun.

Before the case was heard five national religious organizations filed amicus briefs with the Supreme Court in behalf of the Amish. They were the General Conference of Seventh Day Adventists, Synagogue Council of America and the American Jewish Congress, National Jewish Commission of Law and Public Affairs, the National Council of Churches, and the Mennonite Central Committee.

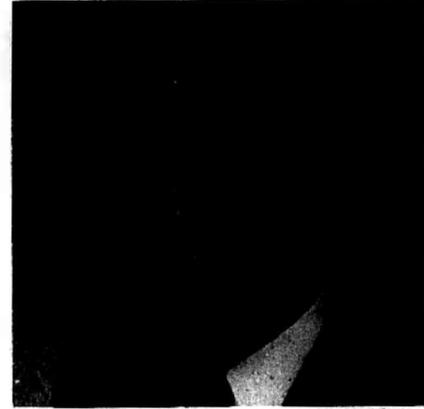
The State of Wisconsin argued that the nation has a compelling interest in the education of its youth and that this justifies the compulsory school attendance laws, attendance to be either in public schools or in private or parochial schools.

Attorney Calhoun further argued that the decision of the Wisconsin Supreme Court ignored the substantive right of children to an education which was denied by upholding the Amish parents.

On the other hand, Attorney Ball argued that the Amish people do provide an education for their youth after the eighth grade, even though it is not in formal schools. The Amish teach their children to adhere to agriculture as a way of life and they reject the advances of modern civilization.

Ball pointed out that the Amish people teach their children so well that there is no juvenile delinquency, that they never have problems with civil disturbance and that they are law abiding citizens.

Furthermore, he said the Amish take care of their own people, that none of them are on public welfare, that they care for the aging as well as for the young.



BAPTIST LEADER PASSES—Dr. Earl L. Harrison, Sr., 80, President of the Progressive National Baptist Convention, Inc., and pastor of the Shiloh Baptist Church in Washington, D.C. died in November 1971.

The Baptist Joint Committee on Public Affairs joins the family and friends of Dr. Harrison in mourning the passing of this denominational statesman. The Progressive Baptist Convention is one of the newest participating members in the work of the Baptist Joint Committee with its executive secretary, Stanley S. Hodges serving as second vice chairman.

Harrison was an honored advisor and consultant in common problems involving Negro Baptists and the Baptist Joint Committee.

Sapp . . .

(Continued from page 2)

of two state Baptist joint committees on public affairs, namely, those of Kansas and Illinois. He also was a valued counselor in the formation of the Public Affairs Committee of the Florida Baptist Convention. It is hoped that the excellent impetus which he has given to these state committees will bear fruit not only in their growth but through their example that other similar committees will come into being.

Baker . . .

(Continued from page 2)

"Our cooperating conventions, our Baptist Joint Committee, as well as his fellow staff members, will all sorely miss Jim Sapp who, not only through his individual expertise but also through his unusual ability to serve with his colleagues in a team effort, has proven himself to be a most valuable and worthy servant of our cause and of our Christ.

Though his abilities will be channeled into another area of ministry, we shall look to him in the years to come for guidance and counsel in public affairs.

Court Hears Baptist Parking Lot Case

WASHINGTON (BPA)—A case that could have a wide effect on tax exemption for churches has been argued before the U.S. Supreme Court and awaits a decision possibly early in 1972.

Florence Diffenderfer and Nisban Paul, Florida taxpayers, challenged the tax exemption allowed by Florida law on the parking lot of the Central Baptist Church, Miami, Florida.

Both a three-judge District Court in Florida and the Florida Supreme Court ruled that the tax exemption for Central Baptist Church's parking lot is allowable under Florida law and the U.S. Constitution. The case was appealed to the U.S. Supreme Court, which agreed in March of this year to hear the case. It was argued before the high court on December 6.

The parking lot owned by and adjacent to the Central Baptist Church of Miami is used for parking purposes for the church and its activities. In addition, during the week the church rents approximately 290 parking spaces to people coming into the surrounding business areas. The income derived from the parking lot is used by the church for religious and educational purposes.

The church has been involved in court cases since 1965 in attempts to place the parking lot on the tax rolls.

The Baptist parking lot case could become a landmark decision affecting a broad area of tax exemption for churches or it could fade into insignificance, depending on the decision of the Supreme Court.

For instance, Diffenderfer and Paul contend that this is the case of a commercial parking lot owned and operated by the Central Baptist Church for profit. They further contend that the use to which the profits are used are of no significance in deciding the tax status of the property.

The question that arises, according to Diffenderfer and Paul, is this: "Do the First and Fourteenth Amendments to the U.S. Constitution forbid governmental tax exemption to extend to church-owned commercial enterprises?"

On the other hand, the Central Baptist Church denies that its parking lot is a commercial enterprise and that the questions raised by the appellants are not the proper questions to be considered by the Supreme Court.

The church claims that the property involved is a parking area that is both contiguous with the church and is a functional, physical, essential and necessary part of the over-all facilities of the church.

The questions that the Court should decide, according to the church are: May a state include churches on an equal footing with other charitable nonprofit organizations for tax exemption purposes, and may a state exempt from taxation property

owned by such organizations if it is indispensable and used every day for their exempt purposes and that is partially used during the business hours of the week for the production of income to be used for tax exempt purposes?

The case is further complicated by the repeal of the Florida law under which the case originally arose and the enactment of new legislation that affects tax exempt property.

The Attorney General of the State of Florida filed a suggestion with the Supreme Court in this case in which he stated that a decision by the court would be "substantially inapplicable to the future administration of the Florida law in this area."

The Attorney General further said that a decision by the Supreme Court could be "without practical effect" because Florida law prohibits the collection of back assessments in a case like this. Therefore, he said, the case should be ruled moot.

A number of interesting "twists" have developed in the Baptist parking lot case. Originally, its significance did not extend beyond the bounds of a local tax case. But when it was accepted by the U.S. Supreme Court, Florence Diffenderfer employed Leo Pfeffer, the renowned church-state attorney from New York in addition to Howard J. Hollander, a Miami lawyer.

On the other hand, Attorney Herbert S. Sawyer, who represents the Central Baptist Church, asked Charles M. Whelan to assist him in defending the church before the Supreme Court.

Father Whelan is one of the editors of America magazine, a national Catholic public affairs publication. He is also a professor at Fordham Law school and a specialist in church-state matters. So far as is known, this is the first time a Catholic priest orally argued a case before the Supreme Court. It is interesting that he defended a Baptist church.

In addition, Americans United for Separation of Church and State filed an amicus brief against the position taken by the Central Baptist Church. The Central church is a member of Americans United and its pastor, Conrad Willard, is a long-time supporter of the organization.

In spite of its connection with the church, Americans United took the position advocated by Diffenderfer and Paul against the church. It takes the position that commercial enterprises owned by churches should not be tax exempt.

Other income producing activities of churches that might be affected by a ruling of the Supreme Court that the Central Baptist parking lot should be taxed could include passive income, such as dividends, interest, etc., income from picnics, dinners, dances, bazaars, pew rents and seat-offerings.

History...

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1954, it was recognized that the field was far too broad for one man, and that there was need for selecting and training "specialists."

As the joint program progressed it was necessary to find means of communicating its findings to the Baptist constituency and others. W. Barry Garrett has directed the information service since 1958.

Basic information about threats to Baptist principles is not always enough. If Baptists are to exercise their stewardship of influence in the field of church-state relations effectively, they need to think together about the application of their principles to today's situations. Since early 1964 James M. Sapp has spearheaded the effort to correlate Baptist influence in problem areas of church-state relations.

Communication with government and with other religious groups has been under the general supervision of the executive director.

To "speak" to Congress or another agency is simple, but to be "heard" requires gaining respect and attention. Here the research department plays a vital role in ferretting out dependable information for testimony or other contacts. Walfred H. Peterson was the first research director, 1965-68. John W. Baker, who succeeded Peterson, has also served as acting executive director since Carlson's retirement.