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Report from the Capital

MARCH 1975

Baptists Show Concern for Religious Liberty

WASHINGTON—Baptist concern for religious liberty dramatically surfaced here March 5 as their representatives visited the Russian and Indian embassies in the United States capital.

Robert S. Denny, general secretary of the Baptist World Alliance, presented Baptist concerns for religious liberty in Russia and India on behalf of the Baptist Joint Committee on Public Affairs, the Ohio Baptist Convention (American Baptist) and the Baptist General Conference.

On his visit to the Russian embassy, Denny was accompanied by Joseph I. Chapman, executive minister of the Ohio Convention. Warren Magnuson, general secretary of the Baptist General Conference, and Donald E. Anderson, editor of *The Standard*, publication of the Baptist General Conference, joined Denny at the Indian embassy.

At the request of the Baptist Joint Committee on Public Affairs, Denny delivered to the Russian embassy a letter from the Committee concerning the imprison-

(See, BAPTISTS SHOW, page 6)

Baptists Ask Voting Rights for Foreign Missionaries

WASHINGTON—Six Baptist bodies submitted testimony through the Baptist Joint Committee on Public Affairs to a congressional committee here urging that U. S. citizens residing overseas be granted their right to vote in federal elections.

Baptist support for a bill now being considered by the Subcommittee on Elections of the Committee on House Administration was expressed in testimony by James E. Wood, Jr., executive director of the Baptist Joint Committee on Public Affairs at the request of six Baptist foreign mission boards.

The mission boards of the American Baptist Churches in the U.S.A., Baptist General Conference, North American Baptist General Conference, Progressive National Baptist Convention, Inc., Seventh Day Baptist General Conference, and Southern Baptist Convention are seeking passage of the measure which would permit nearly three thousand of their missionaries to vote in presidential elections.

A total of more than 750,000 U. S. citizens residing overseas would be affected by the proposed law.

Only half of the states presently make provision for citizens who are legally

(See, BAPTISTS ASK, page 6)

Renfree Reviews Church-State in Canada

WASHINGTON—A Canadian Baptist leader pointed to major differences between church-state relations in Canada and the United States in an address to the semiannual session of the Baptist Joint Committee on Public Affairs here.

The Baptist body also heard its director of Research Services say that the deductibility of gifts to churches and other charities is not in jeopardy in the foreseeable future. The Committee also passed resolutions relating to the right to privacy, equal opportunity and full employment, and the distribution of grain overseas.

The Baptist Joint Committee is a denominational agency in the nation's capital composed of representatives from nine conventions and conferences in the United States and Canada. It is the vehicle used by those groups to "act in the field of public affairs." James E. Wood, Jr. is executive director of the agency.

Harry A. Renfree, the executive minister of the Baptist Union of Western Canada and a member of the Joint Committee, highlighted the church-state situation in his country in one of the meeting's major presentations. Renfree represents the Baptist Federation of Canada, a fellowship of 135,000 members which has held membership on the Joint Committee since 1959.

A major difference in approaching church-state questions in Canada, he noted, is dictated by the loosely-knit confederation of provinces in that country. Although there is a national bond through a Prime Minister, House of Commons, and Senate, each of Canada's ten provinces is relatively free to forge its own system of government.

As a consequence, the Canadian Baptist leader noted, each province chooses its

(See, RENFREE, page 7)

BJCPA Asks Religious Liberty Sunday

WASHINGTON—A Religious Liberty Sunday has been proposed for the Baptists of the United States and Canada by the Baptist Joint Committee on Public Affairs here.

The suggested date for Religious Liberty Sunday is the second Sunday in June. However, the action of the Baptist Joint Committee recognized that some of the Baptist bodies involved might have conflicting calendar dates and suggested that these might wish to use another date for this special emphasis.

In a letter to the Baptist bodies sponsoring the Baptist Joint Committee, James E. Wood, Jr., executive director, wrote, "Nothing has been more closely identified with Baptists than the principle of religious liberty."

Encouraging action on the request of the Baptist Joint Committee, Wood continued, "As with political freedom and social justice, religious liberty is far from being realized throughout most of the world and remains a continuing concern in North America as well. Observance of Religious Liberty Sunday could do much to deepen Baptist appreciation and understanding of religious liberty."

Already the Southern Baptist Convention has included the second Sunday in June of each year as Religious Liberty Sunday in its denominational calendar.

The other Baptist bodies to whom the special request was addressed are: the Baptist Federation of Canada, American Baptist Churches in the U. S. A., Baptist General Conference, National Baptist Convention, National Baptist Convention, Inc., North American Baptist General Conference, Progressive National Baptist Convention, Inc., and the Seventh Day Baptist General Conference.

From the Desk of the Executive Director

The Right to Privacy

By James E. Wood, Jr.

I

The right to privacy has become one of the burning issues of our tine. While relatively secure in an earlier day, the right to privacy is more seriously threatened today than ever before.

The phenomenal growth of government in this century, at all levels, may be viewed as inevitable and not without many positive values, but such growth has unalterably meant the increase of political power, whether for good or ill. In principle such increase of political power in a democracy is usually justified as a means for promoting the general welfare and protecting the rights of persons. In practice, however, without proper checks and balances, the danger of the abuse of such political power is correspondingly increased. This abuse of power may occur in the name of national security, or during the time of a national crisis, or simply for the accomplishment of certain political ends.

Wood

The accelerated advances of technological capabilities of surveillance, whether openly or secretly, constitute a major threat to the right to privacy. Modern devices of surreptitious physical surveillance by optical or acoustic means have added greatly to the urgency of the privacy issue.

Psychological surveillance by means of sophisticated oral or written tests have frequently resulted in unintentional and involuntary personal disclosures which otherwise would not have been obtainable. Unreasonable invasions of privacy on the part of private employers and government agencies are themselves incompatible with the right to privacy. Such invasions of privacy have frequently become deeply imbedded in employment policies.

Nowhere is the right to privacy more endangered than in the whole area of data surveillance whereby detailed information, whether substantiated or not, is collected, retained, and exchanged by data processing machines. Without strict legislation over the use of such data surveillance, one's private life could become public property. In his book *Privacy and Freedom*, Allen F. Westin has rightly affirmed, "A central aspect of privacy is that individuals and organizations can determine for themselves which matters they want to keep private and which they are willing—or need—to reveal."

II

Although to varying degrees and of various kinds, the desire for privacy is universal. Inevitably, privacy has come to be recognized as a basic human right with profound implications for human liberation and fulfillment.

Coined less than a century ago in the United States, "the right to privacy" has come to be widely recognized in both national and international law. The late U. S. Supreme Court Justice Louis Brandeis, who was a coauthor of the phrase "the right to privacy," perceptibly observed, "The right to be let alone (is) the most comprehensive of rights and the right most valued by civilized man." Article 12 of the Universal Declaration of Human Rights proclaims that "No one should be subjected to arbitrary interference with his privacy, family, home, or correspondence, nor to attack upon his honor and reputation. Everyone has the right to the protection of the law against such interference or attack." Ironically, while the principle of privacy is widely recognized, the right to privacy is more seriously threatened today than at any time in human history.

The right to privacy has a primacy in human rights because of its integral relationship to liberty of conscience and human freedom. As Westin has written, "Privacy is at the heart of freedom in the modern state." It was out of this context that the following statement was adopted by the Baptist Joint Committee on March 4, 1975: "The Baptist Joint Committee on Public Affairs recognizes that the right to privacy is the foundation of civil and religious liberty."

The right to privacy pervades the Bill of Rights. One Supreme Court Justice has reminded us that all of the constitutional amendments taken together equal privacy. The First Amendment seeks to protect the sanctity of a person's private beliefs and thoughts and to give expression to these alone or in concert with others without interference from government. In the Third, Fourth, Fifth, Ninth, and Fourteenth Amendments, for example, specific restrictions are placed on government from interfering with the right to privacy, based upon society's recognition of the sanctity and worth of the individual.

The right to privacy has been variously defined, but perhaps no more clearly or simply than as follows: "Privacy is the claim of the individuals, groups, or institutions, to determine for themselves, when, how, and to what extent information about them is communicated to others. Viewed in terms of the relation of the individual to social participation, privacy is the voluntary withdrawal of a person from the general society through physical or psychological means, either in a state of solitude or small group intimacy or, when among larger groups, in a condition of anonymity or reserve."

III

Of all the lessons to be learned from Watergate, none is more evident than that the abuse of political power by repeated government invasions of the right to privacy—done so in the name of national security and law and order—is itself a repudiation of democracy. The outrage of the American people over such political arrogance was never more justified. Fortunately, disclosures of increased government interference with the right to privacy in recent years has resulted in constructive legislation being proposed to insure better the right to privacy for all citizens.

Quite appropriately, legislation has been offered by members of both political parties in both the Senate and the House for tighter government protection of the constitutional right to privacy. One such major legislation, Public Law 93-579, "Privacy Act of 1974," was enacted into law on the last day of the 93rd Congress. The Act specifically affirms "the right to privacy is a personal and fundamental right protected by the Constitution of the United States." The Act is aimed at the

(See, RIGHT TO PRIVACY, page 4)

Federal Contract Compliance Exemption Now Official

By John W. Baker, Director of Research Services
Baptist Joint Committee on Public Affairs

The government of the United States is the nation's biggest employer and its various contracts with the private sector accounts for a substantial segment of business activity in the country. Procurement contracts for military hardware can be lucrative. Others, such as those for university conducted research, are negotiated on a strict cost basis. Still other contracts, such as one under which a college or university provides for ROTC units, are for the benefit of the government and may even end up costing the contracting institution more than it receives.

Baker

Governmental grants always have conditions attached to them and, if the recipient of the grant does not live up to those conditions, the grant may be rescinded. Similarly, one who contracts with the government is bound by the rules which exist at that time and a contract renewal is subject to additional rules.

Congress, in Title VII of the Civil Rights Act of 1964, established a policy that none of those who received grants or contracts may discriminate in their hiring practices. To implement this policy, President Johnson in 1965 issued Executive Order 11246 seeking to insure that there would be equal employment opportunities for all persons employed by or seeking employment with government contractors or subcontractors.

In the fall of 1972 the Office of Federal Contract Compliance of the Department of Labor had cause to believe that governmental contractors and subcontractors were not in compliance. Discrimination in hiring middle and upper level employees on the basis of religion and national origin appeared to be chronic. The OFCC determined that more specific rules were essential.

After a number of hearings with representatives of affected interest groups, the Secretary of Labor, over the objections of representatives of religious groups, on January 19, 1973 issued rules which read in part:

> §60–50.2 . . .Under the equal opportunity clause contained in section 202 of Executive Order 11246, as amended, employers are prohibited from discriminating against employees or applicants for employment because of religion or national origin, and must take affirmative action to insure that applicants are employed, and that employees are treated during employment, without regard to their religion or national origin.

The Washington representatives of various religious groups had objected to this section and the remainder of the regulation only on the narrow basis that the wording would prohibit church-related colleges and universities which had contracted with the federal government for any reason from setting religious qualifications for faculty or administrative personnel. It was conceivable that even a religion department could not employ teachers on the basis of what, if any, religious beliefs they held.

The Secretary of Labor received unfavorable comments on the regulation from persons involved with church-related higher education as well as from concerned members of Congress. It was not long before the secretary saw that the part of the regulation dealing with colleges and universities was a mistake.

Even when government becomes aware of one of its mistakes, rectification can be a slow process. The Administrative Procedure Act, 60 Stat. 237 as amended, prescribes the steps necessary to make or amend administrative rules.

After the Secretary had made the tentative decision to alter the 1973 rules he had to get the proposal cleared through the Office of Management and Budget and the White House.

When their approval had been secured, the OFCC was directed to draw up proposed rules to amend the Code of Federal Regulations in order to clarify the employment obligations of religious corporations, associations, and educational institutions. The proposed rules were published in the *Federal Register* on March 29, 1974 and opportunities were given for those who wanted to comment on the proposals to be heard. The Washington based representatives of religious groups who commented on the proposals supported the idea of exemption of colleges and universities from the strictures of the 1973 rules.

For nearly a year nothing was heard about the proposals. It was as if they had been lost in the administrative labyrinth of the Department of Labor.

Then on March 25, 1975, 40 FR 13218, the new rules finally became official with the establishment of specific exemptions to the 1973 rules. The following is now the official rule:

> (5) Contracts with certain educational institutions. It shall not be a violation of the equal opportunity clause for a school, college, university, or other educational institution or institution of learning to hire and employ employees of a particular religion if such school, college, university or other educational institution or institution of learning is in whole or in substantial part, owned, supported, controlled, or managed by a particular religion or by a particular religious corporation, association, or society, or if the curriculum of such school, college, university, or other educational institution or institution of learning is directed toward the propagation of a particular religion. The primary thrust of this provision is directed at religiously oriented church-related colleges and universities and should be so interpreted.

Thus,in a time-consuming process, governmental policy arrived at an accommodation with the needs of church-related higher education. Additional changes are always possible but the procedures are so involved that major pressures would have to develop before the OFCC would even begin to rethink their position.

Court Agrees to Hear Higher Education Cases

By Stan L. Hastey

WASHINGTON—The U. S. Supreme Court agreed to rule on the constitutionality of Tennessee's tuition grant program for college students attending both public and private colleges and universities.

The high court will hear oral arguments in the case later this spring when arguments are presented in a similar Maryland case accepted by the court last month.

The Tennessee case, *Blanton v. Americans United for Separation of Church and State*, was brought to the court by high state officials, including the governor, attorney general, treasurer, comptroller, and several figures in the state's higher education agency.

Last fall the U. S. District Court for the Middle District of Tennessee ruled unanimously that the state's program violates the Establishment Clause of the First Amendment, which states: "Congress shall make no law respecting an establishment of religion." The Fourteenth Amendment to the Constitution makes that principle applicable to the states.

The Tennessee tuition grant program was initially authorized by the state's general assembly in 1971. The law states its purposes as including the removal of "financial barriers to college attendance," the provision of "greater opportunity to all citizens of Tennessee to achieve post-secondary school education," and the provision to the state's youth of "the opportunity to attend any Tennessee college or university of their choice."

In addition, the 1971 statute created an agency to administer the program and to authorize rules and regulations for its administration.

During the general assembly's 1974 session, amendments to the 1971 law were passed prohibiting the awarding of tuition grants to any student "who is enrolled in a course of study leading to a degree in Religion, Theology, or Religious Education." Another amendment to the law sought to insure that if federal courts prohibited the tuition grants to students attending sectarian colleges, students attending public colleges would not be affected.

The district court, nevertheless, declared the entire program unconstitutional. Last month, the Supreme Court declared that the program may continue to operate until it issues a final ruling.

Americans United, a group which often is involved in church-state litigation, brought the original suit at the district court level charging that the Tennessee program violates the Establishment Clause because it authorizes "governmental financing and subsidizing of religious colleges."

The suit charged further that the sectarian colleges involved are "operated for the purpose of providing specific religious training" and that they "make specific religious requirements of students and/or faculty."

The state, in turn, argues that the program aids college students themselves and not colleges and universities, although the funds involved are sent not directly to students but to the schools. "The payments of funds to colleges and universities," the state's brief argues, "is provided only by regulation and solely as a matter of administrative convenience."

The high court agreed to hear the Tennessee case when it hears oral arguments in another case involving Maryland's program of assisting both public and private colleges.

That case, *Roemer v. Board of Public Works of Maryland*, involves payment by the state of public funds to colleges and universities to be used at the discretion of the schools.

Unlike the district court in Tennessee, a three-judge panel in Maryland ruled 2-1 to uphold that state's plan, even though it is openly designed to aid the schools themselves.

Those challenging the plan argue that the state legislature has made no effort to confine the aid to non-religious uses, thereby fostering excessive government entanglement with religion.

Opponents of the plan further argue that the state has failed to restrict use of the aid from such questionable practices as paying teachers' salaries, maintaining and repairing buildings, and keeping up facilities used for sectarian as well as secular purposes.

"Maryland's virtually unlimited form of aid," the complainants' legal brief states, "(is) totally inconsistent" with guidelines laid down by the Supreme Court in other similar cases.

Maryland argues that its plan excludes institutions awarding only seminarian or theological degrees and that none of the public funds "shall be utilized by the institutions for sectarian purposes."

During the past four years, the Supreme Court has applied a three-part test to determine the constitutionality of state laws such as those in Tennessee and Maryland. First, the statute "must have a secular legislative purpose."

Second, "its principal or primary effect must be one that neither advances nor inhibits religion." And third, the law "must not foster 'an excessive governmental entanglement with religion.'"

The Right to Privacy

(Continued from page 2)

federal government and seeks to provide specific safeguards for an individual against any invasions of personal privacy on the part of federal agencies. It further provides for the establishment of a Privacy Protection Study Commission. While the Commission may study private information systems, it is expressly prohibited from investigating information systems maintained by religious organizations.

In the 94th Congress another major "Comprehensive Right to Privacy Act," H.R. 1984, has been introduced. This Act is aimed at state and local governments and invasions of privacy on the part of non-governmental organizations.

In today's world, as never before, the right to privacy requires not only severe limits being placed on government and government agencies in the whole area of surveillance and data gathering but also the protection by government of the right to privacy from invasions from non-governmental agencies. The Baptist Joint Committee has thus appealed to the President and the Congress "both to set limits on and standards for the collection and dissemination of information dealing with private affairs of individuals and groups and to exercise diligent oversight of information collecting agencies."

One does not need to assume that invasions of the right to privacy are necessarily diabolical or evil in their intent. Rather we need to remember Justice Brandeis' warning that "the greatest dangers to liberty lurk in insidious encroachment by men of zeal, well meaning but without understanding."

Senate Subcommittee Resumes Hearings on Abortion

WASHINGTON—A Senate subcommittee resumed hearings on proposed amendments to the U. S. Constitution which would overturn the Supreme Court's controversial 1973 abortion decisions.

Those decisions declared, in effect, that a woman's right to privacy overrides any interest the state may have in forbidding abortions during the first six months of pregnancy.

The Subcommittee on Constitutional Amendments, chaired by Sen. Birch Bayh (D., Ind.), heard testimony from Sen. James L. Buckley (Cons. R., N. Y.) and Sen. Jesse Helms (R., N.C.), the authors of three such proposals.

In addition, the subcommittee heard from opponents of the measures, including Sen. Bob Packwood (R., Ore.) and Harriet F. Pilpel, an attorney from New York City.

The three proposed amendments are similar to two such measures introduced by Helms and Buckley during the last Congress which were also the subjects of intense hearings before Bayh's panel but which died in the committee with the adjournment of the 93rd Congress.

Helms' new amendment, S. J. Res. 6, states that "with respect to the right to life guaranteed in this Constitution, every human being . . . shall be deemed, from the moment of fertilization, to be a person and entitled to the right to life." One of the frequent criticisms of Helms' proposal is that it makes no provision for protecting even the life of the mother when she is endangered during pregnancy or childbirth.

Buckley introduced two amendments, S. J. Res. 10 and 11, which would prohibit abortions except when the life of the mother is at stake. Last year, Buckley's measure was criticized by Cardinal John Krol of Philadelphia and other Catholic spokesmen as not going far enough to protect the unborn fetus.

Sen. Packwood and Pilpel denounced the proposed amendments, saying that the Supreme Court's 1973 actions were proper and that no one religious group within American society should be permitted to impose its ethical and moral views on the whole populace when the issues are in dispute.

Packwood concluded his testimony by saying, "Let all be free to oppose abortion fervently, or accept it, as conscience dictates, but the Constitution of the United States would be grievously wounded by attempting to impose one viewpoint at a terrible cost upon those who believe otherwise."

A number of Baptist bodies, including the American Baptist Churches in the U.S.A., the Southern Baptist Convention, and the Baptist Joint Committee on Public Affairs, are on record as opposing any attempt to overturn the Supreme Court's decisions by constitutional amendment.

The American Baptist Churches adopted a resolution during its annual meeting in 1968 at Boston calling for legislation permitting abortion under certain circumstances. The Southern Baptist Convention position was first taken in 1971 at the St. Louis convention and was reaffirmed by an overwhelming vote in 1974 at Dallas.

The Baptist Joint Committee on Public Affairs, which is composed of representatives from nine Baptist bodies in the U. S. and Canada, authorized its staff in 1973 to oppose all efforts to amend the Constitution to prohibit abortion.

The hearings before Sen. Bayh's subcommittee are expected to extend over the next several months. Last year the panel held eleven days of hearings on the subject, at approximately one-month intervals. April 9 has been tentatively set for the second day of hearings in the present round.

Supreme Court 'In Effect' Affirms Former Abortion Rule

WASHINGTON—The U.S. Supreme Court declined to make a final ruling in an abortion case involving strong religious liberty arguments.

The case, *Westby v. Doe*, was brought to the high court by state officials in South Dakota who refused to grant federal funds to a woman to pay for a non-therapeutic abortion she was seeking.

Before coming to the Supreme Court, a U. S. district court in South Dakota ruled that the state law invoked by welfare officials to deny the funds was unconstitutional in that it violated the Equal Protection Clause of the 14th Amendment.

South Dakota's law does provide for federal funding of abortions which are medically necessary.

The South Dakota officials questioned whether the Social Security Act, through which the states receive the welfare funds in question, was intended to cover non-therapeutic abortions.

The woman in question was eight weeks pregnant when she brought the original complaint that state officials had refused to provide her with federal funds for an abortion through the Aid to Families with Dependent Children (AFDC) program. She argued that as the mother of four children ranging in age from four to ten, she "was unable to care for another child," even though an abortion was not medically necessary.

The woman argued that the Supreme Court's historic 1973 abortion decisions covered her case. Those decisions held that during the first trimester of pregnancy the state has no compelling interest in prohibiting any abortion and that a woman may obtain a legal abortion in consultation with her physician. The court further stated that during the second trimester, the state's only interest in abortion lies in protecting the woman's health.

Freedom to choose an abortion, the woman's brief before the court stated, is "a constitutionally protected choice deriving from her fundamental right to privacy."

The religious liberty arguments surfaced in a separate "friend of the court" brief presented by the National Black Feminist Organization and the National Organization for Women (NOW).

These groups argued that the First Amendment's prohibition of an "establishment of religion" had been violated by the South Dakota officials in refusing funds for the abortion.

"The (state) policy rests solely on the state's moral judgment that one answer to the inherently religious question of when life begins should be imposed upon all poor women, whatever the individual woman's belief and choice," the brief stated.

The argument continued that such a policy has the effect of imposing the religious views of a minority on all women, especially the poor, who must rely on state benefits if they wish to terminate a pregnancy.

"The larger effect of South Dakota's policy," the brief concluded, is to invite "precisely that political strife and political division along religious lines this court has condemned as excessive entanglement."

Baptists Show Concern for Religious Liberty

(continued from page 1)

ment of Georgi Vins, "dissident" Baptist leader in Russia, and religious liberty for all people in the U.S.S.R. James E. Wood, Jr. is the executive director of the Baptist Joint Committee, which is maintained by nine Baptist bodies in the United States and Canada.

At the Russian embassy, the Baptists visited with Ikar I. Zavrazhnov, second secretary of the Embassy of the Union of Soviet Socialist Republics, due to the fact that Ambassador Anatoly F. Dobrynin was out of the country. It was explained that it is not the policy of the Russian embassy in the United States to receive resolutions and protests from private groups in this country. Nevertheless, Mr. Zavrazhnov agreed to read the Baptist communications and to report the visit to the ambassador when he returned.

Denny explained later that the Baptists were received courteously at both the Russian and Indian embassies. The Russian spokesman did not close the door to further discussion but said that there is the possibility that they may talk to the Baptist World Alliance around the first of April.

The Indian embassy said that it was unaware of the religious persecutions to which its attention was being called but that it would definitely look into the matter. Trilokinath N. Kaul is the Ambassador from India to the United States. The Baptist delegation was received by an educational and cultural attache at the Indian embassy.

The Ohio Baptist resolution and the letter from the Baptist Joint Committee were triggered by the recent conviction and imprisonment of Georgi Vins, secretary of the Council of Churches of Evangelical Christians-Baptists, for violation of certain Soviet laws.

The Ohio resolution was presented to the Ohio Baptist Convention last October and was unanimously approved by the Board of Trustees of the Convention on December 10, 1974. The resolution protested "cruel treatment of political prisoners for worshipping God, possessing scriptures and other religious literature, baptizing believers and preaching the gospel of Christ."

The Ohio Baptists requested the Russian government immediately to release and pardon these prisoners. They claimed that, according to the modified Russian constitution and Article 18 of the Universal Declaration of Human Rights approved by the United Nations, "these Soviet Christians have not violated the law."

The letter from the Baptist Joint Committee on Public Affairs to the Russian Ambassador was more moderate in tone but equally insistent upon "religious liberty for all people of all faiths or of no faith in all parts of the world."

"We profoundly lament the abridgment of religious liberty, whether applied to Baptists, Jews, or any other religious bodies," the Baptist Joint Committee wrote. It continued, "While we may not be in agreement with all the religious views and practices of particular Baptists or Jews, we defend the right of all people to believe in and practice religion without interference from government. In fact, we believe that one role of government is to guarantee the right of religious liberty of the people rather than to restrict that liberty."

The concern for religious liberty in India expressed by the Baptist General Conference representatives was stimulated by reported persecution of Christians in Arunachal Pradesh, India.

According to this report 37 churches have been burned, 25 dwellings burned, 74 other dwellings damaged affecting 343 families, 53 persons physically assaulted, 16 granaries burned, 162 other granaries destroyed or looted, 463 head of livestock and 1,273 fowl looted.

The persecution in Arunachal Pradesh has been directed solely toward the Christian community, according to the report.

In its presentation to the Indian embassy, the Baptist General Conference spokesmen pointed out that the Indian constitution guarantees religious liberty for all the Indian constituency. They appealed to India to protect the religious liberty of the Indian citizens.

The Christians in Arunachal Pradesh are reportedly not the product of missionary activity. Rather, citizens of that state, visiting elsewhere, brought back the Christian message themselves.

Magnuson and Anderson pointed out that "the Arunachal Pradesh Christians have not been coerced to leave their local religion to become Christians: they have become Christians voluntarily, and should have the freedom to remain Christians without harassment and without persecution."

Baptists Ask Voting Rights for Foreign Missionaries

(Continued from page 1)

domiciled in those states but are living abroad to vote in federal elections. Even in those states, however, the procedures for gaining access to a ballot are often so complicated as to discourage citizens residing overseas from voting.

Wood's statement to the subcommittee in support of the bill, H. R. 3211, said that Baptist support for the measure is based on three arguments: (1) the right of all citizens to vote in federal elections is a basic right of U. S. citizenship; (2) the right of suffrage should be compatible with basic American concepts of equity and justice as applied to all citizens without discrimination between private citizens and those associated with government and military service; and (3) the right of a private citizen to movement and travel, including the maintenance of a permanent residence overseas for legitimate purposes, should not be the basis of a citizen's disfranchisement.

The Baptist Joint Committee first sought passage of such a measure in September 1973 when the same six foreign mission boards spoke through the Washington-based body to a Senate committee. The Senate eventually voted favorably on the measure, but it later died when the 93rd Congress adjourned before the bill reached the floor of the House of Representatives.

Since the 94th Congress convened in January, the Senate Subcommittee on Privileges and Elections has already voted to urge passage of the companion Senate bill, S. 95. Their recommendation was made despite the fact that new hearings were not held.

The next step in the Senate is action by the full Committee on Rules and Administration. If that body votes favorably on the measure, as expected, it will then go to the Senate floor for final action.

If both houses of Congress pass similar bills on overseas voting rights, a joint conference committee would then iron out any differences between the two proposals. Only after each house again voted favorably on the final version would the measure be sent to the President for his signature, thereby making it public law.

Renfree Reviews Church-State in Canada

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own manner of relating to its school system, resulting in wide differences in church-state patterns. Most Canadian provinces, including Quebec, Ontario and Nova Scotia, provide tax funds for non-public schools, while only two, Manitoba and British Columbia, forbid such aid.

In all ten of the provinces, however, Bible readings and the recitation of the Lord's Prayer is "either obligatory or permitted," Renfree said.

Renfree also noted that while only 3 per cent of the Canadian population is Baptist, the denomination's impact on public affairs has gone far beyond that proportion. He pointed to two Baptist prime ministers, Alexander Mackenzie and John George Diefenbaker, as examples. Diefenbaker, he pointed out, was the "architect" of the Canadian Bill of Rights which codifies and protects the civil and religious liberties of Canadians.

The Baptist Federation of Canada is composed of four cooperating conventions and unions, each of which is largely independent. Renfree told the Joint Committee that two of the bodies have active public affairs committees, another has assigned public affairs issues to one of its commissions, while the fourth, the Union of French Baptist Churches, "has the concern (of public affairs) in prime focus in the province of Quebec where all Protestants are a tiny minority."

In another session, the Joint Committee heard John W. Baker, associate director in charge of research services for the agency say that a highly placed source on the powerful Committee on Ways and Means of the House of Representatives recently assured him that the day "will never come" when gifts to churches and other charities are not treated as tax deductible.

Baker raised the issue, he said, because of comments made recently to a group of Baptist students by Rep. John B. Conlan (R., Ariz,). Conlan reportedly told the group that pressures are mounting to repeal the provision in the Internal Revenue Code which allows such gifts to be deducted from federal income taxes.

Conlan, who says he belongs to an "independent Bible church," told the students that the threat to tax deductible gifts streams from the rise of secularism.

Baker, concerned about the Congressman's remarks, talked with a well-placed staff member on the tax-writing Ways and Means panel and was assured that Conlan's remarks were uninformed. He said further that virtually no chance exists for the removal of deductibility of gifts to churches and charities, either now or in the future. He also said that congressmen on Ways and Means are aware that taking a position favoring the removal of deductibility would be politically unfeasible.

In other actions, the Baptist Joint Committee adopted resolutions calling for the protection of the individual's right to privacy, equal opportunity and full employment, and the allocation of more grain to the hungry abroad.

The statement on privacy described that right as "the foundation of civil and religious liberty" and appealed to the President and Congress both to limit and standardize the collection and dissemination of necessary intelligence data and to "exercise diligent oversight" of agencies which collect such information.

After hearing an address by Rep. Augustus F. Hawkins (D., Cal.) calling for emergency government action to provide work for the nation's unemployed, the Joint Committee adopted a statement supporting "equal opportunity and full employment for all able and willing to work." The resolution urged both government and private business to work toward that end.

The statement on hunger commended the governments of Canada and the United States for recent actions providing increased allocations of grain for distribution to the hungry in other nations. However, it urged the two governments "to extend their leadership" in helping meet the world food crisis.

In addition, the Baptist Joint Committee voted to request its member denominations to designate one Sunday a year as Religious Liberty Sunday. Already the Southern Baptist Convention has designated in its denominational calendar the second Sunday of June each year as Religious Liberty Sunday.

Committee Approves Policies on 'Rights'

At the March (3-5) meeting of the Baptist Joint Committee on Public Affairs three resolutions on current public policy issues were approved. The texts of the three resolutions are as follows:

Right to Privacy

"The Baptist Joint Committee on Public Affairs recognizes that the right to privacy is the foundation of civil and religious liberty and appeals to the President and Congress both to set limits on and standards for the collection and dissemination of information dealing with the private affairs of individuals and groups and to exercise diligent oversight of information-collecting agencies."

Allocation of Grain

"The Baptist Joint Committee on Public Affairs commends the governments of the United States and Canada for the expression of their concern for the hungry of the world through the sharing of grain. We urge these governments to extend their leadership to help meet the present food crisis and to use all appropriate means to share these nations' resources with the hungry of the world."

Equal Opportunity

"The Baptist Joint Committee on Public Affairs, in its continuing concern to protect and guarantee individual rights and freedoms, supports equal opportunity and full employment for all able and willing to work.

"We therefore urge both government and the private sector to work toward economic and political policies which will provide for equal opportunity and full employment."

Group Proposes April 17 as National Food Day

WASHINGTON—A bipartisan group of U. S. Congressmen here called for the designation of April 17 as National Food Day.

The proposal won the immediate approval of James E. Wood, Jr., executive director of the Baptist Joint Committee on Public Affairs here. At its semiannual meeting in early March, the Joint Committee adopted a statement calling on government to extend its efforts in making food available to the needy overseas.

Senator Dick Clark (D., Iowa) and Representative Benjamin S. Rosenthal (D., N. Y.) introduced into both houses of Congress legislation designed "to mobilize public concern over the need for a national food policy which will promote better quality, lower-priced food supplies, ensure the livelihood of the family farmer, and allow increased U. S. assistance to needy nations."

(See, FOOD DAY, page 8)

Protest Musical, 'Hair,' Wins Partial Victory

WASHINGTON—The U. S. Supreme Court ruled here that city officials in Chattanooga, Tenn. were wrong in banning the rock musical production of "Hair" in advance of its running.

At the same time, the high court refused to rule on the alleged obscenity of the play, which has enjoyed successful runs in more than 140 American cities.

"Hair" was originally produced as an off-Broadway show in 1968 to protest the Vietnam War, the draft, and the establishment in general. Much of the protest, directed at the controversial musical, is aimed at its liberal use of four-letter words, allegedly obscene gestures and bodily movements, and one nude scene.

The 5-4 decision, written by Justice Harry A Blackmun, holds that public officials may not exercise unbridled censorship before a play which is allegedly obscene is actually performed. To do that, Blackmun stated, constitutes a form of "prior restraint" which the court has consistently said violates constitutional guarantees of freedom of expression.

"The danger of censorship and of abridgement of our precious First Amendment freedoms," Blackmun declared, "is too great where officials have unbridled discretion over a forum's use."

He continued, "Our distaste for censorship—reflecting the natural distaste of a free people—is deep-written in our law."

City officials erred in denying the application for use of a municipally-leased theater for the production of the play, the court said, because they anticipated that the production would violate obscenity laws.

The court went on to state that strict procedural safeguards must be followed by officials in order to avoid censorship.

First, officials functioning as censors must initiate legal proceedings against an alleged offender of obscenity laws and must prove that the production or material in dispute is unquestionably obscene.

Second, any prohibition against such a production or material can be imposed only for a specified brief period. And third, the questions must be solved promptly in court.

The effect of the court's decision is to afford live theatrical performances the same constitutional safeguards as those already applied to films and literature.

Four of the justices dissented, but for widely differing reasons. Justice William O. Douglas, who opposes all forms of official censorship, objected to the majority's narrow procedural approach. He stated that denial of First Amendment rights "cannot be treated adequately or averted in the future by the simple application of a few procedural band-aids."

Douglas went on to argue that despite the fact that "Hair" attacks "various sacred cows of our society," its "contribution to social consciousness and intellectual ferment is a positive one."

Justice Byron R. White, joined by Chief Justice Warren E. Burger, dissented on grounds that sufficient evidence of obscenity was available so as to justify Chattanooga's refusal to provide its municipal auditorium for the production of "Hair."

In still another dissent, Justice William H. Rehnquist, generally regarded as the most conservative member of the high court, objected to the majority view that a municipal theater must be regarded in the same light as a private forum or even a city street or park when freedom of expression is at stake.

Food Day

(Continued from page 7)

Clark and Rosenthal were joined by 59 other lawmakers in making their proposal.

According to a press release issued by his office, Rosenthal said that numerous Food Day activities are being planned in local communities throughout the nation. Among these will be teach-ins, citizen action projects, and individual actions.

Plans for implementing the Food Day are being made by the Center for Science in the Public Interest.

The statement approved by the Baptist Joint Committee, a body composed of representatives of nine Baptist conventions and conferences in the United States and Canada, expressed approval of recent actions by both the Canadian and American governments calling for additional foodstuffs to the hungry abroad. It went on, however, to urge the two nations to "extend their leadership" and make additional food allocations.

Rosenthal said that government action is "urgently needed" because of dwindling domestic food reserves, increasing food prices, the deteriorating situation on the nation's farms, the nutritional needs of children and the elderly, and the "chronic threat of starvation and famine" overseas.

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