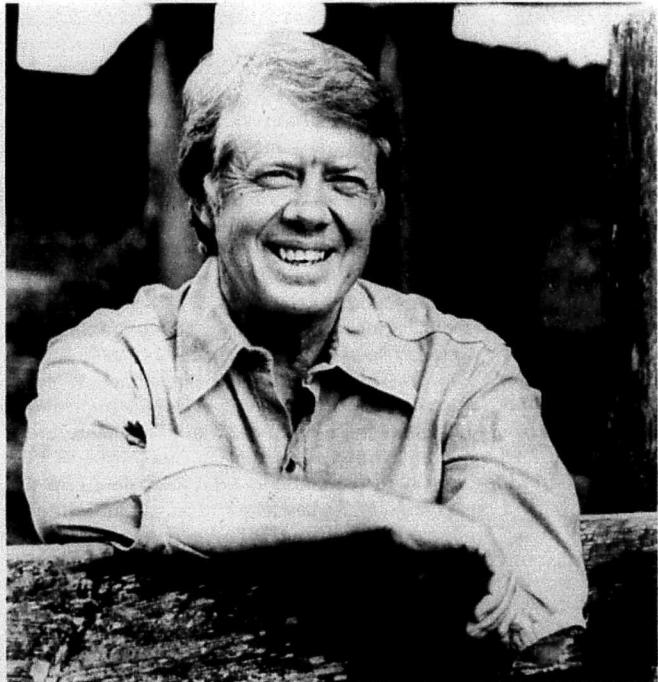


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# Report from the Capital

September  
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## The Candidates and the Issues

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# From the Desk of the Executive Director

## Religion and the Census

By James E. Wood, Jr.

The possible inclusion of a question on religious affiliation in a 1977 population survey by the U.S. Census Bureau merits careful and serious consideration. The inclusion of questions regarding religious affiliation and belief has long been debated in American life and it may be expected that vigorous voices will be raised both in opposition to and in support of such a proposal.

### I

The present situation has resulted from renewed efforts to get information on religion included in government population surveys so as to enlarge and enhance reliable data on religion in the United States. Such information obtained by a Census Bureau population survey would be for the use of the political community, the religious community, and the academic community.

In October 1975, the Directors of the Religious Research Association petitioned the Census Bureau to include a question on religious affiliation in the 1980 census. In justifying their request, the Directors argued that "the work of researchers dealing with religion is greatly handicapped by the absence of reliable data on religion as part of the regular population census of the United States." "In addition," they declared, "such information would be helpful in general demographic studies in the development of important social indicators of the quality of life."

Lamentably, the petition offered by the Association ignored both the question of government infringement on the separation of church and state and on the individual citizen's right to privacy. Promptly upon the announcement of this petition to the Census Bureau a letter was written to the president of the Association expressing my "dismay" and "disappointment." In July 1976 it was reported that the Census Advisory Committee on Population Statistics had recommended the inclusion of a question on religious affiliation in the Current Population Survey to be conducted in 1977. While one may well appreciate the academic, ecclesiastical, and social interests of scholars and non-scholars alike in ascertaining reliable data on the religious affiliation of American citizens by means of a federal population survey, borne at government expense, there are prior questions touching upon civil and religious liberty issues which must be given serious consideration.

### II

The issue of religion and the census has a long history in American national life. In fact, to recall some of this history would be helpful in evaluating the present situation and in underscoring some of the major religious and constitutional concerns involved.

The taking of a census every ten years is of course required by the Constitution of the United States. Up to now no decennial census has yet included any questions on religious affiliation and



Wood

belief, although such questions have been frequently proposed throughout our history. In 1902 the Bureau of the Census was required by Congress to obtain decennial statistics on religion. These statistics were subsequently published in the *Census of Religious Bodies*, which appeared in 1906, 1916, 1926, and 1941 (for 1936). It is significant to note, however, that this publication was careful to identify itself as "a census of the religious organizations in the United States rather than of individuals classified according to denominational affiliations." The information obtained by the Bureau of the Census was secured from and, in most cases, with the cooperation of each religious denomination. By 1936 severe penalties (a fine up to \$10,000 and imprisonment up to one year) were placed on those religious officials who refused or neglected to comply with the information requested.

Mounting opposition to the *Census of Religious Bodies*, even when proposed on a voluntary basis, among other reasons, led to the discontinuance of the *Census*. Strong objection to the *Census* was voiced by the Christian Science Church. The Alabama Baptist Convention in 1938 adopted a resolution calling on its ministers not to cooperate with such a census by the federal government on the basis that it represented government intrusion into religious affairs. Fortunately, the publication of the *Census of Religious Bodies* has not been subsequently resumed.

### III

The inclusion of any questions by the Bureau of the Census concerning a citizen's religious affiliation and/or beliefs would be a serious violation of constitutional safeguards with respect to the separation of church and state and the citizen's right to privacy in religious matters. Thus Thomas Jefferson declared, "I never will, by any word or act . . . admit a right of inquiry into the religious opinions of others." At the time of the first census in 1790 James Madison expressed reservations regarding the inclusion of a category of "the learned professions" because of religious considerations. "As to those who are employed in teaching and inculcating the duties of religion," he wrote, "there may be some indelicacy in singling them out, as the General Government is proscribed from interfering, in any manner whatever, in matters respecting religion; and it may be thought to do this, in ascertaining who are, and who are not ministers of the Gospel."

In the period prior to both the censuses of 1960 and 1970, the Bureau of the Census indicated that a question about religious affiliation was "under consideration." There is now reason to express serious concern with regard to the recommendation of the Census Advisory Committee on Population Statistics, even though it is proposed on a voluntary basis. Even if implemented on a voluntary basis, it would be a bold and unprecedented step for the Bureau of the Census to take. More importantly, it would raise serious constitutional questions touching on the Bill of Rights, both as to the rights of citizens as well as to the role of government in a free society and a secular state. Such an inquiry by the federal government of its citizens would be an abridgment of both religious liberty and the separation of church and state.

Religious liberty is too sacred to be sacrificed for the sake of obtaining religious data of particular value to demographers, social scientists, and denominational planners. The religious affiliation of U.S. citizens is not a legitimate interest of government, whether local, state, or federal. In fact, such a concern of the federal government in census taking is incompatible with the American tradition of citizenship and our civil liberties.

This proposal at this time is particularly offensive and suspect in view of the gross violations by the federal government in recent

(See CENSUS, p. 5)

*Voices from the Past*

## The Meaning of Separation of Church and State in the First Amendment

By Joseph M. Dawson  
(Third in a special Bicentennial series)

The First Amendment to the Constitution of the United States, which heads the Bill of Rights, stipulates: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

The question that is immediately asked, however, is what exactly does this provision mean? In the light of history, one is compelled to acknowledge that it has been construed in many different ways. We should, therefore, avail ourselves of every serious answer made in order to arrive at the true interpretation of this provision in the Constitution. The Constitution could be changed by false interpretation.

Most authorities agree that the First Amendment stands primarily as a bulwark for religious liberty for all men. That is to say, freedom of conscience is beyond the control of any civil authority. This means far more than toleration, which may be a mere concession for the time. This concession, denominated toleration, as a celebrated scholar says, "is negative, liberty positive; toleration is a favor, liberty a right; toleration may be withdrawn by the power which grants it, liberty is as inalienable as conscience itself; toleration is extended to what cannot be helped, and what may be in itself objectionable; liberty is a priceless gift of the Creator."

Roger Williams, with whom the principle of separation of church and state originated in America, founded his colony of Rhode Island with the express provision that the government of the colony should be concerned "only in civil things." One biographer of Williams says: "Roger Williams made the basis of his Providence experiment two interpretative principles peculiarly his own, the absolute freedom

Joseph M. Dawson served as first Executive Director of the Baptist Joint Committee on Public Affairs from 1946 to 1953. This article was first published in *Journal of Church and State* 1 (November 1959): 37-42 and is reprinted by permission of the J. M. Dawson Studies in Church and State, Baylor University, Waco, Texas 76703.



Dawson

of conscience from civil control . . . and the civil rights and privileges due him as a man, a subject and a citizen." In another place he says: "He (Roger Williams) had welded diverse elements into a modern civil society based on a social compact or written constitution, granting religious liberty and liberty of conscience, writing, printing, speech, debate, dispute, and association, and incorporating the principles of separation of church and state, people's sovereignty and the rights of man."

It is true that the phrase "separation of church and state" does not appear in the Constitution, but neither does "religious liberty" nor "Bill of Rights." However, these designations are convenient and are fully warranted because they are succinct and descriptive terms.

The language of the First Amendment, long pondered and repeatedly revised before final adoption, should be carefully noted. Not a few have contended that whereas its precise meaning is that Congress shall not be allowed to establish a single church, the Amendment in no way prohibits governmental recognition and support of all churches. Yet the word *church* is not used in this first guaranty in

our Bill of Rights. The word *religion* is used instead. The author explains this choice of wording as follows:

So long as the state had any remaining right to sit in judgment upon the claims of any religious faith or to tax persons for the support of any religious teaching in which they did not believe, there could be no equal rights of conscience . . . When Americans realized that all forms of establishment were hostile to equality, they formulated the conception of church and state in the Revolutionary and early National period.

The idea that the state might establish religion by giving what is termed non-preferential aid to all the churches came up at once in the proposal to allot tax funds equally to all religion teachers. This idea was strongly advocated in Virginia. Even Patrick Henry advocated it. But Washington, Jefferson, and others of the founding fathers perceived that this violated the very essence of the amendment. It was James Madison, "Father of the Constitution," who came forward with an immortal paper which defeated the proposition. This was his *Memorial and Remonstrance Against Religious Assessments*, one of his greatest pronouncements.

Notwithstanding the decisive rejection of the attempt, Roman Catholics and some Protestants in recent years have revived this argument. At this moment it is being more earnestly urged than ever before as ground for entitling parochial schools to receive in equal amounts grants for scientific studies the same as are accorded institutions fostered by the state.

The *Everson* case was decided by the United States Supreme Court in 1947 by a vote of five to four. The majority opinion was written by Justice Hugo Black and the minority dissenting opinion was written by Justice Wiley B. Rutledge. Both justices agreed that there are two great questions persisting in the process of keeping church and state as required by the First Amendment. Justice Black for the majority expressed this conclusion:

(See DAWSON, p. 6)

## *Church-State, Human Rights Questions*

# Ford, Carter: How They Compare on the Issues

By Stan L. Haste

As a service to its readers, *Report from the Capital* has compiled statements by presidential candidates Gerald R. Ford and Jimmy Carter on a number of church-state and human rights questions. Their positions are stated briefly here.

### CHURCH-STATE ISSUES

#### • ABORTION

President Ford has repeatedly expressed disagreement with the Supreme Court's historic 1973 decisions ruling that abortion in the first trimester of pregnancy is a matter to be decided by a woman in consultation with her physician. Although he has advocated a "states' rights" constitutional amendment, Ford has also said that other proposals to amend the Constitution do not represent "a practical solution."

Jimmy Carter has said that "abortion is wrong" and that "government ought never do anything to encourage" it. At the same time, he says that he does "not favor a constitutional amendment which would prohibit all abortions, nor one that would give states local option to ban abortions."

After separate meetings with a group of U.S. Roman Catholic bishops recently, both candidates again stated their personal opposition to abortion. But neither would give the bishops assurances he would support constitutional amendments backed by the church.

#### • AID TO EDUCATION

Mr. Ford has long stated that he approves of public aid to nonpublic education. In a message to Congress earlier this year, Ford said again that nonpublic schools should receive federal funding and that where individual states do not provide funding for such schools, he would ask the Commissioner of Education to fund them directly with federal monies.

Carter, who had earlier expressed opposition to state aid to nonpublic schools, recently told the National Catholic News Service that he sees "no incompatibility" with such funding "as long as the public money is not used for religious instruction." He went on to say that he would approve of secular funding for secular curriculum subjects "if the laws and the interpretation of the Constitution would permit."

#### • AMNESTY

Although Mr. Ford's Clemency Board

processed some 20,000 applications for "earned re-entry," he indicated in June that he has "no plans" to offer any new program in the area. Speaking last month before the American Legion's national convention, Carter's vice presidential candidate Sen. Robert Dole said that the President's policy is now one of "no amnesty."

Addressing the same convention, Carter sought to distinguish between amnesty and pardon by saying that "amnesty means that what you did is right," while "a pardon means that what you did—right or wrong—is forgiven." He said that if elected he would "grant a blanket pardon" to draft evaders but that deserters' cases "should be handled on an individual basis in accordance with our nation's system of military justice."



Haste

#### • PRAYER IN PUBLIC SCHOOLS

When the House of Representatives narrowly failed to support a constitutional amendment supporting prayer in the schools in 1971, then-Congressman Gerald Ford voted for it. His position has not changed. He has repeatedly criticized the Supreme Court's 1962 and 1963 rulings forbidding prescribed prayer and Bible reading in the schools, calling them "regrettable" and "most unfortunate."

On the other hand, Jimmy Carter stated in a recent interview that he believes the court's rulings were "proper" and that no one "should be forced to pray at a certain time or pray in a certain fashion in the public schools."

#### • VATICAN REPRESENTATIVE

For the past two years, Mr. Ford has had a personal representative in Vatican City, Henry Cabot Lodge. According to Religious News Service, the present White House position is essentially similar to that of former President Richard M. Nixon, who found the arrangement "useful" and "advantageous" in conducting foreign policy.

In an interview with *The New York Times* last month, Carter said that he had "no objection" to an exchange of ambassadors between the U.S. and the Vatican.

### HUMAN RIGHTS ISSUES

#### • AGING

President Ford has said that "the single greatest threat to the quality of life of older Americans is inflation." He has proposed a full cost of living increase in Social Security benefits, recommended that Medicare be modified to protect the elderly against catastrophic illness, and promised help through a number of federal agencies in housing, transportation, and other social services.

Mr. Carter has proposed that Social Security "be strengthened through an increase in the maximum earnings base and an increase in benefits in proportion to earnings before retirement." He says that housing construction must be rapidly expanded under provisions of the Housing Act, that an "aggressive policy to eradicate employment discrimination" must be pursued, and that Medicare coverage must be expanded until a national health care program is implemented.

#### • BUSING

Although Ford has promised to uphold the courts, he has stated that he does "not believe that court-ordered, forced busing to achieve racial balance is the right way to get quality education." He has proposed creation of a National Community and Education Committee to give advice and technical assistance to school districts seeking to desegregate themselves.

Carter advocates "voluntary transfers for students" and "adequate representation of minority leaders" in school administrations. Like Ford, he opposes "mandatory busing" but at the same time vows to uphold court orders on desegregation. He says he opposes a constitutional amendment which would forbid busing.

#### • DEFENSE

Ford has said on numerous occasions that when he assumed the presidency two years ago, he made a policy decision to reverse what he considered a trend over the past 10 to 15 years to decrease the real spending power of the defense establishment. For fiscal 1977, he presented Congress with a record defense budget of \$112.7 billion. He has promised that under his program, "work will continue on the Trident submarine, the B-1 strategic

bomber, cruise missiles and ballistic missiles." He has opposed placing a ceiling on arms sales to other countries and congressional review and veto power over major arms sales.

In a recent interview with *U.S. News & World Report*, Carter stated that he believes the U.S. presently has "rough equivalency" with the Soviet Union and that he would "certainly want to maintain that." Nevertheless, he has said that \$5 to \$7 billion annually could be slashed from defense spending without endangering the nation. He also advocates cutting unnecessary upper-echelon military personnel, opposes further funding of the B-1 bomber, would seek to trim U.S. military bases overseas, and would curtail "the flow of arms into the developing world."

#### • EMPLOYMENT

Mr. Ford has stated that the "core of my economic policy" is to "encourage the growth of the private sector without risking a new round of inflation." Earlier this year he vetoed the Public Works Employment Act, saying that it would invite inflation. He has also been a vocal critic of the Humphrey-Hawkins full employment bill now in Congress. He contends that the measure "is a classic example of the way the misguided majority in recent Congresses has tried to apply discredited remedies to our economy."

Gov. Carter has countered that "we simply cannot check inflation by keeping people out of work." He maintains that "the federal government has an obligation to provide funds for useful and productive public employment of those whom private business cannot or will not hire." He recently endorsed the Humphrey-Hawkins bill.

#### • EQUAL RIGHTS AMENDMENT

According to the President Ford Committee, Mr. Ford "strongly supports the Equal Rights Amendment" and "has opened and will continue to open new doors to women" so as "to eliminate barriers which still exist for women's full participation in our society."

Carter also describes himself as a "strong supporter" of ERA. He also would seek the strengthening and strict enforcement of laws "prohibiting sex discrimination in credit, employment, advancement, education, [and] housing." He further advocates legislation to "eliminate sex discrimination in health and disability insurance plans," revision of Social Security laws to eliminate discrimina-

tion, and accessibility to health care and voluntary family planning programs.

#### • FOREIGN AFFAIRS

Although Ford has eliminated the word "detente" from his political vocabulary, he described the term last year in a major address as "movement away from the constant crisis and dangerous confrontations that have characterized relations with the Soviet Union . . . it represents our best effort to cool the cold war."

Carter has said that "detente can be an instrument for long-term peaceful change within the Communist system, as well as in the rest of the world." He cautions, nevertheless, that "detente requires that the Soviets, as well as the United States, refrain from irresponsible intervention in other countries."

#### • HEALTH CARE

In an interview in New Hampshire earlier this year, Ford repeated his opposition to a national health insurance program, citing its cost and "the experience of other countries." He has proposed instead a catastrophic health insurance plan for the elderly covered by Medicare. Under the program, participants aged 65 and over would share in the cost but would not be required to pay more than \$500 a year for covered hospital expenses or \$250 a year for doctors' fees. He also proposes consolidating 16 federal programs including Medicaid into one \$10 billion program which would distribute federal funds "through a formula which provides a larger share" of such funds to states with the "greatest number of low income people."

Carter, on the other hand, proposes a universal and mandatory national health insurance program financed by general tax revenues and shared employer-employee payroll taxes. In his presentation to the platform committee of the Democratic party in June, he also proposed a shift in emphasis "away from hospitalization and acute-care services to preventive medicine and the early detection of the major cripplers and killers of the American people."

#### • TAX REFORM

Mr. Ford has sought passage of legislation "that would require high income taxpayers to pay a reasonable tax, that would restrict the use of artificial accounting losses as tax shelters, and would gradually reduce the double taxation on corporate dividends." He speaks of reforming the federal tax laws with the goal of "achieving greater fairness among taxpayers."

Calling the present tax system a "disgrace," Mr. Carter holds that "the income most certain to be taxed is that which is derived from manual labor." He attacks "carefully contrived loopholes" which "have created a regressive system which lets the total tax burden shift more and more toward the average wage earner." He told the Democratic platform committee that "basically, I favor a simplified tax system which treats all income the same, taxes all income only once, and makes our system of taxation more progressive."

#### • WELFARE REFORM

Stating that "it is clear to everyone that the current welfare system is in a mess," President Ford has proposed a sweeping new program to be implemented "hopefully before the end of the decade." It would modify federally assisted programs for which there is a means test, including Food Stamps, Aid for Dependent Children, and Social Security and permit modification of administrative procedures, eligibility requirements, benefit levels, and program administration authority.

Gov. Carter also decries the present welfare system, charging that it "is a crazy quilt of regulations administered by a bloated bureaucracy" which is "wasteful to the taxpayers of America, demeaning to the recipients, discourages work, and encourages the breakup of families." To correct the system, he proposes "one fairly uniform, nationwide payment, varying according to cost of living differences between communities." The program would be funded "in substantial part" by the federal government and would include work and job incentives. He advocates removing the "welfare burden" from cities, "with all welfare costs being paid by the federal and state governments."

## Census

(Continued from page 2)  
years with respect to the right to privacy through unconstitutional and unlawful operations of such agencies as the FBI, the CIA, and military intelligence. For almost 190 years, the question of religious affiliation has not been a part of the U.S. census because, in the words of Madison, religion is outside the jurisdiction of government. So may it continue.

Your views on this subject should be addressed to: Mr. Vincent P. Barabba, Director, Bureau of the Census, U.S. Department of Commerce, Washington, D.C. 20230.

## Dawson

(Continued from page 3)

In recent years, so far as the provision against the establishment of a religion is concerned, the question has most frequently arisen in connection with proposed state aid to church schools and efforts to carry on religious teachings in the public schools in accordance with the tenets of a particular sect.

Justice Rutledge, dissenting, said in even clearer terms:

Two great drives are constantly in motion to abridge, in the name of education, the complete division of religion and civil authority which our forefathers made. One is to introduce religious education and observances into the public schools. The other, is to obtain public funds for the aid and support of various private religious schools.

Justice Black further declared: "The state courts, in the main, have remained faithful to the language of their own constitutional provisions designed to protect religious freedom to separate religions and governments (in harmony for the most part with the Federal Constitution)."

What the Constitution of the United States forbids and what the constitutions of all the states forbid, although in different forms of expression, is the making of any law or the action of any governmental authority in pursuance of any law that involves the interlocking of the official functions of the state (or any of its agencies) with the official or institutional functions of any church.

When a given state acting through its legislature invites or employs a religious leader to deliver an invocation at the opening of the sessions of the legislature, it is dealing solely with an individual qualified to perform the services asked for; it is not making any contract, agreement, or arrangement with any specific religious group, whether Catholic, Protestant, or Jewish; it is not giving a vote or a veto to any religious institution; it is not giving sanction by such participation to any group, organization, or association of church bodies, whether national, state, or local.

When the officials in charge of the activities of the armed forces select ministers, priests, and rabbis to act as chaplains, they are not making any agreement with their respective religious organizations or group of organizations.

Also when the state exempts from taxation all property used for charitable, cultural, or religious purposes, it is not par-

ticipating in the official functions of these institutions; neither is it giving anyone outside the government a voice in the affairs of government. No organized Catholic, Protestant, or Jewish institution is thereby given a voice in the affairs of government. Some individuals even go so far as to say that the absolute separation of church and state might in some way prevent our putting the words "In God We Trust" on the coins and notes of the United States Treasury.

Many Americans contend that church-state separation has proved best for the state and best for the church. They approve of the words Thomas Jefferson addressed to the Danbury, Connecticut, Baptist Association in 1802: "I contemplate with sovereign reverence that act of the whole American people which declared that their legislature should 'make no law respecting an establishment of religion, or prohibiting the free exercise thereof,' thus building a wall of separation between Church and State."

There is still a determined effort to touch that wall. This effort takes many forms. Some, such as free buses to parochial schools, have been termed "fringe aids"; others, such as large grants to church hospitals, are more consequential. All either erode or crack the wall.

There are not only those who, like termites, work in subtle ways to undermine our Constitution, but there are also those who openly try to subvert it. They diligently seek to set aside the traditional, historical interpretation of the Constitution and to substitute instead the European concept of church-state relations. This they do in an effort to procure special favors and tax funds from the government for the purpose of strengthening their sectarian institutions. If they succeed in their purpose, they will sound the death knell of religious liberty in the United States.

Some ask nonchalantly: What of these attacks? They may even ridicule endeavors to cling to the Constitution. Such people, if they believe in church-state separation at all, believe that the principle applies only now and then, here and there. If they would stop and think, they would realize that they argue with America's finest patriots. From George Washington to the present many of our best statesmen have shown how urgently important it is to preserve our Constitution in its integrity. Listen to James Madison in his famous *Memorial and Remonstrance*:

It is proper to take alarm at the first experiment of our liberties. We hold this prudent jealousy to be the first duty of

citizens, and one of the noblest characteristics of the late revolution. The freemen of America did not wait till usurped power had strengthened itself by exercise, and entangled the question in precedents. They saw all the consequences by denying the principle. We revered this lesson much too soon to forget it. Who does not see that the same authority which can establish Christianity, in exclusion of all other religions, may establish, with the same ease, any particular sect of Christians, in exclusion of all other sects?

Madison's biographer, Irving Brant, says the First Amendment "was Madison's further answer, in behalf of all American people, to every attempt, no matter how small or innocent it might seem to be, to establish religion by financial or any other means."

It is a curious fact, but true nevertheless, that from the first there have been those who zealously seek to insert religion in the Constitution by having the Constitution declare expressly for the Christian religion. This movement grew vocal in connection with the Girard College case. Again in 1863 it became rather impressive when representatives of eleven Christian denominations met in Xenia, Ohio, and demanded that Christianity be made the official religion of the United States. *The Christian Statesman* was started in 1867 and a lobby was instituted in Washington for that purpose. There exists to this day an organized group besieging Congress to do what the Constitution forbids it ever to do, namely, establish religion. Failure to establish religion signifies neither hostility nor neutrality. Those who complain bitterly over the secularization of the state seem never to have realized that it is properly secular in the sense that it is not under church control.

In 1872, the Supreme Court of Ohio, with Judge Welch presiding, handed down a decision which reads: "Religion is not—much less Christianity or any system of religion—named in the preamble of the Constitution as one of the declared objects of government; nor is it mentioned in our Constitution as being essential to anything beyond mere human government." As argued by Roger Williams in the beginning, the functions and objectives of religion and state differ. Madison even insisted that religion, which is voluntary, needs neither police power nor taxes to advance it. Moreover, he said that the national government has no "jurisdiction" over religion nor any "shadow of right to interfere" with it.

# Public Affairs . . . and the Churches

## Georgi Vins Measure Gains in Congress

WASHINGTON—Congress took one more step toward approval of a resolution calling for a broader practice of religious liberty in Russia.

The House Committee on International Relations has reported out a resolution by unanimous vote urging the Soviet Union to free dissident Baptist minister, Georgi Vins, who is serving a five-year sentence in a hard labor camp in Siberia. Rep. Thomas E. Morgan (D-Penn.) is chairman of the committee.

Present plans call for a vote in the House of Representatives on September 20. No opposition to the resolution is expected.

Although hearings on the problem of religious liberty have not been held in the Senate, Rep. John Buchanan, Jr. (R-Ala.) and Sen. Henry M. Jackson (D-Wash.) are in consultation about procedures for action on the resolution in the Senate before adjournment of Congress the first week in October.

Buchanan, formerly a Baptist pastor, has taken the lead in pushing the resolution through Congress. At the present time he has 140 cosponsors in the House, representing high-level bipartisan support for the resolution. Jackson has long been an advocate for relief of persecuted Jews and other dissident groups in Russia.

The resolution calls on the Soviet Union to honor its commitments for religious freedom in its own constitution and in the Helsinki Agreement and the United Nations Charter on Civil and Political Rights, which it ratified.

The Vins case has received attention throughout the Western world, prompting demonstrations in Britain and a petition drive in many countries. Many thousands of signatures were secured on the petitions requesting the Soviet government to free the Baptist minister. (BP)

## Report from the Capital

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September 1976

## Senate Defeats Buckley Move for Tax Credits

WASHINGTON—The U.S. Senate rejected a move by advocates of aid to parochial schools by defeating an amendment to the Tax Reform Act which would have provided tax credits to parents for the school expenses of their children.

Sen. James L. Buckley (Cons. R-N.Y.), a consistent proponent of various kinds of government aid to parochial schools, had asked Senate colleagues to approve an amendment which would have provided tax relief to parents with children enrolled in any school, public or private, at all levels—college, high school, or elementary school.

By a vote of 52-37, the Senate rejected the move, although it did pass by voice vote a measure introduced by Sen. William V. Roth, Jr. (R-Del.), providing a tax credit to parents of young people enrolled in any college, public or private.

Roth's successful amendment provides a tax credit of \$100 for parents with young people enrolled in any college or vocational school for the tax year 1977. The credit will be increased by \$50 a year to a limit of \$250 in 1980 and thereafter.

Buckley's proposal would have granted a tax credit of up to \$1,000 for parents of college or vocational school students, up to \$500 for parents with youngsters in secondary school, and up to \$250 for those with children in elementary school.

The Baptist Joint Committee on Public Affairs (BJCPA) here had sought the defeat of the Buckley amendment by urging Baptist leaders and constituents to wire or call their senators.

James E. Wood, Jr., executive director of the Washington-based Baptist agency, hailed the measure's defeat as a victory for opponents of tax aid to sectarian institutions.

"Both the purpose and primary effect of tax credits for tuition paid for dependents who are enrolled in church schools amount to aid to religion," he said. (BP)

## Gaddy, Baker Caution Private Church Schools

RIDGECREST, N.C.—An executive of the Southern Baptist Christian Life Commission has criticized some Baptists who he says have given up their opposition to state aid to nonpublic schools after their congregations have begun to operate such schools.

C. Welton Gaddy, director of Christian citizenship development for the SBC commission, said that "private schools, like our denominational sponsored institutions of higher learning, have a place in society, but not at the public's expense."

Addressing a conference on "Moral Issues in the '76 Elections," sponsored by the Christian Life Commission, Gaddy asserted that "since some Baptist churches have entered the business of private education, convictions have eroded. Some of the very same people who have been most adamant in their opposition to public funds for private education in the Roman Catholic Church are now willing to accept public funds to support education in their own churches."

Although the commission official supported the right of people to send their children to private schools, he stressed that "they do not have a right to use public funds to do so."

Another speaker warned that churches which accept "gifts" that are used to pay tuition for children in such schools may be in danger of losing their tax exemptions.

John W. Baker, associate director for the Baptist Joint Committee on Public Affairs, said that "a tax deduction may not be taken on a person's income tax for any contribution to a church or other non-profit organization if the contributor receives any kind of services in return—namely, services provided by a private school."

For example, he explained, "if persons make 'gifts' to a church and that money goes to pay tuition for fees for a child in that church's private school program, a bona fide gift has not been made and a tax deduction cannot be taken. To do so constitutes fraud for which the persons will be prosecuted when this fraud is discovered."

(See CHURCH SCHOOLS, p. 8)

## Church Schools

(Continued from page 7)

Any church which falsely certifies as contributions those payments for services "is transgressing the law and may be fined and its entire tax status examined," Baker warned. He added that "whoever knowingly makes the certification—the minister or other church officer—has committed a felony and will have to face the law." (RNS)

## Rhodesian Government Closes Church Mission

SALISBURY—The Rhodesian government has ordered a Congregational Church mission closed down as part of a general crackdown on missionaries who allegedly give aid to black guerrillas.

A government spokesman said the Chichore mission, near the town of Chipping about nine miles from the Mozambique border, had been shut down and two South African-born teachers there had been ordered out of the country.

The spokesman also disclosed that an Italian woman doctor working in a mission in northeast Rhodesia had been arrested and charged with treating a wounded guerrilla without reporting him to the authorities.

Helping or failing to report "terrorists" carries a maximum penalty of death under

the laws of Prime Minister Ian Smith's white-supremacist minority government.

Recently, Irish-born Roman Catholic Bishop Donal R. Lamont of Umtali Rhodesia, suggested in an open letter to Smith that church missions and hospitals might be justified in giving illegal assistance to the guerrillas.

"Have not those who honestly believe that they fight for the basic human rights of their people a justifiable claim on the Church for the spiritual ministration of the clergy?" the bishop asked. (RNS)

## Danes Remain Cool Toward State Church

COPENHAGEN—Six Danes in ten would remain in the Evangelical Lutheran Church in Denmark if they had to request it formally, according to recent research here.

Currently, the "Folkekirke" (folk church) includes, at least nominally, 4.9 million Danes, almost the whole population. All Danes are members unless they ask not to be. Members are liable to a small church tax.

A study by a Danish institute for statistics and social affairs showed that half the population of Denmark never goes to church.

One fifth of Danes go to church on Christmas and Easter, another fifth "now and then," and six per cent go more than once a month. (RNS)

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