

JUN. 8 1979

Report from the Capital

May
1979

- Vins Released p. 4
- Prayer Debate Renewed ... p. 2
- Views of the Wall p. 6
- International Dateline p. 10

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From the Desk of the Executive Director

Public School Prayers—Again

By James E. Wood, Jr.

Ever since the Supreme Court decision of *Engel v. Vitale* seventeen years ago, in which the U. S. Supreme Court ruled that the state-sponsored prayer program of the schools of New York state was unconstitutional, efforts of one kind or another have been made in the Congress to reestablish the right of public school sponsored prayers. In the 96th Congress the effort is being renewed by means of proposed legislation which would deny the U. S. Supreme Court and all federal district courts from hearing cases involving "voluntary prayers in public schools and public buildings."

Offered by Sen. Jesse Helms (R-N.C.) as an amendment first to S. 210 authorizing a Department of Education, the amendment was several days later added instead to S. 450, a bill dealing with court jurisdictional questions. While S. 450 appears to be headed for oblivion in the Congress, the Senate votes (twice in a week) in favor of such an amendment cannot be taken lightly by those who prize the Establishment and Free Exercise clauses of the First Amendment. The very fact that members of the U. S. Senate should have felt any need to support such legislation which is clearly aimed at circumventing and circumscribing the U. S. Supreme Court decisions of 1962 and 1963 outlawing public school sponsored prayers is a sad commentary on the legislative responsibility of the U. S. Senate.

One of the real ironies of the sponsored legislation is that the proposal purports to restore that which was never taken away by the Court—"voluntary prayer" in the public school classroom. The premise is a false one since the Supreme Court never ruled against voluntary prayer in the public schools. Rather the Court declared as unconstitutional public school sponsored prayers as an imposition of the authority of the state into religion and, therefore, in violation of both the free exercise of religion and the separation of church and state. Thus, the jurisdiction amendment as offered by Sen. Helms, and favorably voted upon by the Senate, is first of all totally unnecessary since the Court has never denied or challenged the principle of voluntary prayer in public schools or public buildings. No student and no teacher is forbidden to pray privately in the public schools any time he or she is inclined to do so as an individual. What is forbidden is state-sponsored prayers in the public schools since this would mean state-sponsored religion and the intrusion of government into religious affairs which government is forbidden to do. Meanwhile, the public schools as any other place is appropriate for personal and voluntary prayer without state entanglement or support.

The Supreme Court has rendered two decisions involving state-sponsored prayers in the public schools. In 1962, by a vote of 6 to 1, the Court ruled in *Engel* that whether such a



Wood

prayer program is voluntary, nondenominational, or involves the use of tax funds, is immaterial. Prayer is a religious act and therefore cannot be sponsored by the state without violating the First Amendment. "It is neither sacrilegious nor anti-religious," the Court said, "to say that each separate government in this country should stay out of the business of writing or sanctioning official prayers."

Again by an almost unanimous vote, 8 to 1, the Court ruled in 1963 in *Schempp-Murray* that the practice of public school sponsored devotional Bible reading and the recitation of the Lord's prayer is unconstitutional. Once again the Court rejected "unequivocally" the reasoning that the First Amendment forbids "only government preference of one religion over another," but that it means nothing less than the separation of church and state. Such practices were found to be, as religious exercises, in violation of the Constitution which requires that "Government maintain strict neutrality, neither aiding nor opposing religion." Firm support was given both of the Court's decisions by the Baptist Joint Committee on Public Affairs, the United Methodist Church, the United Presbyterian Church, U.S.A., the National Council of Churches, and the American Jewish Congress, among others.

A constitutional prayer amendment reached the floor of the House, November 8, 1971. Although but narrowly defeated, failing by 28 votes to receive the two-thirds vote required, most of the religious denominations in America opposed the prayer amendment, and they did so primarily for religious reasons "as detrimental to the substance and spirit of religion in America."

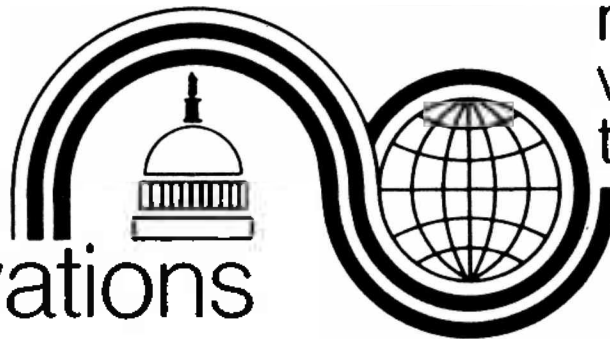
The renewal of efforts in the 96th Congress to circumvent the Supreme Court's decisions of 1962 and 1963 have already brought strong opposition primarily from the religious community. Through the years numerous resolutions have been passed by state and national Baptist conventions in addition to those of the Baptist Joint Committee in opposition to such efforts. With respect to the Helms jurisdiction amendment, Baptists are joined by a wide range of religious denominations, including the Lutheran Council of America, Church of the Brethren, the United Methodist Church, United Presbyterian Church, U.S.A., American Jewish Congress, and the National Council of Churches. In a letter written a few days ago to all members of the Senate, the Director of the Washington Office of the National Council of Churches declared, "The National Council of Churches, representing 32 major Protestant and Orthodox communions in this country, believes that religious experience of children is not the business of either the government or the public schools . . . rather, a responsibility and a sacred trust of the family and the church."

The communication from the Baptist Joint Committee to the U. S. Senate underscored that any effort to limit the jurisdiction of the U.S. Supreme Court and district courts should be viewed as an abridgment of the First Amendment and in no way an aid to religion or the religious exercise of prayer. Such a proposal does not serve either the interest of the state or the cause of true religion. The communication expressed the view that "we earnestly hope that you will oppose this jurisdiction amendment as unnecessary and dangerous to the concept of a free society—as injurious to both a free church and a free state." In effect, the jurisdiction amendment should be opposed as a dangerous precedent whereby the Supreme Court, as well as the district courts, would be restricted in interpreting fundamental guarantees of the Bill of Rights.

Lamentably, after more than a decade and a half since the

(See PRAYERS, p. 12)

washington observations



news
views
trends

IN SPITE OF GASOLINE LINES and dire predictions about the eventual outcome of the newest energy crisis, much of official Washington's attention is focused on the prospects of Senate approval of the SALT II pact with the Soviet Union.

THE CARTER ADMINISTRATION announced May 9 that the controversial treaty has been completed after nearly seven years of negotiations during three American administrations. Secretary of State Cyrus R. Vance must now shoulder much of the burden of convincing skeptical U. S. senators that the treaty is essential to U. S. and global security.

ANOTHER KEY FIGURE IN THE SENATE debate will be Secretary of Defense Harold Brown, whom the Administration has tapped to convince wavering senators as well as the public that the nation cannot afford to pass up the opportunity to slow down the arms race. Brown's role is particularly important in convincing senators that any Soviet violations of the treaty could be detected and verified.

ALEXANDER GINSBURG, who along with Georgi Vins and three other Soviet dissidents, arrived in the U. S. on April 27 in exchange for two convicted Soviet spies, told the U. S. Commission on Security and Cooperation in Europe that dissidents in the U.S.S.R. are dependent on protests on their behalf.

HIS COMMENTS RECONFIRM what many others have emphasized--the free world must not relax in publicizing the plight of religious and other dissenters, even as the U. S. seeks better relations with the Soviet Union.

BISHOP KAROLY TOTH of the Reformed Church of Hungary, told a group of Washington representatives of various denominations that the most important task facing Christians East and West is to halt what he called "this crazy armaments race." The "moral force" of Christians the world over must be used on behalf of peace, he said.

TOTH, ALONG WITH Archpriest Vitali Borovoj of the Russian Orthodox Church and Polish Roman Catholic layman Wojciech Ketrzynski, spent several days during May on a visit to the U. S. under sponsorship of Christians Associated for Relationships with Eastern Europe (CAREE).

Georgi Vins Worships with Carter; Future Plans Uncertain

By Carol B. Franklin

WASHINGTON—Just two days after his dramatic release from internal Soviet exile, dissident Soviet Baptist pastor Georgi Vins worshipped at Washington's First Baptist Church, the invited guest of President Jimmy Carter.

Vins was waiting outside the church when President and Mrs. Carter arrived shortly before time for Sunday School on April 29. Along with First Baptist pastor Charles A. Trentham, they walked into the church building, where Vins listened to an interpreter translate Carter's Sunday School lesson, dealing with the theme of justice.

During the worship service which followed, Trentham told the overflowing congregation, "We are in one of the great moments of history. Last summer I was privileged to travel in Russia with Olin Robison, visiting in the home of Mrs. Georgi Vins, praying with her and interceding for her husband. This is a high moment of triumph as we celebrate the release of Georgi Vins from a Soviet prison camp."

Robison, president of Middlebury College, Middlebury, Vt., is a graduate of Baylor University, Southwestern Baptist

Theological Seminary, and Oxford University. During the Johnson administration he served as special assistant to three successive undersecretaries of state. During that time he travelled extensively in Europe and Russia. He still serves as a consultant to the Department of State. He said that he is useful to the State Department because of his wide circle of friends and acquaintances in both religious and government circles in Europe and the Soviet Union.

Trentham told Baptist Press that Carter called him on Saturday after Vins had been in this country a few hours to ask his help since Vins was in tears and apparently deeply depressed. Robison was with Vins at the time and brought him to Washington at Carter's and Trentham's invitation.

Robison described Vins' condition as one of emotional and physical exhaustion. "He has been without sleep for ages," Robison said. "The last week has been the most harrowing thing imaginable. It is almost more than a person could comprehend. Four or five days ago Vins was bumping across Siberia in a cattle car; this (See VINS, p.11)

Wood Says Vins Is 'Free at Last'

[Managing editor's note: BJCPA Executive Director James E. Wood, Jr. issued the following statement following Georgi Vins' release.]

Human rights lie at the center of the work and witness of the Baptist Joint Committee on Public Affairs. Therefore, the release from prison of Georgi Vins, along with four other Soviet dissidents, is an event of special concern to the Baptist Joint Committee.

As on other occasions, following the last arrest of Pastor Vins in 1974, the Baptist Joint Committee formally took action on behalf of its nine national Baptist bodies of the United States and Canada in a communication to the government of the Union of Soviet Socialist Republics, through the Soviet ambassador to the United States, His Excellency Anatoliy F. Dobrynin. The Committee expressed its grave concern for Georgi Vins "whose right to religious liberty is denied."

At that time, the Committee underscored that "we profoundly lament the abridgment of religious liberty, whether applied to Baptists, Jews, or any other religious bodies . . . as Baptists we do not plead for religious privilege but for religious liberty . . . as a basic human right for all people and all nations and under all political systems. We, therefore, respectfully urge the Soviet government to apply the principle of religious liberty as set forth in Article 18 of the Universal Declaration of Human Rights . . ."

The latest development in the dramatic life and witness of Georgi Vins, almost within hours of his imprisonment in the Soviet Union, were made especially vivid to those in attendance at the First Baptist Church in Washington, D. C. on Sunday, April 29, 1979. Vins' presence and prayer in the morning worship service provided a moving testimony of faith. While Pastor Vins is free at last from prison, his freedom has meant expulsion from his native country and the loss of his Soviet citizenship. After years of harsh imprisonment and sufferings, untold trials and tribulations, Georgi Vins was able to exclaim with special depth of meaning, "I thank my Lord that I am free."



President Carter listens intently to Georgi Vins, the recently-released dissident Soviet Baptist pastor. They are shown with an unidentified interpreter in the study of Charles A. Trentham, pastor of Washington's First Baptist Church, where Vins worshipped with Carter on April 29.

(Official White House photo by Jack Kightlinger)

Wood Reiterates Opposition to IRS Schools Procedure

By Stan L. Hastey

WASHINGTON—Proposed Internal Revenue Service (IRS) rules threatening the tax exempt status of church schools which fail to prove they are racially non-discriminatory ought to be scuttled, the Baptist Joint Committee on Public Affairs reiterated here in testimony before a Senate subcommittee.

James E. Wood, Jr., executive director of the Washington denominational agency, told the Senate Subcommittee on Taxation and Debt Management that although the Baptist Joint Committee "has a long-standing commitment to the protection of human rights and to the elimination of discrimination based on race, religion, national origin, sex, or age . . . the fundamental issue which is raised . . . is religious liberty and the separation of church and state . . ."

The Baptist executive acknowledged that government has a role in furthering what he called "an altogether meritorious public policy of abolishing racial discrimination," but not at the expense of the religion guarantees of the First Amendment.

Wood, whose agency is charged with representing the public affairs concerns of eight U. S. Baptist groups, made it clear that the Baptist Joint Committee feels the IRS has overstepped its boundaries in attempting to threaten the existence of religious schools unless they prove their nondiscrimination.

"We believe that the Internal Revenue Service lacks not only statutory authorization for issuing this proposed procedure but also the legal competence, under the First Amendment, to regulate enrollment policies of either churches or the schools which they operate as an integral part of their religious mission," Wood declared.

The IRS proposal, imposing a mathematical quota system for the integration of "certain private schools," including religious schools, was first announced last August 22 in the *Federal Register*. Commissioner Jerome Kurtz indicated then that the powerful federal agency planned no public hearings because IRS considered the proposed procedure to be noncontroversial.

After thousands of protests, however,

Kurtz scheduled four days of public hearings last December.

On February 13, 1979, IRS published revisions in the proposed procedures, eliminating from coverage Hebrew day schools, Black Muslim schools, and Amish schools. Another revision also made special accommodations for Roman Catholic parochial school systems, holding that such systems would be exempt even though some individual schools failed to meet the racial quota imposed.

The Baptist Joint Committee statement attacked as "constitutionally treacherous" such "invidious distinctions" between churches. Wood argued that the IRS may not discriminate between churches because of varying organizational forms, "thereby making accommodations favorable to one class of religious organizations as opposed to the others."

Wood also attacked the proposed procedures on grounds that their enforcement would "excessively entangle government with religion" in violation of the First Amendment. "The very nature of the . . . procedure would necessitate an ongoing examination of records and activities," Wood said.

The statement likewise criticized the IRS for "usurp(ing) the legislative role of the Congress" in issuing the proposed procedure. "Congress intended to limit only the political activities" of tax exempt groups, Wood insisted.

Among those agreeing with the Baptist Joint Committee position at the hearings were two U. S. senators, a congressman, and representatives of the Council for American Private Education, the National Society of Hebrew Day Schools, the Seventh-day Adventists, the U. S. Catholic Conference, and the National Association of Evangelicals.

Appearing in support of the IRS proposal were Kurtz, the chairman of the U.S. Commission on Civil Rights, and representatives from the American Civil Liberties Union, the Tax Reform Research Group, the Lawyers' Committee for Civil Rights Under Law, and the National Association for the Advancement of Colored People. (BPA)

GAO Urges Attack on White-Collar Crime

WASHINGTON—A General Accounting Office (GAO) report released here reveals that federal funding to combat white-collar crime and political corruption is inadequate.

Released by Rep. John Conyers, Jr., D-Mich., chairman of the House Judiciary Subcommittee on Crime, the report shows that the Justice Department spent only 5.1 percent of its total budget in 1977 and 1978 in the fight against white-collar crime. Conyers' subcommittee estimates that white-collar crime costs the American public at least \$200 billion per year compared to \$4 billion annually for all street crimes against property.

Conyers noted that "the Attorney General and the director of the FBI have designated white-collar crime and public corruption as 'top priority areas'. The GAO report will help . . . match the rhetoric regarding the alleged elevation in importance of combatting such crime against the reality of actual spending levels."

Conyers pointed out that the GAO report shows federal assistance to the states through the Law Enforcement Assistance Administration (LEAA) amounted to only seven tenths of one percent of block grant funds and 4.3 percent of federal discretionary funds for fighting white-collar and organized crime from 1969 through 1976.

"It is disturbing to note that while the President and the Attorney General have been proclaiming white-collar crime to be a number one priority within the Justice Department, LEAA has been slashing funding for white-collar crime projects," said Conyers. GAO reports that LEAA discretionary grants for fighting white-collar crime were cut from \$4.57 million in 1976 to \$2.24 million in 1977.

Conyers conducted hearings on white-collar crime during the last Congress and announced that they will continue throughout the 96th Congress. He has also introduced legislation which would make white-collar crime one of four national priority programs for future funding.

The GAO report was commissioned last year by Conyers' subcommittee.

views of the wall

By John W. Baker



The First Amendment built "a wall of separation between Church and State." Thomas Jefferson in a letter to the Danbury Virginia Baptist Association.

"... the line of separation, far from being a 'wall', is a blurred, indistinct, and variable barrier." Chief Justice Burger, *Lemon v. Kurtzman*.

A Connecticut Superior Court, Danbury Judicial District, has held that an attempt to give five acres of land to the Regional Young Men's Christian Association, Inc. violates the Establishment Clause but not the Free Exercise Clause of the First Amendment.

The intended use of the land was for family recreation. The Y was to build and operate a swimming pool open to all people regardless of religion, race, sex, or age. However, the deed did not mention this and merely stated that the Y's use of the premises was to be for its "corporate purposes"—which are Christian. The court, in part, said, "Indubitably the purpose of the town of Ridgefield was to have a Y financed and operated swimming pool and family recreation center and not to promote any religion. Swimming pools are about as non-sectarian as can be imagined. A locker room is a difficult place to inculcate Christianity. Few souls are saved on the diving board, although it is probable that none are lost there either. There is no Christian or Jewish way to swim. The constitution and common sense are not antithetical."

"However, it is crystal clear that the deed restriction, 'that the premises shall be used by the said Regional Young Men's Christian Association, Inc. for its corporate purposes' unconstitutionally states, whether understood at the time or not, a religious purpose." *Harder v. Town of Ridgefield*, 2/2/79.

The Internal Revenue Service has held that a parent's contributions to a church-affiliated school which does not charge tuition but which solicits funds from churches, parents, and others are deductible to parents only to the extent that their contributions exceed the fair market value of their child's education. The IRS held that it was immaterial that the contributions were not specifically earmarked as tuition or that the solicitations were broad based and on the ability of the contributor to pay. Internal Revenue Service, Revenue Ruling 79-99, March 19, 1979.



Baker

The North Carolina Court of Appeals has held that the state statute which requires the licensing of charitable organizations which solicit funds from the public—but which exempts certain specific organizations which have "religious purposes" as determined by a state agency—violates the First Amendment Establishment Clause and denies the equal protection of the laws. *Heritage Village Church and Missionary Fellowship, Inc. v. North Carolina*, 4/3/79.

The Wisconsin Court of Appeals has held that a personal, philosophical decision—rather than a religious choice—on the part of parents who withdrew their eight children from a public school system does not rise to the level of a First Amendment claim of religious expression. *Wisconsin v. Kasuboski*, 275 N.W.2d 101 (1979).

The federal District Court for Arizona has upheld the general rule that in property disputes between a local congregation and the hierarchical church of which it is a part title to the property belongs to the hierarchical organization. *Paradise Hills Church, Inc. v. International Church of the Foursquare Gospel*, ____ F. Supp. ____ (1979).

The New Jersey Supreme Court ruled that a rabbi had the duty to disclose a prior criminal record and his disbarment as an attorney when negotiating a contract with a Jewish congregation to be their rabbi and spiritual leader. His failure to do so amounted to an equitable fraud justifying a rescission of the contract by the congregation. *Jewish Center of Sussex County v. Whale*, 397 A.2d 712 (1979).

The federal District Court for the Eastern District of Tennessee has held that the system of Bible study classes offered in the schools of Chattanooga and Hamilton counties violates the Establishment Clause. Although the courses were elective and the teachers were paid by a private Bible study committee, the court held that they engendered excessive entanglement of the state with religion and that the thrust of the classes was religious. The court did hold that if there was proper school supervision to insure that these courses were secular in nature, they would be constitutionally permissible. *Wiley v. Franklin*, ____ F. Supp. ____ (1979).

The federal District Court for the Western District of New York held that inmates of a state prison who were Black Muslims had been deprived of their First Amendment right to the free exercise of religion when the New York State Commissioner of Corrections refused to recognize Muslimism as a religion and, therefore, failed to issue regulations enabling Muslim prisoners to enjoy at least some religious rights. Compensatory damages in the amount of \$3,000 were granted to the prisoners. However, the court did not allow punitive damages in the light of a finding that Muslims are presently permitted to enjoy the full spectrum of First Amendment religious rights in New York prisons. *Bryant v. McGinnis*, 463 F. Supp. 373 (1979).

Report from the Capital

Helms Wins, Loses in Senate Prayer Votes

By Stan L. Hasty

WASHINGTON—Conservative U.S. Senator Jesse Helms, R-N.C., won a tainted victory when his effort to remove "voluntary" school prayer from the jurisdiction of the federal courts won one vote, then lost another more important test, in Senate action April 9.

Helms, a Southern Baptist who has for years opposed his denomination's position on the explosive subject of prayer in the public schools, first saw his amendment attached to a bill refining certain jurisdictional questions for the U.S. Supreme Court but then watched as Senate leaders stripped the amendment from a measure which would create a new department of education.



Helms

The Senate leadership, keyed by majority leader Robert C. Byrd, D-W. Va., devised the strategy after Helms' amendment surprisingly was attached to the department of education bill on Thursday, April 5. The leadership opposed that action for fear that it probably would have scuttled the measure. If enacted, the bill would take education out of the Department of Health, Education, and Welfare (HEW) and set up a separate Cabinet-level department for education alone.

Byrd's strategy worked to perfection. After introducing the Helms language as an amendment to the Supreme Court bill, Byrd proceeded to vote for the Helms proposal, which passed 51-40. Immediately after that vote, however, Byrd moved to strip the Helms language from the education department bill, succeeding in a 53-40 roll call vote.

During debate on the latter move, Helms argued that his proposal would be "effectively killed" if left attached only to the Supreme Court measure. He said that the chairman of the House Judiciary Committee, U.S. Rep. Peter W. Rodino, Jr., D-N.J., whose committee would have jurisdiction in the House of Representatives, has reportedly expressed opposition to the Supreme Court bill.

Rodino is also opposed to Helms' efforts to circumvent the Supreme Court's 1962 and 1963 decisions declaring unconstitutional government-sponsored prayer in the schools.

During the five-and-one-half-hour debate, Helms declared that the current "trouble" in the public schools "parallels almost precisely" the 1962 and 1963 decisions of the high court.

He repeatedly challenged his Senate colleagues to rise and cite one child who has been harmed by voluntary prayer in the schools. "I just don't understand" opposition to letting "little school children" have the "right of voluntary prayer," he said.

Helms pledged to seek to attach his proposal to every bill that comes before the Senate until both houses of Congress are forced to consider it.

Joining the recently-re-elected North Carolina senator was his fellow Southern Baptist, Sen. Strom Thurmond, R-S.C., who made an impassioned plea that if U.S. senators can have weekly prayer meetings in the Capitol building and have

their daily sessions opened with prayer, school children should be allowed to do the same.

He called the unexpected April 5 vote attaching the Helms language to the education department bill "one of the most wholesome" actions taken by the Senate during his long career.

On the other side, the fight against the Helms proposal was led all afternoon by Sen. Edward M. Kennedy, D-Mass., who argued repeatedly the traditional Baptist stance on separation of church and state.

Kennedy labeled the Helms proposal an "assault" on the Supreme Court and warned that the move would be a "precedent for all types of mischief." He said that the Senate would then feel it could remove from jurisdiction of the federal courts, including the Supreme Court itself, any matter it chose, thereby provok-

(See HELMS, p. 12)

Carter Opposes School Prayer Action

WASHINGTON—President Carter urged Congress not to pass legislation permitting so-called "voluntary" prayer in the public schools.

At his televised news conference April 10, Carter was asked the question, "As a born-again Christian, Mr. President, what is your position on prayers in public schools?"

Carter answered: "My preference is that the Congress not get involved in the question of mandating prayer in schools. I am a Christian. I happen to be a Baptist. I believe that the subject of prayer in school ought to be decided between a person individually and privately and God. And the Supreme Court has ruled on this issue and I personally don't think that the Congress ought to pass any legislation requiring or permitting prayer being required or encouraged in school."

The President went on to say that those students who "might object even to so-called voluntary prayer when it's public and coordinated" should not be put in the position of being embarrassed by asking to be excused during the recitation of prayer.

Although acknowledging that "I don't know all of the constitutional aspects of this very difficult and sensitive question," Carter concluded his response by saying,

"I think that (prayer) ought to be an individual matter between a person and God."

The question was prompted by debate in recent days in the U.S. Senate over "voluntary" prayer. Language removing prayer questions from the jurisdiction of the federal courts, thereby allowing states to permit prayer in schools, was attached April 9 by the Senate to a bill which is given little or no chance of passage in the House.

Earlier, Sen. Jesse Helms, R-N.C., who has long sought to enact legislation which would overturn the effect of the Supreme Court's historic 1962 and 1963 decisions banning government-sponsored prayer in public schools, succeeded in having his jurisdictional amendment attached to a bill creating a new department of education.

Senate majority leader Robert C. Byrd, D-W. Va., succeeded in a series of parliamentary maneuvers in having the Helms amendment attached to the bill dealing with other Supreme Court jurisdictional questions and stripped from the education bill.

Helms has threatened to attach his language to as many bills as necessary until both the House and Senate are forced to vote it up or down. (BPA)

Civil Rights Commission Looks at Religious Discrimination

By Carol B. Franklin

WASHINGTON—Religious discrimination in employment and the prison system is generally less severe than it was 15 to 20 years ago, witnesses before the U.S. Commission on Civil Rights agreed at a consultation here.

W. Melvin Adams, director of Public Affairs and Religious Liberty for the National Conference of Seventh-day Adventists, said we have come "two steps forward with some slippage."

"Judeo-Christian groups usually get a hearing," Adams told the commissioners at a two-day hearing on religious discrimination in jobs and prisons. "Prejudice to non-Christian groups, however, is still a problem."

Larry Taylor, warden of the Federal Correctional Institution at Lompoc, California, said that "lack of knowledge is the greatest barrier to the free exercise of religion" in prisons. Taylor cited his knowledge of native American religions as an example of the problem. "There is a lack of documented history," he said. "We had many questions about sweat lodges. Anything private that we can't inspect is suspicious. In our business we get a little paranoid."

Several witnesses discussed the problems of Sabbath observers in getting employer accommodation for their needs on Friday evenings and Saturdays.

Kenneth Patton, a Department of Labor official, said that federal contractors are required to accommodate sabbatarians unless it would create undue hardship.

Lee Boothby, attorney for the National Conference of Seventh-day Adventists, suggested that Congress pass "remedial legislation" to ensure that the rights of sabbatarians are upheld. Such legislation might require temporary accommodation while permanent arrangements are made, he said. He also suggested that legislation include the requirement that any collective bargaining agreement reached by a union must make provision for accommodation of religious needs.

David Brody, Leadership Conference on Civil Rights, told the commissioners that it is "wholesome for lawsuits to be brought in appropriate cases." "It puts the (employers) on notice that they are re-

sponsible for religious discrimination," he said.

Laws already on the books prohibiting religious discrimination are not fully utilized by the victims, according to Homer C. Floyd, executive director of the Pennsylvania Human Relations Commission. Few organizations on the local level are helping victims of religious discrimination, he said, unlike the victims of racial discrimination.

Another topic discussed before the Commission was discrimination at the executive level of business. Representatives of Jewish, Catholic, and humanist organizations told the commissioners that members of their groups have been discriminated against in promotion and hiring because of their religion or lack of it.

Michael Schwartz, Catholic League for Religious and Civil Rights, said that Catholic educational and economic status has risen to a rather high level but they are not proportionately represented in the executive suite. "The only explanation for this lack must be religious discrimination," Schwartz said.

Charles A. Reams, Jr., a Humanist Association spokesman, said that the theological orientation of humanists has kept some from being hired. "Atheists and agnostics in the executive suite are in the closet because they fear for their jobs," Reams said.

An Equal Employment Opportunity Commission official, Daniel E. Leach, told the commissioners that he had filed a formal charge against an industry which he could not name for a pattern and practice of discrimination against Jews. He noted that Sen. William Proxmire, D-Wis., chairman of the Committee on Banking, Housing and Urban Affairs, has been investigating the same industry. Observers at the consultation said they thought he was referring to the banking industry.

Richard A. Houlahan, Chaplaincy Services, Bureau of Prisons, told the commissioners that Bureau policy on religious practice in federal institutions is to allow the greatest freedom and opportunity for individual beliefs and practices consistent with security and safety in the prisons. (BPA)

First Lady Speaks Out on Mental Health and Aging

By Carol B. Franklin

WASHINGTON—Too often our national mental health care systems have no room for the elderly. Rosalynn Carter told participants in a two-day meeting here on mental health and aging.

"The harsh reality about our present system of mental health care is that for too many professionals and in too many programs, the elderly 'do not exist,'" Mrs. Carter said. "I shall never forget what one woman wrote me while I was working with the President's Commission on Mental Health. . . . 'One reaches the age where one is considered not to exist.'"

Mrs. Carter noted the complex roots of mental health problems in old age—financial worries, unhappiness over the loss of social status, grief over the death of loved ones. "All can lead to depression, even suicide," she said.

Rep. Claude Pepper, D-Fla., chairman of the House Select Committee on Aging, sponsor of the conference, told the audience that 25 percent of all suicides in America are by people over 65. Only 11 percent of the population is over 65, he said.

"In the United States, you have one strike against you, if you are old," Pepper said, "two strikes against you, if you are mentally ill; and three strikes, if you are both old, and mentally ill."

Mrs. Carter, as well as other speakers, urged increased research into the problems of aging and mental health. Robert Butler, director of the National Institute on Aging, said, "Research is not frivolous. It is the ultimate service and the ultimate cost containment."

Herbert Pardes, director of the National Institute of Mental Health, pointed out that less than one percent of the nation's 27,000 psychiatrists are in geriatric practice. "There is a pervasive sense of pessimism in the medical profession about working with older patients. This must be dealt with in the training period for doctors, nurses, social workers, and related fields."

Wilbur Mills, former chairman of the House Committee on Ways and Means, spoke on the special problems of the elderly and the use of alcohol and other drugs. Looking fit and trim after his bout with alcoholism five years ago, Mills told

(See AGING, p. 11)

Georgia Pastor Named Carter Speechwriter

WASHINGTON—The pastor of the First Baptist Church of Calhoun, Ga. has been named a speechwriter to President Carter.

R. L. (Bob) Maddox, pastor of the Georgia congregation for the past seven and one-half years, told his congregation Easter Sunday that he will assume the White House post on May 15.

During the past year, Maddox has written two speeches for the President and one for Mrs. Carter. In an interview with Baptist Press, Maddox said he first wrote for Carter the speech delivered by the President to a meeting last June in Atlanta sponsored by the Brotherhood Commission of the Southern Baptist Convention.

Most recently, Maddox wrote a draft for Carter's speech at the signing of the Israeli-Egyptian peace treaty March 26 and for an address delivered by Mrs. Carter the same day to the Christian Life Commission's family seminar in Orlando, Fla.

The Calhoun congregation, which includes the President's son Jack and his wife Judy, was pleased with his decision to join Carter's team of five speechwriters, Maddox said. He told the congregation that he saw the opportunity as the "next step in our ministry."

Maddox said he had some indication the offer might be made several weeks ago

and was ready to say yes because he had made it a matter of prayer. "I feel very comfortable in the Lord," he told Baptist Press. He said he hopes to continue to preach in the Washington area as opportunities arise.

The Georgia pastor has written lessons for three adult Sunday School quarterlies of the Baptist Sunday School Board and is the author of a commentary on Acts in the Layman's Bible Book Commentary, to be published this year.

He said that while he did not campaign extensively for the President in 1976, his wife did spend a week on the campaign trail with Judy Carter.

The White House offer was tendered him on April 13, Maddox revealed, by Gerald Rafshoon, Carter's director of communications.

He and his wife, Linda Cook Maddox of Thomaston, Ga., are graduates of Baylor University. He received the bachelor of divinity degree from Southwestern Baptist Theological Seminary, Fort Worth, Tex. and the doctor of sacred theology degree from the Candler School of Theology at Emory University, Atlanta.

Maddox said his wife and three children will remain in Calhoun, where Mrs. Maddox teaches school, until the conclusion of the current school year. (BPA)

UN Conference to Examine Technology

WASHINGTON—Since the United States has never been a poor country, it cannot and should not try to decide the path to development for other countries, a State Department official said here.

Csanad Toth, special assistant for policy planning, Department of State, told the Council of Washington Representatives on the United Nations that United States participation in the UN conference on science and technology this summer is for humanitarian reasons. "One of our goals is to consider the role of science and technology in eliminating abject poverty by the year 2000," Toth said.

"People have the right to be free of fear of hunger, disease and persecution," Toth continued. "By 2000 we hope the basic human needs for food, water, jobs, and health services can be met. Science and technology clearly have a role in achieving this goal. They are the only unlimited resources we have."

Robert E. Blake, a former career officer in the U.S. Foreign Service, now with the International Institute for Environment and Development here, cautioned the audience not to expect too much from the conference. "Only the hard problems are left," Blake said. "If they were easy, we would already have solved them. The context is more difficult now, too. There are more people in worse conditions with a smaller resource base."

Irene Tinker, Equity Policy Center, Washington, noted that most discussion of science and technology in the less developed countries ignores the role of women in national economies. "We tend to transfer the idea that women have no economic role," Tinker said. "This is simply not true in most societies. Women are usually responsible for themselves and their children. So if you really want to help people then you must consider the importance of women in development projects." (BPA)

Memorial Day Proclamation Stresses Peace

WASHINGTON—President Carter's annual Memorial Day Proclamation for 1979 places heavy emphasis on the subject of peace and calls on the nation to set aside the hour of 11 o'clock on Monday, May 28 to pray for peace.

Carter's designation of this year's Memorial Day as "a day of prayer for permanent peace" also acknowledges the nation's debt to its war dead. "They have given us a gift too valuable ever to repay, save by preserving that peace, that liberty, that America" they fought to secure, the President declared.

Noting that Memorial Day was set aside as a national holiday more than a century ago to honor the dead on both sides of the

Civil War, Carter said that "Each generation is called upon to preserve and defend our liberties anew, often with their lives."

"The fact that their suffering has not yet bought a permanent peace does not make their sacrifice in vain," he went on. "They preserved that which we hold most dear so that we might strive again for what they sought—a just and honorable peace in which all people settle their differences without bloodshed or oppression."

The President also called on "all the people of the world" to "join us in our struggle, so that one day all the earth may share the blessings of liberty, justice and peace." (BPA)

17th Religious Liberty Conference

Dates: October 1-3, 1979
Place: Washington, D.C.
Subject: International Human Rights

INTERNATIONAL DATELINE



By Carol B. Franklin

Vins Family Confined

MOSCOW—The wife of Georgi Vins, a Baptist pastor freed from a Soviet prison, says she and her family are being kept under virtual house arrest in their home in Kiev.

Nadezhda Vins, whose husband was exchanged in a Moscow-Washington prisoner swap April 27, told a Western reporter who reached her by telephone in the Ukrainian capital that she has not been informed whether she and her five children will be allowed to join him in the United States.

She said KGB secret police plainclothesmen have "barricaded the house, preventing anyone from leaving."

She said they ask anyone who comes to see the family for name, address and identification papers. (AP)

China Prints Koran

PEKING—The government has decided to finance a new printing of the Koran and to authorize establishment of a Koranic school in Kunming, the capital of the southern Chinese province of Yunnan, Peking Radio announced.

According to the radio, there are about 50,000 Muslims in Kunming, which it said has a population of 900,000. The broadcast noted that the city's four mosques, which had been closed in 1970, were reopened in June 1977.

Most of China's estimated 25 million Muslims are concentrated in northwestern provinces along the border with the Soviet Union. (RNS)

Vietnam Christians Suffer

Reports from a former missionary to Vietnam and a Baptist pastor who just escaped from there indicate Christians are not doing well since the Communist takeover in 1975.

Peyton Moore, Southern Baptist missionary now assigned to Hong Kong, said that increasing shortages of food and

medicine, and Vietnam's wars with Cambodia and China are forcing some Christians to a choice of death by either suicide or starvation.

Dao Van Chinh, the first Baptist pastor to escape Vietnam, said that Christians in Vietnam are becoming physically and spiritually poor.

Moore said that Baptists in Vietnam are not trying to develop ways to reach a long-term working arrangement with the government as in Eastern Europe and the Soviet Union. However, in Saigon, Baptists have united with other denominations to form an umbrella group that is recognized by the government. (BP)

Uganda Churches to Open

NAIROBI, Kenya—Southern Baptist missionaries have been assured by the new Ugandan government that they may resume work in Uganda as soon as the area between Kampala, the capital, and the Kenya border is under the control of the new government.

G. Webster Carroll, Southern Baptist missionary, said he had talked with members of the revolutionary government cabinet, most of whom seem to be Christian, and was assured that missionaries would be invited back into the country. They intend to ask for the lifting of a ban on many churches imposed by Idi Amin in September 1977. Some 27 religious groups, including Baptists, were banned in Amin's edict. Only four religions were labeled as legal. (BP)

Youth Affirm Faith

BONN—Polish censors suppressed the results of a survey of the nation's youth in 1968-71 which showed that a majority affirmed faith in God.

The survey, conducted by six priests at the Catholic University of Lublin, Poland, polled students in six cities of widely differing social circumstances. In spite of the different areas and conditions no city re-

ported more than five percent of their youth as atheists, although that is the official governmental teaching. In all cities over 75 percent of the students designated themselves as "religious, or very religious."

This information was revealed in a 700-page document brought out to Sweden in 1977 by the chief Communist censor of Cracow. (RNS)

Liberia Uses Bible

SOUTH HOLLAND, Ill.—More than 200,000 New Testaments were shipped to Liberia recently for use as classroom textbooks. Copies of the special African edition were provided by the World Home Bible League, a world-wide publisher and distributor of Bibles and Scripture portions headquartered here.

A missionary to Africa asked for the assistance of the World Home Bible League in providing the New Testaments after Liberian president William Tolbert, Jr. directed the schools to require all students to study the Bible for one class hour a day. Liberia is the first African country in recent years in which the Bible is being studied exclusively, although some form of religious education is required in Nigeria, Ghana, Sierra Leone and the Sudan. (EP)

USSR OK's Bible Printing

MOSCOW—Soviet authorities have given permission for the production of 20,000 Bibles and 25,000 hymnals in Russia. According to Alexei Bichkov, general secretary of the All-Union Council of Evangelical Christians-Baptists, the Bible in the Soviet Union is "more popular than ever" both among Christians and non-Christians.

According to the East West Information Center, all those buying a Bible have to register at the local authorities. Russian Christians estimate that about 70 million Bibles are needed to meet demand. (EP)

Vins

(Continued from p. 4)

morning he was sitting beside the President of the United States."

Vins is staying temporarily with Robison in Vermont. "What I want," Robison emphasized, "is to get time for him to rest." Robison said Vins was not ready to make any final decisions about the future but would probably wait for his family to join him.

According to Robison, "our government has said the families of all five men exchanged (for convicted Soviet spies) last week are expected to follow but we have no more firm information than that. All we have is the hope that they will come."

Vins' family includes his mother Lydia, his wife Nadezhda, his son Peter, who was released in March after serving a prison sentence for "parasitism", four other children, and a niece.

Robison said he felt it was unlikely that Vins would join his relatives in Canada. Vins was to talk with them Sunday night. "He is eager to meet them and get to know them," he said, "but I think it will be easier for them to come to him than for him to do any more travelling now."

Though Vins was tired from his ordeal, he appeared fit and healthy, unlike the most recent pictures of him available while he was imprisoned. He had appeared emaciated in the photographs but now seems well filled out. His iron gray

hair was close cropped and he wore a goatee.

Trentham told Baptist Press that he, Robison, and Jimmy Allen, president of the Southern Baptist Convention, have constituted themselves a committee to raise money to help the Vins family and to protect them from "the fanatics who would exploit them." "We've bitten off a big assignment," Trentham said, "but we must do all we can to help this family during the period of adjustment."

Allen sent a telegraph to Vins, which was read in the service, which pledged the support of Southern Baptists as "your spiritual family."

The President's presence in the service was a surprise since he was expected to leave immediately following Sunday School to attend a service in memory of the victims of the Holocaust at the Washington Cathedral. Instead, he sent his wife and son Chip and remained with Vins. "I think that was an extraordinary gesture for the President of the United States to make," Robison said.

Robison told Baptist Press that it would be "premature to talk to (Vins) now" at any length. When this reporter met him, however, she asked the interpreter to tell Vins that she is a writer and had written about him while he was imprisoned. Vins' face lit up and he took her hands, saying in English, "Thank you, thank you."

Many dissidents from the Soviet Union have said that the fact that the Western

(See VINS, p. 12)

On the Cover



The free world rejoiced with the April 27 release of five Soviet dissidents, including Baptist pastor Georgi Vins. Two days after arriving in New York, Vins found himself listening to a Bible class led by the President of the United States and worshipping with the President at Washington's First Baptist Church.

Baptist Joint Committee information assistant Carol Franklin is a member of that congregation and was an eyewitness to the joyful occasion. Her report appears on page 4, as does a comment by BJC executive director James E. Wood, Jr., also a First Baptist member.

Aging

(Continued from p. 8)

the crowd, "I'm a very, very grateful alcoholic."

"Sober, I can deal with reality," Mills said. "I used to live for the fantasy world created by the bottle. . . . Two things made me an alcoholic—I drank booze and I mixed drinks with highly addictive drugs I was taking for a back ailment."

Mills acknowledged that he was lucky because friends cared about him and doctors did not pamper him. "Also, I was employed even though I was 65," Mills said. "Most people at 65 are retired—and retirement is awfully hard. But studies have shown that there is a lower alcoholism rate where there is planned recreation for the elderly. The idle mind rusts."

Participants met several times in task forces to develop specific legislative proposals to improve the present system of care for the elderly with mental illnesses.

Carter Will Not Predict Future Exchanges

WASHINGTON — While declining to predict future agreements with the Soviet Union such as the one that brought Russian Baptist pastor Georgi Vins and four others to this country, President Carter declared that "we have not forgotten any human rights activist in the Soviet Union."

Responding to a question at his April 30 news conference, Carter went on to say that the recent exchange of the five dissidents for two convicted Soviet spies "was the result of long and tedious and detailed negotiations" which extended "at least over a six-month period."

The President declared that "the final agreement was approved personally by me and, I presume, by President Brezhnev."

He also revealed that the negotiating process was prolonged at least in part by

his repeated rejection of names on possible exchange lists submitted by the Soviets. "The identity of the human rights activists who came here from the Soviet Union was one that was the subject of detailed negotiations, when the Soviets would put forward names and we would assess those names and repeatedly reject them because we did not think they were adequate," Carter said.

"In my final judgment . . . I felt that the list of names was a fair exchange and therefore approved them."

In declining to predict future similar exchanges, the President also said he could not reveal "any more details" about the exchange. That final comment would appear to leave open the possibility that negotiations for the release of other dissidents may be underway already or pursued in future months. (BPA)

Helms

(Continued from p.7)

ing a constitutional crisis involving the separation of powers between Congress and the Supreme Court.

Helms' proposal, Kennedy argued, pointed the way to an "extremely dangerous and foreboding path."

Kennedy cited the opposition of numerous religious denominations to the Helms position, including a letter from Baptist Joint Committee on Public Affairs executive director James E. Wood, Jr. Wood's letter was read by Kennedy into the *Congressional Record*.

Joining the Massachusetts senator was Sen. Charles McC. Mathias, Jr., R-Md., who predicted a "chaotic situation" if the Helms proposal ever became law. "It would have the effect of wiping the name of John Marshall from the annals of the Supreme Court," he said, referring to the high court's famed chief justice who led the court in 1803 to rule that it has jurisdiction over laws passed by Congress.

Mathias said members of the Senate would "do violence" to their oath of office to uphold the Constitution by voting for Helms' proposal.

Helms' effort is the latest in a long series of moves by the conservative North Carolina senator to overturn the effect of the Supreme Court's rulings that government may not require or officially sponsor religious devotionals in the public schools.

He has repeatedly introduced a con-

stitutional amendment to allow "voluntary" prayer. That effort has always failed, however, due largely to the opposition of the chairman of the Senate Subcommittee on Constitutional Amendments, Sen. Birch Bayh, D-Ind.

During recent years Helms has turned to the seldom-used device provided for in the Constitution for removing from federal court jurisdiction a given issue.

As tenacious as Helms has been, he has always encountered the official opposition of his own denomination. The Southern Baptist Convention went on record in 1964 supporting the Supreme Court position on prayer and Bible reading in the schools. The denomination's Washington-based Baptist Joint Committee has consistently opposed all efforts to amend the Constitution as well as the jurisdictional device employed by Helms to overturn the effect of the high court's decisions.

Wood, the agency's chief executive, declared in a statement after the Senate actions that Helms' proposal is "totally unnecessary," noting that the Supreme Court "has never ruled against voluntary prayer in the public schools."

Wood said he was "saddened" by the vote attaching the Helms language to the Supreme Court bill and warned that removing from the federal courts the question of the constitutionality of prayer in schools "is dangerous to the concept of free society" and "injurious to both a free church and a free state." (BPA)

Vins

(Continued from p. 11)

press does not let them be forgotten keeps them from being executed by the Soviet government while they are in prison.

Vins led the benediction at First Baptist's morning service. Using an interpreter, he prayed, "Almighty Lord, I bring you my sincere gratitude for this moment, for your strength, for the miracle you have shown in our life. Our Lord, what happiness it is to belong to you, believe in you, love you, and, to one's full strength, bear witness to your love. You have imprinted in our hearts the desire for peace, teaching us not to be silent when we see injustice. My Jesus, all that I see is the highest and more than I ever could have imagined. In the name of our Lord, Amen." (BPA)

Prayers

(Continued from p. 2)

landmark decisions of the U. S. Supreme Court many Americans still fail to understand the limits or the reasoning of the Court's decisions. While the Baptist Joint Committee contends, as acknowledged by the U. S. Supreme Court, that religion studies appropriately belong in the curriculum of the public schools, the public school as such is not a place for worship, but for learning.

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