

FROM WASHINGTON OFFICE
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Religious Leaders Join
In Civil Rights Demand

WASHINGTON (BP)-- Religion and religious leaders are exerting a strong influence in the national upsurge to guarantee voting rights for all citizens.

President Lyndon B. Johnson in his address to the joint session of Congress on his proposed voting bill reflected the impact of this pressure. He said, "I speak tonight for the dignity of man and the destiny of democracy."

The President said that the current upheaval for voting rights "is the outraged conscience of the nation." He said that the crisis is a challenge "to the values and purpose and meaning of our nation."

Then he asked a biblical question: "For with a country as with a person, 'What is a man profited, if he shall gain the whole world and lose his own soul?'"

Clergymen of the nation's religious groups have rallied to the cause of equal rights for all citizens. Protestants, Catholics, Jews have merged into one concerted effort to put moral and religious pressure on governmental officials.

Following a call from Martin Luther King, a Baptist minister and national civil rights leader, clergymen of all faiths throughout the nation chartered planes and flew to Alabama to participate in the proposed march from Selma to Montgomery.

Forty ministers from the Nation's Capital went to Alabama, including some of the nation's most prominent clergymen. Dozens of others were left standing at the airport with their bags packed and money in their hands. There was no more room on the plane.

Later 20 ministers from the Washington area flew to Selma to join many others in the nation for a memorial service to James J. Reeb, slain Unitarian minister who had participated in Alabama civil rights activity.

Following the March 7 forceful rout of civil rights demonstrators by law enforcement officers at Selma, 4,000 clergymen from all parts of the nation converged on Washington. They met in a Washington church for a prayer meeting and to discuss plans for action.

Two immediate actions followed. The clergymen sent a delegation of 16 to meet with President Johnson. The others swarmed over Capitol Hill for conferences with members of Congress.

In the meantime, spontaneous demonstrations broke out in key centers throughout the nation. Pastors and other religious leaders joined civil rights workers, labor leaders and minority groups in demanding equality and justice for all citizens.

In Washington a huge daily picket line liberally sprinkled with black and white people, with laymen and clergy, with men and women, paraded in front of the White House. The climax came on March 14 when 15,000 people of all faiths and all colors assembled at Lafayette Park across the street from the White House.

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On Saturday, March 13, President Johnson spoke to the nation at an unusual press conference held in the rose garden because there was no room inside for the 250 or more newsmen who crowded in.

At this time the President acknowledged the complexity and difficulty of social change in a democracy. But, he added, "this complexity must not obscure the clear and simple moral issues." He said further:

"It is wrong to do violence to peaceful citizens in the streets of their town. It is wrong to deny Americans the right to vote. It is wrong to deny any person full equality because of the color of his skin."

He continued. "The promise of America is a simple promise: Every person shall share in the blessings of this land, and they shall share on the basis of their merits as a person. They shall not be judged by their color or by their beliefs, or by their religion, or by where they were born, or the neighborhood in which they live."

The President then stepped into the role of preacher when he declared: "We will continue this battle for human dignity. We will apply all the resources of this great and powerful government to this task. We ask that all of our citizens unite in this hour of trial. We will not be moved by anyone or anything from the path of justice, and in this task we will seek the help of the Divine Power which surpasses the petty barriers between man and man, and people and people."

"Under His guidance, we can seek the biblical promise: 'I shall light a candle of understanding in thine heart which shall not be put out.' And we will follow that light until all of us have bowed to that command: Let there be no strife between me and thee, for we be brethren."

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Maryland Court Upholds
Aid To Church Colleges

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By Gainer E. Bryan, Jr.*

ANNAPOLIS, Md. (BP)-- A Maryland circuit court judge ruled that direct grants of state aid to four Maryland church-related colleges are valid under the state and federal constitutions.

State appropriations to the two Protestant and two Catholic colleges for construction of science buildings, dormitories, dining halls and classroom buildings serve a purely secular purpose, the judge held. It was not the original legislative purpose-- and it is not the primary effect--of the grants to advance or inhibit religion; therefore the enactments are constitutional, the judge ruled.

Judge O. Bowie Duckett of Anne Arundel Circuit Court who rendered the decision ruled that the Horace Mann League of America, a national organization of public school educators which originated the test suit, does not have standing to sue in Maryland. He held that the 12 citizen plaintiffs, all real and personal property taxpayers, do have sufficient standing to sue.

Leo Pfeffer of New York, chief counsel for the plaintiffs, said attorneys will proceed with originally announced intentions to appeal the decision to the Maryland Court of Appeals and, if necessary, to the United States Supreme Court.

The final outcome of the case is expected to set a landmark in the constitutional issue of state aid to church-related colleges by both the state and federal governments. It will also have implications for broader aspects of government aid to religious institutions.

Defendants in the suit are Hood College, affiliated with the United Church of Christ, Western Maryland College, Methodist; and two Roman Catholic colleges, Notre Dame of Baltimore and St. Joseph's. All are four-year liberal arts colleges.

The plaintiffs challenged as unconstitutional four statutes enacted by the Maryland legislature in 1962 and 1963. These granted the two Protestant schools \$500,000 each and the two Catholic colleges \$750,000 each in matching funds for construction purposes.

Judge Duckett held that the most pertinent test of validity of the grants under the U. S. Constitution was that used by the U. S. Supreme Court in the famous "school prayer" case. This test, he said, was as follows:

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"What are the purpose and the primary effect of the enactment? If either is the advancement or inhibition of religion, then the enactment exceeds the scope of legislative power as circumscribed by the Constitution. That is to say that to withstand the strictures of the establishment clause there must be a secular legislative purpose and a primary effect that neither advances nor inhibits religion."

The judge said it "seems crystal clear that the Maryland legislature was in no way concerned with religion in making the appropriations."

He described as "much more difficult" the question, "Is the primary effect of one or more of these enactments to advance religion?"

In the case of appropriations to Hood and Western Maryland, he said the answer is clearly no. He then described the limited religious character of the two Protestant schools, although conceding their denominational ties.

"The grants to Notre Dame and St. Joseph's...present a much more difficult question," he said.

However, he concluded that while the objectives of the founders of these institutions may have been to make religion primary, "permeating all study, thereby making education secondary...I do not find that they exist at this time."

In what was described in the opinion as a "subordinate question," the judge concluded that the Maryland constitution does not forbid grants of public money to church-connected institutions. He said, "Our highest court makes little or no distinction between a sectarian or secular institution receiving an appropriation, provided the money is used to perform a public service, as, for example, health, education and general welfare of our citizens."

Melvin J. Sykes of Baltimore, one of the plaintiffs' attorneys, said he anticipates a decision by the Maryland high court on the appeal in late 1965 or early 1966, and by the U. S. Supreme Court, if it goes that high, by late 1966 or early 1967.

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*Gainer E. Bryan, Jr. is editor of the Maryland Baptist.

President Johnson Asks Sweeping Voting Law

WASHINGTON (BP)-- "Every American citizen must have an equal right to vote," declared President Lyndon B. Johnson in his address to the joint session of Congress.

The President pointed out that this is the clear meaning of the Constitution of the United States. He proposed legislation to eliminate every obstruction to the achievement of this right.

The new civil rights law will be based on the Fifteenth Amendment to the Constitution, which says:

"Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

"Section 2. The Congress shall have power to enforce this article by appropriate legislation."

The President said that the emancipation proclamation was issued over 100 years ago and that the 15th Amendment is 95 years old. "Yet the Negro is not equal," he declared.

"The time of justice has now come. No force can hold it back. It is right - in the eyes of man and God - that it should come. And when it does, that day will brighten the lives of every American," he said.

In the words of the President the proposed bill will:

"Strike down restrictions to voting in all elections - Federal, State and local;

"Establish a simple uniform standard which cannot be used however ingenious the effort to flout our Constitution;

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"Provide for citizens to be registered by officials of the United States government if State officials refuse to cooperate;

"Eliminate tedious, unnecessary lawsuits which delay the right to vote; and

"Insure that properly registered individuals are not prohibited from voting."

The Civil Rights Act of 1964 was passed after eight months of debate and filibuster. By the time it reached the President for signature the heart of the voting provision had been eliminated.

"This time, on this issue, there must be no delay, no hesitation, no compromise with our purpose," the President declared.

With the details of the bill being worked out by both Democrats and Republicans it enters the legislative process with strong by-partisan support. Washington observers predict that the voting bill will be rapidly enacted into law. This does not mean that it will receive unanimous support or that it will not encounter rough weather.

The legislative process for any bill is a long and tedious one. First, the general provisions must be drawn up and put into the legislative mill both in the House and the Senate. Hearings are usually conducted. The bill is rewritten in committee and then reported out of committee.

Then it must find its way to the floor of each House. Sometimes this is a difficult process, especially in the House of Representatives. If the Rules Committee or its chairman drags its feet the bill is delayed unduly.

However, the House this year adopted a 21-day rule, which means that 21 days after a bill is reported out of committee the Speaker of the House can act to call up the bill to the floor.

In the Senate a bill such as this always faces the possibility of a filibuster. The threats thus far for a serious filibuster on the voting bill have been minor. The mood of the Senate seems to be to move the bill as rapidly as possible.

The new voting bill will do away with all tests that have been used to discriminate and will limit voting eligibility requirements to a few: age, residence, mental competence and the lack of felony convictions.

It will apply automatically to all states of electoral subdivisions where less than 50 percent of the eligible adult population is registered or voted in the November 1964 election.

This will include the states of Alabama, Mississippi, South Carolina, Georgia, Virginia, Louisiana and Alaska. There may be other electoral subdivisions that are automatically included.

President Johnson, however, pointed out that state and local control over elections can be maintained. He said, "The answer is simple. (1) Open your polling places to all people. (2) Allow men and women to register and vote whatever the color of their skin. (3) Extend the rights of citizenship to every citizen."

The new law will empower the attorney general to appoint a federal registrar to register aggrieved applicants. This could be the postmaster or some other person. The number of required complaints is expected to be around 20 in order to put this provision into operation.

The backers of the new voting law hope to make it effective for the November 1966 general elections.

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