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Supreme Court Prohibits Parochial School Aid

WASHINGTON (BP)--The U. S. Supreme Court, in an historic decision, ruled that certain types of aid to elementary and secondary parochial schools are unconstitutional, but that construction grants to church-related colleges do not violate the constitution.

In nearly-unanimous rulings, the Supreme Court made a distinction between public aid to parochial schools in the forms of purchase of services and payment of teachers' salaries, and the construction of facilities on church-related college campuses for secular purposes.

According to the court, the use of public funds in Rhode Island to pay teachers of secular subjects in parochial schools, and the purchase of secular services from parochial schools in Pennsylvania are "unconstitutional under the religious clauses of the first amendment."

On the other hand, the court said that the construction of facilities for secular purposes on church-related college campuses does not violate the constitution.

Rhode Island's 1969 Salary Supplement Act provides for a 15 per cent salary supplement to be paid to teachers in nonpublic schools at which the average per-pupil expenditure on secular education is below the average in public schools.

Eligible teachers must teach only courses offered in the public schools, using only materials used in the public schools. Neither are these teachers allowed to teach courses in religion. To date about 250 teachers in Roman Catholic schools have been the sole beneficiaries of the act.

Pennsylvania's Nonpublic Elementary and Secondary Education Act of 1968 authorizes the state superintendent of public instruction to "purchase" certain "secular education services" from nonpublic schools. The superintendent directly reimburses those schools solely for teachers' salaries, textbooks, and instructional materials. Contracts were made with the parochial schools participating in the program.

In Connecticut, four church-related colleges and universities received federal construction grants for five facilities. The court upheld the Higher Education Facilities Act of 1963, except that part which limits the federal interest in buildings to 20 years.

This limitation prohibited the use of federally-funded buildings for religious purposes. The court held that such use of these buildings after 20 years is in effect a contribution to a religious body and is thereby in violation of the constitution.

The reason given by the court for voiding the Rhode Island and Pennsylvania practices of aid to parochial schools is that they involve "excessive entanglement between government and religion."

In the case of Rhode Island, the court said that the entanglement arises because of the religious activity and purpose of the church-affiliated schools. The court said that this is true especially with respect to children of impressionable age in the primary grades, and the dangers that a teacher under religious control and discipline poses for separation of religious from purely secular aspects of elementary education in such schools.

In Pennsylvania, the court said that the entanglement arises from the restrictions and surveillance necessary to ensure that teachers play a strictly non-ideological role. Coupled with this are the accounting procedures required by the state to establish the cost of secular as distinguished from religious education.

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The court explained the difference between the aid prohibited in elementary and secondary parochial schools, and permitted in the construction of facilities in church-related colleges. It said:

"(A). There is less danger here than in church-related primary and secondary schools dealing with the impressionable children that religion will permeate the area of secular education, since religious indoctrination is not a substantial purpose or activity of these church-related colleges.

"(B). The facilities provided here are themselves religiously neutral, with correspondingly less needed for government surveillance; and

"(C). The government aid here is a one-time, single-purpose construction grant, with only minimal need for inspection. Cumulatively, these factors lessen substantially the potential for divisive religious fragmentation in the political arena."

The court further observed that the implementation of the Higher Education Facilities Act of 1963 does not inhibit the free exercise of religion in violation of the first amendment.

The court vote in the case of the Higher Education Facilities Act of 1963 was 5-4. Those upholding the act were justices Burger, Harlan, Stewart, Blackmun and White. Dissenting were Justices Douglas, Black, Marshall and Brennan.

The vote in the parochial aid cases was 8-0, with Justice Marshall taking no part in the decision.

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Black Baptist Says Pastors Are
Politicians And Should Admit It

6/28/71

HOUSTON (BP)--Baptist pastors are hypocritical when they say they don't or can't become involved in politics, a black Baptist minister told a Baptist interracial group, the Harris County Baptist Ministers' Fellowship.

F. N. Williams, pastor of Antioch Baptist Church here, told the 40 black, white and Mexican American Baptist ministers that "any man who pastors a Baptist church had better be a good politician to keep the church together.

"You use church politics all the time, yet you tell your folk: 'I don't fool around with politics,'" Williams told the ministers.

Such a stance is hypocritical, he charged. It would be more honest for ministers to admit to themselves and others that they do become involved in politics, and to speak out on political issues.

The Christian often fails to do anything to help shape the government and then if there are governmental problems a pastor tells his people to pray to God about it, he said.

"Don't complain to God about something you should have done yourself," Williams declared. "Tell people to get out to the polls and vote. Don't even be afraid to tell President Nixon what to do.

"How many of you ministers are afraid to mention to your congregations: 'Pull out of Vietnam?'" he asked. "You say instead the popular thing, the thing that Washington told you to say." He urged the ministers to follow Jesus' admonition to work for peace.

Williams also advised the pastors to take a greater leadership role on social and political issues.

"If you are going to have clean clothes, you have to put an agitator in the washing machine," he observed. "Without an agitator, you've got nothing but a lot of wet, dirty clothes. Jesus told us to agitate situations and make the world better.

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"We must preach the good news to the poor and set at liberty those who are oppressed," Williams told the Baptist ministers.

He observed that most Christians are scared and don't want to get involved. Consequently, most pastors "find ourselves talking more about heaven than we do about living." He added that it is strange that the church thinks all its business is about living in another world instead of this one.

During the dialogue period which followed Williams' address, several ministers of both races, including Travis Key, missions director for the Union Baptist Association, said they were in agreement with many of Williams' remarks.

Key helped to organize the group two years ago in an effort to provide opportunities for fellowship and understanding between the black, white, and Mexican-American Baptist pastors of Houston.

The session when Williams spoke was held at the St. John Baptist Church, where nearly a year ago Houston police atop the church exchange shots with young blacks from an organization called "People's Party II."

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Leaders of Homes For Aged
Urge Increased SBC Concern

6/28/71

WASHINGTON (BP)--The Southern Baptist Association of Executives of Homes for the Aging closed its annual two-day meeting here with a plea for Southern Baptists to show greater concern for the problems of the aging.

In a resolution during the final session the association voted to send a message to the Southern Baptist Christian Life Commission, expressing appreciation for the commission's support of the association and its work.

Specifically, the action praised the work of commission staff member W. L. Howse III who gives a portion of his time to work with the association and problems of the elderly.

"However," the association's resolution continued, "it is felt that more time and support should be given to the aging in all aspects of work in Southern Baptist life."

Charles Neal, newly-elected president of the 25-member group, said the request was not directed solely to the Christian Life Commission. "We just want some Southern Baptist agency to show greater concern" for the aged, he urged.

Neal, executive director of the Virginia Baptist Home, Inc., Newport News, Va., succeeded Archie W. Brickle, superintendent of the Bethea Baptist Home in Darlington, S.C., as president of the association.

The theme for this year's meeting was "Exploring National Resources on Aging," During the meeting, the association heard from two government specialists in the field of aging, a director of a private organization promoting programs to meet the needs of elderly persons, and an executive with the Baptist Joint Committee on Public Affairs.

Willis Atwell from the Federal Administration on Aging discussed the upcoming White House Conference on Aging to be held the week of November 28 of this year. The Southern Baptist Association of Executives of Homes for the aging, along with all other national groups working in this field, has been asked to name two delegates to the conference.

James M. Sapp, a staff member of the Baptist Public Affairs office here, and William E. Oriol, staff director for the U.S. Senate Special Committee on Aging, discussed the resources of their particular offices to aid association members in their work with elderly persons.

The executive director of the Washington-based, nongovernmental National Council on Aging, William C. Fitch, challenged the Southern Baptist executives to participate in planning a national conference of religious organizations work with programs for the elderly. Specifically, Fitch said, the conference will plan for a follow-through on recommendations that will come out of the White House Conference on Aging.

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In discussing what church groups could do to help elderly persons, Fitch noted that his organization has 1400 Senior Citizens groups around the country. Churches could offer facilities for these groups to meet, he suggested, noting that most churches have many rooms that are not used during the week.

In a recent questionnaire conducted by the National Council on Aging, Fitch said, the council discovered that "a ride to church" is one of the primary concerns of most elderly persons.

"Income, health, housing and transportation" are the most pressing needs of the elderly," Fitch continued. He noted that "loneliness and isolation" seem to be the most important personal problems of the aged.

"We have been shocked with how bad the isolation factor is with many who have gone into nursing homes," Fitch declared.

Most of the programs in which churches could participate are not expensive, Fitch continued. "There are so many areas where we can do a lot without cash--only commitment," he observed.

