

# Parochial Schools Aid Involves Significantly Different Questions

Editor's note: This is the first of two interpretive reports summarizing the pro and con arguments in the growing national debate over federal aid to parochial schools.

**By LOUIS CASSELS**  
Washington—UPI—Two significantly different questions are involved in the debate over federal aid to parochial schools.

They are:  
1. Is it constitutional?  
2. Is it desirable?

There has been a tendency among some participants in the debate to confuse the two issues, or to lump them together. But President Kennedy has kept them separate. He has consistently based his opposition to parochial school aid on the grounds that it is unconstitutional, and has not voiced an opinion on whether it might otherwise be desirable.

The constitutional argument revolves around 10 words in the first amendment: "Congress shall make no law respecting an establishment of religion."

Exactly what these words mean has been a matter of dispute since the earliest days of the Republic.

Thomas Jefferson, who drafted the First Amendment, said it was intended to erect a "wall of separation between church and state." His interpretation has been so widely quoted that many Americans have come to believe that the phrase—"separation of church and state"—is contained in the Constitution, but it isn't.

**Took Different View**  
Some historians say that many other Founding Fathers took a quite different view of the First Amendment at the time it was adopted. They thought that it was simply intended to prevent the United States from "establishing" one particular religion as an official state church. England and many of the European countries had established churches at the time the Constitution was written, and the early Americans felt that this system interfered with religious freedom and promoted sectarian conflict.

Historical speculation about the intention of the Founding Fathers is interesting, but it is purely academic insofar as the present dispute is concerned. In practice, the Constitution means what the Supreme Court says it means at any given point in history.

The constitutional argument is further complicated by the fact that Congress has enacted several laws—such as the GI Bill of Rights, the college housing loan program and the National Defense Education Act—which extend

various kinds of federal aid in the field of higher education without any distinction between public and private, including church-sponsored institutions.

**None Successfully Challenged**  
None of these laws have been successfully challenged in court, and Kennedy himself has proposed the inclusion of private colleges in his program of federal grants.

loans and scholarships for higher education.

A number of Protestant and Jewish leaders, and others, have asserted that inclusion of religious schools in federal programs of aid to higher education is not a precedent for aid to church-sponsored elementary and secondary schools. Higher education, they say, is voluntary, and costs a tuition fee even at a

public institution. Elementary and secondary education is compulsory, and free public schools are available to all.

Catholic leaders reply that

there is no essential constitutional difference between public aid to a religious college and to a religious grade or high school.

There is no certainty that the Supreme Court would resolve the constitutional question with a clear-cut ruling even if Congress enacted a

law authorizing aid to parochial schools.

Prof Arthur E. Sutherland of Harvard Law School, a respected authority on constitutional law, pointed out recently that "you cannot have a court test without someone being hurt and bringing suit."

**Whose Toes Stepped On?**  
"Whose toes are being stepped on if the U. S. government gives aid to private and

church schools?" he asked. "Only the taxpayer whose money it is."

"But the Supreme Court has long since established the principle that a federal taxpayer has no standing in court to challenge the constitutionality of a federal statute, because his involvement in the case would be too 'diluted.'"

The practical effect of this principle, according to Prof.

Sutherland, is that Congress can spend tax money for almost anything that it chooses to define as contributing to the "general welfare."

Whether federal aid to parochial schools would be good or bad for the "general welfare" is the other big issue under debate, and the pro and con arguments on that issue will be examined in another dispatch tomorrow.

## MEDFORD TRIBUNE

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**Phoenix Teachers Receive Grants**

Phoenix—Mrs. Mildred Hart, Phoenix High school journalism instructor, has been awarded a financial grant offered by the Wall Street Journal to attend a two-week school publication workshop this summer at the University of California.

John Carter, executive director of the Wall Street Journal, wrote Mrs. Hart concerning the award.

Teachers participating in the workshop will have an opportunity to explore the theories and principles involved in the newer concepts of education for journalism. Professor H. M. Brier of the school of communications, University of Washington, will be in charge.

Another Phoenix High school teacher, Robert Cessnum, has received a National Science Foundation partial grant to attend the science institute for teachers at Southern Oregon college this summer. The institute will explore new approaches to teaching of science at the junior high and high school level.

Three other teachers in the Phoenix-Talent system have previously received National Science Foundation grants to attend institutes in science or mathematics at Reed college, University of Oregon and SOC, all this summer.



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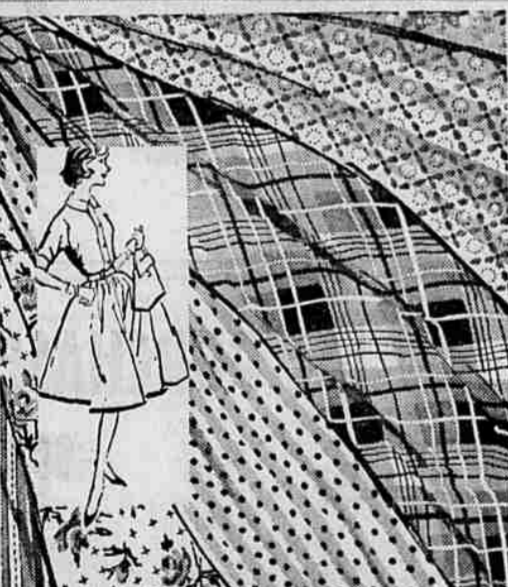
### Safe O'Rama Slated At Junior High

A Safe O'Rama program of safety skits and demonstrations will be presented at McLoughlin Junior High school at 1 p.m. Sunday, April 30.

Sponsors are the Southern Oregon Regional Safety committee, the Medford Safety Council and the State Industrial Accident Commission.

The program is planned for all members of the family and skits will be presented by Ashland, Crater and Medford High school students. Demonstrations will be given by numerous local organizations, and include skin diving, low voltage, boating, hunting, and pole top resuscitation.

The program is free, open to the public, and refreshments will be served.



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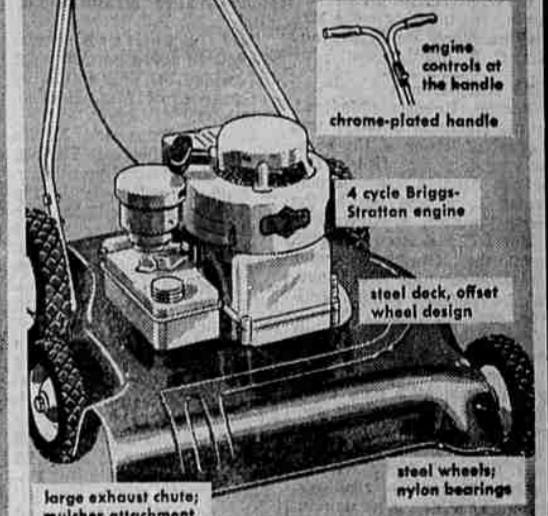
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