

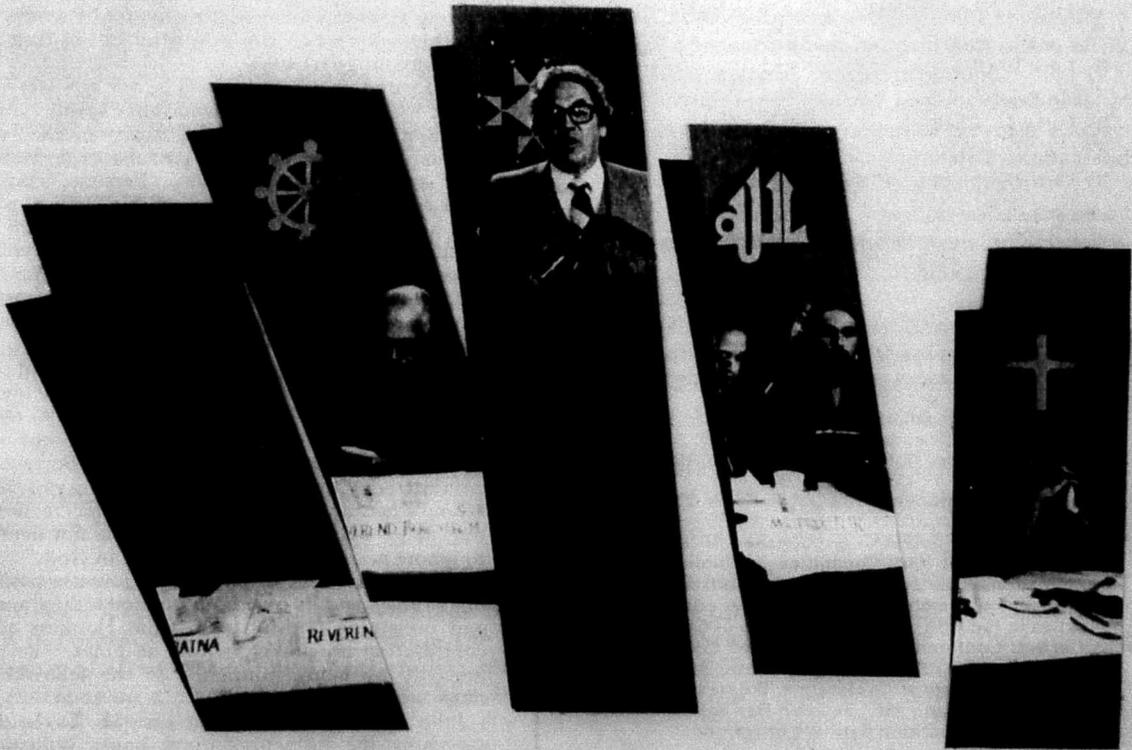
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# REPORT from the CAPITAL

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## REPORT from the CAPITAL

"... a civil state with  
full liberty in religious concerns"

Vol. 37 No. 8 September, 1982

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## Our Legacy

Friends who visit inevitably inquire about the latest political issue or Washington scandal, somehow expecting that residence in the nation's capital brings with it some special insight, if not access to the inner circles of government. It is humbling to realize that you know little or no more than your guest from Bethlehem, Pa., or Iva, S.C.

But that is not really accurate largely because Washington is a company town, one whose industry is the federal government. Thus, the highly competitive media is saturated with political news, analyses, commentary, statistics, personalities, and even political comic strips.

That is a lot to digest, but to attempt to consume it in its entirety would give one indigestion. This much comes through—religion takes a back seat to no other issue, especially as a phenomenon of political activity. Some say this is appropriate and wholesome. Others, recalling the integrity and charity found among anonymous Baptists of the past, as well as known qualities, approve of the increase in participation but regret that today excessive and self-serving interest motivates the pursuit of unwise legislation which has the potential of eroding First Amendment guarantees.

One wonders whether it will be our scholars alone, Frank Stagg for example, who move about speaking and writing about the blessed legacy handed down to this generation by those persons of tremendous civic and religious sensitivity. Persons who kept their eyes on the "big picture" of this globe as a creation and continuing concern of God, and each individual worthy of His love. In Stagg's article you will discover the scope of contribution to the formation of religious liberty in an open culture, and sense the danger resident in attempts to libel and dismiss those of different persuasion.

Robert Keating is perhaps the most youthful of REPORT authors. He's a college student whose memory of high school days is still vivid. Bob puts to rest the fear that public schools are corrupting our youth (Isn't that the charge brought against Socrates?) A committed Christian, he neither prayed at the school's beckoning nor studied scientific creationism, but, as he writes, "I learned that it is not necessary to ignore science in order to believe in God."

Bill Leonard believes there is an identity crisis facing Baptists and its over both understanding our past and remaining faithful to it. Clint Hopkins adds a contribution on prayer, which he notes, "keeps its integrity by being nourished in the fellowship of those who seek God's way . . ."

John Baker presses on in Oxford, England, researching the influences upon Roger Williams for their contribution to religious liberty. Stan Hasteley, in his Supreme Court analysis, confirms that much of what we have said is on target: religion is in and it is constantly before the high court.

—Victor Tupitza



## WASHINGTON OBSERVATIONS

news/views/trends

PROGRESSIVE NATIONAL BAPTISTS in their annual meeting in Cleveland, Ohio, adopted 12 social and political action resolutions, nearly all of them in opposition to policies of the Reagan administration.

The 1.5-million member denomination condemned Israel for invading Lebanon and urged a U.S.-U.S.S.R. freeze on all further testing, production and development of nuclear armaments.

The 8,000 gathered delegates opposed prayer in public schools and the use of public funds for private and church-sponsored schools, and warned about groups who want to impose their religious values on all persons. ●

AT ITS ANNUAL MEETING in San Diego, CA., the Baptist General Conference's Secretary Dr. Warren Magnuson told an interviewer he was "grateful" that religious groups are expressing "concern for the moral life of the nation" but cautioned against excessive politicization of the church. He said the General Conference does not take a stand on the proposed constitutional amendment that would permit so-called "voluntary" prayer in public schools, but that Baptists generally "would frown on asking the public school system or anyone else to teach prayer." ●

WASHINGTON—With time running short in the 97th Congress, the Senate Judiciary Committee resumed hearings here on President Reagan's proposed constitutional amendment on school prayer.

In the second of what appears now will be three hearings Deputy Attorney General Edward G. Schmults and television evangelist M.G. "Pat" Robertson voiced strong support for the controversial measure while Southern Baptist minister John Buchanan joined other education and religious leaders in denouncing it.

A third hearing scheduled for mid-September, coupled with an expected early October adjournment of Congress, leaves the amendment's backers with a tight schedule to bring the measure to the Senate floor for a vote.

The prayer amendment's chances in the House of Representatives are even slimmer. There, Judiciary Committee leaders have made no secret of their intention of letting the measure die in committee and effort to bypass the committee appears to have run out of time for this session of Congress. House backers had mustered less than 50 of the necessary 218 signatures on a discharge petition by the deadline for using such a petition before the targeted adjournment date.

Meanwhile, it remained uncertain whether the Senate would vote on a different school prayer proposal offered by Sen. Jesse Helms, R-N.C., as a rider to the debt ceiling bill pending on the Senate floor. The Helms proposal to strip the Supreme Court and lower federal courts of jurisdiction in school prayer cases ran into a strong bipartisan filibuster which threaten its chances of passage. ●

Frank Stagg

## *Humanism and a Free Society*

**H**umanists were prominent in the founding of this nation. More than any other, Thomas Jefferson was the brains and conscience of the nation in its formative period; and he was a humanist. In their struggle for freedom, Baptists found common cause with many humanists, deists, Quakers, and Unitarians, while their strongest opposition to religious freedom came from established religion. Nine of the original thirteen colonies had state churches and denied religious freedom to nonconformists.

Religious persecution was widespread in the American colonies. Baptist preachers were jailed in Anglican Virginia for preaching without a license. Daniel Marshall, a founder of the first Baptist church in Georgia, was arrested in Augusta ca. 1770 for preaching contrary to Anglican form. Puritans in New England imprisoned 150 persons on the charge of witchcraft, killing 20. Quaker women preachers were arrested, stripped naked, and searched for marks of Satan on their bodies.<sup>1</sup> Mary Dyer was hanged in Boston in 1660, one of four Quakers martyred in Colonial America because of their faith. Baptists were pioneers for freedom of religion for all people, and humanists like Jefferson helped them secure it. It is an irony that today loud voices are raised among Baptists in the opposite direction, eroding the separation of church and state and a threat to religious freedom.

### **Humanism and Freedom**

Humanism is not a dirty word, but to make it so is a dirty trick. As a traceable movement, humanism had its rise in the Renaissance (14th-16th C.), and it was basic to the Reformation and Enlightenment. Humanism was a vital part of the awakening out of Medieval stupor, and its most obvious catalyst was the recovery of the Greek classics

in Western Europe. The Greek soil for humanism was not the philosophy of Plato or Aristotle, for the heavy hands of these philosophers was a part of human bondage. Plato's dualism between matter and spirit or body and soul was borrowed from Orphism and is as incompatible with any form of humanism as it is with Jewish or Christian holism found in the Bible. Aristotle's dogma of determinism is anti-humanistic, with its vulgar view that women, slaves, and artisans are born to obey/serve while elitists like himself are born to command/rule.

There was a Greek spirit culminating in the Golden Age of Pericles which found the world beautiful and life good. These Greeks trusted their minds and refused to resign their thinking to other people. Theirs was not a quest for security but a will to civilization.<sup>2</sup> It was holistic in understanding existence, refusing to divorce the secular and the transcendent. It found the human predicament not in nature but in the failure of the human will. Man has responsibility in his life and destiny. These Greeks believed in a high human potential, to be achieved in responsible freedom. Much in this pre-Socratic Greece has affinity with the best human understanding in our Hebrew heritage.

Edith Hamilton finds a major key to the Greek achievement in their refusal to let the priestly caste control knowledge as unfortunately was the case in Egypt and much of the East.<sup>3</sup> She finds three strata in much of the ancient world: the enthroned despot, the impoverished populace, and the priestly caste in control of knowledge. The trick was to convince the have-nots that poverty did not matter, for the world was but an illusion with only the spiritual world having reality. Egypt affirmed death and built tombs; Greece affirmed life in its wholeness. The

Greeks let the priests have the freedom of their temples, but they refused to surrender to them the control of knowledge. Art, sculpture, poetry, drama, architecture, and life in general moved on without the restraints of established religion.

The subordination of the intellectual life to religious dogma was a major factor in the bondage of the Dark Ages. Humanism was a major factor in the impulse toward freedom in the Renaissance, Reformation, and Enlightenment. It was a devout Christian humanist, Copernicus, who correctly saw that the universe is not geocentric. This Christian humanist helped free us from bondage to a closed universe. It was established religion posing as the custodian of knowledge which denounced Copernicus and later sinned against another great Christian, Galileo, compelling him to falsify himself and the truth he knew. A devout, Christian humanist known as Erasmus helped free us from the official Latin limits to the Bible, editing the first printed Greek New Testament to be published (1516). Tyndale made the first Greek to English translation of the New Testament (1525), and he based it on the work of the humanist Erasmus. The KJV is a minor revision of the work of Tyndale, the KJV thus having a humanist heritage.

Humanism has never been monolithic, always diverse. It includes atheists, agnostics, deists, theists, Jews, Christians, and others. All humanists are pro-human, affirming the worth, potential, responsibility, and freedom due every person. Where humanists most significantly differ is with respect to the transcendent. All humanists affirm the secular; some affirm the transcendent and some do not. All affirm responsibility; some see us as here alone and some see us as having help from God. For all humanists, freedom is non-negotiable.

## Ideologies and Restriction

H. W. Richardson is on target: "Ideology, in the strict sense of the term, is a world view generated to provide a rationale for an existing state of society . . . . An ideology is a rationalization of a state of affairs that is not rational, but to some extent irrational."<sup>4</sup> On the other hand, a political society providing for freedom is one in which people with diverse ideas, values, and goals seek to function by negotiating or compromising their differences, achieving at best not a utopian state but "a tenuous finite good."<sup>5</sup>

No political society can be free if built upon or committed to an ideology, whatever the ideology. A state becomes civil religion when it identifies with any established religion, philosophy, or ideology. A political society provides for freedom only if it respects the pluralism common to all free communities, agreeing only upon structures and procedures through which differences may be negotiated in compromises subject to endless reassessments and re-negotiation. Any religion, philosophy, or ideology has fixed teleological ideas, and these if adopted by a political society preclude pluralism in that society, imposing uniformity upon what is inherently pluralistic. Communism is an ideology and is a case in point, now imposing by force its ideology upon unwilling Polish people. A democratic state is not religion, philosophy, or ideology. It is a structure providing procedures enabling people with different ideas, ideals, values, principles, and beliefs to live together in the flux of ongoing negotiation of differences, reaching plateaus of compromise which serve as the base for further negotiations and compromise. Any nation bound to an ideology freezes what must remain fluid if a pluralistic community is to be free.

### The Humanist Jefferson

At the founding of our nation, nothing threatened religious freedom more than religion itself, with nine state churches out of thirteen colonies using political clout to suppress dissent. Significantly, the fight for freedom came from some religiously motivated people (including Baptists) and some humanistically but not religiously motivated. Thomas Jefferson was a humanist, possibly best understood as a Christian deist. He fought for the freedom to be religious or non-religious and for the right to privacy in religion. Protesting religious coercion in his native state, he wrote in his

*Notes on the State of Virginia:*

*Millions of innocent men, women, and children, since the introduction of Christianity, have been burnt, tortured, fined, imprisoned; yet we have not advanced one inch toward uniformity. What has been the effect of coercion? To make one half of the world fools, and the other half hypocrites.*<sup>6</sup>

Jefferson boldly championed the civil right of each not only to religious freedom but to privacy, the right to be religious or non-religious: "But it does me no injury for my neighbor to say there are twenty gods, or no god. It neither picks my pocket nor breaks my leg."<sup>7</sup> He saw the proper function of government to relate to conduct and not to beliefs. Hear him again in "A Bill for Establishing Religious Freedom" (Bill No. 82):

*Almighty god hath created the mind free. . . . To compel a man to furnish contributions of money for the propagation of opinions which he disbelieves or abhors, is sinful and tyrannical. . . . Our civil rights have no dependence on our religious opinions, any more than our opinions of physics or geometry. . . . The opinions of men are not the object of civil government, nor under its jurisdiction (italics original). . . . Truth is great and will prevail if left to herself. . . . She is the proper and sufficient antagonist to error, and has nothing to fear from the conflict unless by human interposition disarmed of her natural weapons, free argument and debate; errors ceasing to be dangerous when it is permitted freely to contradict them.*<sup>8</sup>

### The Threat Today

It is an irony that the religious right which caricatures "secular humanism" as "the most dangerous religion in America" is itself a dangerous religion and is itself secular in trying to use political clout to impose religious dogma upon a pluralistic society.<sup>9</sup> Not only is secular humanism caricatured and all humanism falsified, but such civil religion threatens both political and religious freedom.

The attempt to impose public prayer upon public schools is a case in point. There is no law against praying anywhere or anytime, and one can pray without making a fuss about it. What the proponents of Bible reading and public prayer in the public schools

want is a show of religion, including a show of prayer. The effort to impose so-called "scientific creationism" upon public schools is another case in point. Such is not science, and it is not a credible understanding of Genesis. To argue that the compulsory teaching of "scientific creationism" is not really to teach Genesis is less than honest, and to argue that "scientific creationism" does not necessarily imply a Creator is nonsense. There is no law requiring the teaching of evolution; it is taught because teachers believe it. To force teachers to teach as science what they know is not science is to duplicate the Papal crime against Galileo, where religion assumed custody of knowledge and compelled a sick, old man to falsify himself and the truth he knew.

Humanists and Baptists, along with others, won religious freedom from those who tried to turn knowledge over to established religion in a church/state pattern. The fight for freedom never ends; but freedom ends whenever any religion, philosophy, or ideology is permitted to become the custodian of knowledge. □

### Notes

<sup>1</sup>Leon McBeth, *Women in Baptist Life* (Nashville: Broadman Press, 1979), p. 54.

<sup>2</sup>H. J. Blackman, *The Human Tradition* (Boston: Beacon Press, 1930), p. 10.

<sup>3</sup>Edith Hamilton, *The Greek Way* (New York: Avon Books, 1930), pp. 111.

<sup>4</sup>Herbert W. Richardson, "Introduction," *Religion and Political Society*, Jurgein Moltmann et al., ed. and trans. Institute of Christian Thought (New York: Harper and Row, 1974), p. 1. See "Christian Engagement with the World," *Journal of Church and State* (Vol. 18, No. 1, 1976), p. 96.

<sup>5</sup>*Ibid.*

<sup>6</sup>Fawn M. Brodie, *Thomas Jefferson, An Intimate History* (New York: Bantam Books, 1975), p. 194.

<sup>7</sup>*Notes on the State of Virginia*, pp. 159f. Cited by Brodie, *op. cit.*, p. 194.

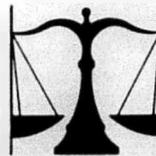
<sup>8</sup>Brodie, *op. cit.*, p. 155.

<sup>9</sup>See Homer Duncan, *Secular Humanism: The Most Dangerous Religion in America* (Lubbock, Texas: Missionary Crusader, 1979) and books by Tim LaHaye.

Dr. Frank Stagg retired in June, 1982 when he became Emeritus Professor of New Testament at Southern Baptist Theological Seminary. He has written on the rights and responsibilities of church-state relations, and with his wife, Evelyn, recently published a book on the work of women in the church. His concerns and Christian commitment are well known to those who have heard him address conferences and conventions.

John W. Baker

## VIEWS OF THE WALL



*The First Amendment built "a wall of separation between Church and State." Thomas Jefferson in a letter to the Danbury Baptist Association*  
*... the line of separation, far from being a "wall", is a blurred, indistinct, and variable barrier " Chief Justice Burger, Lemon v. Kurtzman*

**T**o seek religious liberty for themselves and for all other people has been a Baptist principle of action from the emergence of Baptists as a distinct religious movement up to recent years. However, as Baptists became the most numerous Protestant religious group in the United States—and the majority religious group in some localities—they have projected an image of a lessened concern for religious liberty.

This lessened concern appears to spring, in part, from the ending of Baptists' personal experience with being a dissenting minority combined with a lack of academic knowledge of Baptist history and heritage. The lessened concern therefore seems to result, in part, from the fact that too few Baptist seminaries require a solid course in Baptist history and heritage. An uninformed minister cannot transmit the heritage of religious liberty carved out at great personal sacrifice by our Baptist forebears. As one prominent American historian said, "Freedom of conscience, unlimited freedom of mind, was from the first the trophy of the Baptists." Too few know and appreciate this fact.

In part the lessened concern stems from too little research into the development of ideas which produced religious liberty in America.

As something of a political scientist, attorney, and denominational employee I have become acutely aware of my own need to understand more fully the English common law bases of the beginnings of religious liberty in America and of the unique form religious liberty took here. Pursuant to my request the Joint Committee has given me research leave to go to England to examine the nexus between the paramount English common lawyer, Sir Edward Coke, and the American concept of religious liberty. This will be my last regular page for a while—though there will probably be periodic progress reports—and I would like to share briefly with you a story and some of the things I will be doing this year.

Sir Edward Coke was Attorney General under Elizabeth I and James I. Under James I he became Chief Justice of Common Pleas. In that role he and the king clashed numerous times. James I claimed divine right and argued that the one who makes the law is not sub-

ject to the law. Coke countered with the assertion that even the king is subject to the common law.

In an effort to decrease the tension and with the hope that it would quiet Coke, James appointed Coke as Lord Chief Justice of King's Bench. In this and other roles Coke sat as a justice in the Court of Star Chamber.

Coke would not be quiet. The king dismissed Coke, sent him briefly to the Tower, and seized his personal papers. There was nothing in either Coke's professional career or his papers on which a cause of action could arise; he was released.

After circumventing several roadblocks which James I had put in his way, Coke was elected to Parliament and was a principal author of the Petition of Right which was a major spelling out of the rights of the people against the crown.

Coke's chambers were in Inner Temple—one of the Inns of Court—a few blocks from the Church of the Holy Sepulcher. In those days the churches operated the school system and on Mondays the schoolboys were expected to discourse on the minister's sermon of the day before. The brighter boys had developed systems of shorthand in order that they might have a more satisfactory recitation. Among those bright boys was Roger Williams, who was about twelve years of age at the time.

To the common lawyer the trial record as well as the decision itself was of utmost importance. Coke hired young Williams as a court reporter and took him into his home. A father-son relationship developed. Coke sent Williams to a relatively new preparatory school, the Charterhouse, and records indicate that he also paid the young man's way through Cambridge University.

Williams became an ordained Anglican minister and chaplain in an influential family's home. The family had strong Puritan leanings and was allied with Oliver Cromwell. Williams had moved into the separatist movement and, as a result, a substantial rift occurred in his relationship with Coke.

After Williams came to Massachusetts, he found that those who had moved to the new world in order to ex-

ercise their religious beliefs had established their own church and were as intolerant of dissenters as had been the Church of England. It was not long until Williams' dissenting views led to his expulsion from Massachusetts.

Williams moved south and founded the colony which is now Rhode Island. In that colony a high degree of religious liberty was permitted. Two of the Baptist ideas which Williams insisted upon were that freedom to believe also involved the freedom not to believe and that freedom to worship also required a freedom not to worship. In short, he held that the government should not be used to compel either belief or unbelief or attendance at religious exercises.

This radical departure from existing ideas about the proper role of the state in religious affairs led some of Williams' critics to seek "proof texts." Williams replied that he had gotten his ideas on religious liberty sitting at the feet of Sir Edward Coke.

Existing biographies of Coke give a picture of a rather dour, anti-Catholic, anti-Semitic man, a devout Anglican who was opposed to all of the separatist movement. But somewhere in the cases he and Williams discussed, in the voluminous writings Coke had published by the time they were together, in the manuscripts available, and in Coke's library at Norwich must be a key.

Coke lived the common law. Out of his interpretation of the law came the bases of Williams' beliefs about proper church-state relations. These are important for us to understand.

Several years ago I spent four months in the British Library in London making certain that materials were available. My purpose in these coming months is to examine the materials, begin the process of pulling them together in an orderly fashion, and make a start on a volume tentatively titled *From Coke to Williams: The Common Law Bases of the American Concept of Religious Liberty*. It is hoped that it will help fill one of the gaps in our understanding of the roots of our religious liberty. □

## Identity Crisis

There was a time in America when it was relatively easy to distinguish the people called Baptists. From the colonial period through the mid 20th century they were the ones who unashamedly called for personal faith in Jesus Christ, and who hesitated to bind biblical faith to "man-made" creeds. They placed final authority in church matters with the congregation—a true priesthood of believers. They were fearless political dissenters who repudiated any threat of state encroachment into church affairs and warned against establishment of a state-supported religion. In that regard, they opposed efforts to utilize public funds for any type of church program, insisting that government should not underwrite parochial institutions.

Much of that has changed or is changing in the 1980s. Some Baptists now believe that a creed, or something like it, is the only way to "preserve" the Bible and "protect" the faith. Many are no doubt sincere, but they could set in motion certain trends which will replace dynamic faith with static doctrine.

Some Baptists are urging the government to compel "voluntary" prayer in public schools. They think the state can be trusted always to be fair in the way it implements voluntary/compulsory prayer. Early Baptists would have been more realistic. They knew firsthand what could happen to a religious minority when government compels religion in any form. They prayed with or without government permission.

Many modern Baptists want to *pray* in public schools but don't want to *pay* for public schools. They want the government to underwrite parochial school education through tuition tax credits. This may be the cruelest cut of all. For generations Baptists have opposed such efforts at "parochialism." Now that some have founded parochial schools of their own, the principle has become more difficult to sustain. Many Baptist preachers now sound more like Roman Catholics in their support of government aid to church schools. John Leland, Francis Wayland, E. Y. Mullins and George Truett have surely turned over in their graves.

What did our Baptist forebearers understand that we seem to forget in our present identity crisis? Perhaps it was their realistic understanding of sin as a powerful force in human nature and human institutions. So they mistrusted creeds. You could dutifully say a creed and still never believe. Faith in Christ demanded more than doctrinal assent. It required personal transformation by the power of the Spirit.

They also know that too much worldly power, even for the clergy, could bring corruption. From the New Testament they concluded that the authority of Christ flowed through the congregation to the clergy, not vice versa. Thus they trusted the community. It too could sin but in community there were checks and balances that clerical autocracy did not possess.

Because they took sin seriously, early Baptists worried about the government. Laws compelling religious behavior might be implemented justly under a "godly" magistrate, but what happened when an "ungodly" magistrate gained power? As a religious minority, they knew how quickly the generosity of the "establishment" could go sour. Best to keep government out of church affairs entirely.

They knew that government support of religious education could pave the way for government control of religious education. They would not be led down a primrose path toward establishment. Sin—individual and corporate—was a reality to be taken seriously. It still is.

Baptists are experiencing an identity crisis. We must determine how to be true to our past in the turbulent present. Suppose by the year 2000 Americans are paying taxes which directly or indirectly support a group of "established," even Baptist, churches? Surely Baptists would give up everything before that! Tragically, some already have. □

Bill J. Leonard is associate professor of church history at The Southern Baptist Theological Seminary in Louisville, Ky.

## Quoting

Kenneth L. Gibble  
*The Canadian Baptist*

Many Christians are happier with the concept of "social service" as contrasted with "social action." They see the former as caring for orphans and widows, visiting the sick, feeding the hungry and comforting the dying. These are all traditional concerns of the Christian church and it doesn't take much reading of the New Testament to find our Lord's commands and exhortations on such essential tasks. There is a tendency, however, to associate "social action" with undesirable or subversive political activity.

Interestingly, Baptists have traditionally engaged in many forms of political activity without labelling it such. The constant campaigns against the proliferation of liquor outlets, against gambling and lotteries, against the distribution of pornographic literature, for the preservation of the Christian Sunday, for the separation of church and state, etc., have all involved political activity and lobbying of one sort or another at municipal, provincial and federal levels. The Social Concerns Committee of the (Canadian) Convention has been involved in representations to governments on all these issues and it is trying to express the convictions of Baptists on these matters which affect community life so greatly.

Other forms of political activity, such as the support for the native peoples in their resistance to vast schemes for northern development, are viewed with suspicion by many Christians who maintain that the church should not involve itself in political matters. It has been argued that our Lord did not call for political change but rather exhorted his disciples to witness and live within the existing system. However, that argument does not take account of the fact that twentieth century Christians, especially those in North America, have enough influence and power to make substantial changes in the political, social and economic environment whereas the small band of first-century disciples were virtually powerless politically in a powerful and tightly-regulated government system.

The prophets of the Old Testament had no reservations in condemning the corrupt and exploitive tendencies of the rulers of Israel who should have been guided by the law of Moses but who indulged themselves at the expense of the poor and powerless. The reading of Amos, Isaiah, Jeremiah and Micah in a modern translation can be a mind-blowing experience: the cadences of the magnificent King James version have the unfortunate effect of romanticizing and softening the polemical attacks of the prophets on the rich and powerful elements in the Hebrew society. □

## News in Brief

# White House Encouraged Shift In SBC Position on School Prayer

WASHINGTON—An aide to President Reagan confirmed here that New Right leader Edward A. McAteer received White House encouragement to work with the committee on resolutions at the Southern Baptist Convention in New Orleans to deliver a resolution supporting the President's call for a constitutional amendment on school prayer.

Morton C. Blackwell, special assistant to the president for public liaison, told Report from the Capital that he and McAteer confer regularly and consulted before the recent New Orleans meeting to devise strategy to effect a reversal of the SBC's longstanding opposition to a prayer amendment.

In an interview immediately after the convention sessions, McAteer told Report that a White House official, presumably Blackwell, called him two weeks before the New Orleans meeting, asking him if the Baptist Joint Committee on Public Affairs would seek a resolution opposing the amendment and, if it did, to help deliver a resolution of support.

McAteer is founder and president of Religious Roundtable, an organization formed three years ago to work for New Right causes and support the candidacy of Ronald Reagan for president. A member of Bellevue Baptist Church, Memphis, McAteer claims credit for recruiting prominent preachers, including Jerry Falwell, to New Right politics.

During his post-convention interview, McAteer declared of the resolution supporting the prayer amendment, "God intervened here today."

Although McAteer did not speak during the debate on the prayer resolution, he played a major role in shepherding it through the resolutions committee.

He frequently advised committee chairman Norris W. Sydnor Jr., a Religious Roundtable leader in Maryland, and monitored the panel's proceedings throughout the nearly 25 hours of committee deliberations. The vote within the committee to report out favorably the prayer resolution was 9-1, with only California layman David Maddox voting no.

Sydnor's dependence on McAteer's advice was also visible during the floor

debate on the committee's 24 proposed resolutions, when McAteer repeatedly offered suggestions on the platform to Sydnor and other committee members.

McAteer also said he did not regret the convention's refusal to go along with a separate resolution proposed by the committee to censure Baptist Joint Committee executive director James M. Dunn for criticizing Reagan's proposal.

"I'd like to impact the man for good," McAteer said. "I'm not for overkill." He is eager to give Dunn a new chance, he added, if the Washington leader will "repent."

### Senate Impasse Likely On Tax Credit Measure

WASHINGTON—President Reagan's proposal to provide tuition tax credits for parents of children attending private and parochial schools may be headed toward an impasse in the Senate Finance Committee considering the legislation.

The likelihood of such an impasse surfaced during a Senate Finance Committee hearing on the measure when two longtime advocates of tuition tax credits—Sen. Bob Packwood, R-Ore., and Sen. Daniel P. Moynihan, D-N.Y.—challenged the administration's commitment to push hard for the proposal, especially if the panel makes changes in the plan Reagan submitted.

Describing the situation as a possible "stalemate," Packwood said he and Moynihan are dissatisfied with the bill as it now stands and questioned whether the administration would support the bill if the panel approved significant changes.

Observers agree that strong support from both the administration and Senate proponents are essential for passage this year. Also underscoring the difficulties facing the proposal during a time of fiscal restraint, Finance Committee chairman Robert Dole, R-Kan., declared as he opened the hearing that "immediate action on any new or expanded tax expenditure with significant revenue impact may not be possible."

The administration bill provides tax credits of up to \$100 per child for tuition paid in 1983, a figure which ad-

justs upward to maximum of \$500 per child in 1985. Families with incomes of \$50,000 or less would qualify for the full credit while a partial tax credit would be available for those with incomes between \$50,000-75,000.

Numerous groups and individuals, including Baptists, restated their support or opposition to the controversial concept.

Declaring that "Congress may not constitutionally do by indirection that which the Constitution forbids it to do directly," the Baptist Joint Committee on Public Affairs told the committee in a written statement that the proposal violates the First Amendment's ban on an establishment of religion.

"Tax credits to those taxpayers who pay tuition to religious schools would lead to an excessive administrative entanglement of government and religion," the statement warned.

### Prayer Amendment Seeks Coerced Religious Acts

WASHINGTON—Charging President Reagan's proposed constitutional amendment on school prayer would lead to coerced prayer, former Southern Baptist Convention president Jimmy R. Allen joined representatives of a wide range of other faiths in opposing the legislation now pending in Congress while issuing a call for "authentic" prayer.

"No amount of semantic toedancing," Allen said, can change the fact that what the prayer amendment seeks is not voluntary prayer but "forced religious rituals."

Allen's remarks came at a breakfast sponsored by the Campaign for Religious Liberty, a coalition of more than 50 religious, political and educational organizations, including the Baptist Joint Committee on Public Affairs, on the eve of the first hearing on the prayer amendment by the Senate Judiciary Committee. Allen, president of the SBC Radio and Television Commission, was one of several religious leaders scheduled to appear before the panel on both sides of the issue.

"We are not here because we don't believe in the need for prayer but because we believe in the need for authentic prayer," Allen told the breakfast gathering which highlighted the distinctive religious expressions of Jewish, Buddhist, native American, Islamic and Christian faiths.

## Supreme Court Term Ends Following Historic Church-State Decisions



Stan L. Hasteley

In one of the most significant years for church-state relations in its 192-year history, the Supreme Court issued major rulings and took other actions during its recent term on religious exercises in public schools, government aid to religion, government intervention in church life, taxation and the churches, and the rights of newer religious sects.

Headlining the high court's numerous church-state actions was an 8-1 decision last December upholding the right of students at state-supported universities and colleges to conduct worship services on campus. That ruling struck down a policy at the University of Missouri-Kansas City banning worship and religious teaching in campus buildings or on campus property.

Adopted by university trustees in 1972 and implemented five years later, the policy was challenged in federal court by Cornerstone, a non-denominational group of evangelical Christian students who claimed the ban violated their rights of free speech and free exercise of religion.

Justice Lewis F. Powell Jr., writing for the court majority, declared the ban unconstitutional in that it violated the students' First Amendment rights of free speech and association.

He emphasized, however, that the court had consciously sidestepped what many observers believed to be the central constitutional issue in the case, that of free exercise.

Siding with the students in the high court test were several religious groups which filed a friend-of-the-court brief in the case (80-689, *Widmar v. Vincent*).

Precisely one week after the *Widmar* decision, however, the high court handed a defeat to a group of Guilderland, N.Y., high school students seeking to hold prayer meetings at their school before school hours.

The students lost their case when the justices unanimously declined to review two lower federal court rulings disallowing their free exercise claims. They had asked the high court to hear their appeal of those rulings, claiming that the Second Circuit Court of Appeals decision against them "ignores the fundamental right of millions of

students to be free of governmental control of their associations and the free flow of ideas."

But the justices clearly disagreed with that line of reasoning, although, as is customary, they gave no reasons for denying the appeal. Their refusal to review the case left standing the lower court's position that allowing the prayer meetings "would create an improper appearance of official support, and the prohibition against impermissibly advancing religion would be violated" (80-1396, *Brandon v. Board of Education of Guilderland School District*).

In a third case dealing with religion in schools, the high court unanimously affirmed another court of appeals striking down a Louisiana law which authorized local school boards to provide for a period of prayer at the beginning of each school day.

After the 1980 law was passed by the state legislature, the school board in Jefferson Parish announced it would begin permitting prayer led by students and teachers and issued guidelines to govern the one-minute proceeding.

Among the guidelines were provisions that students with their parents' written permission first volunteer orally to lead in prayer. If no student volunteered on a given day, the teacher was authorized to lead the prayer. Students not wishing to participate were to be excused to another location with the understanding that upon their return the whole class was required to observe another one-minute period, this one for silent meditation.

Three parents challenged the state law and local regulations in a federal district court, where their complaint was dismissed. But on review, the Fifth Circuit Court of Appeals agreed with the parents.

By affirming the Fifth Circuit, the high court gave its stamp of approval to the reasoning of the lower panel's decision (81-1031, *Treen v. Karen B.*)

High court justices also disposed of a pair of challenges by Madalyn Murray O'Hair, the country's most noted atheist, by refusing to disturb lower court rulings upholding the legality of invocations at city council meetings and of Christian and Jewish

holiday displays in the rotunda of a state capitol.

Mrs. O'Hair had challenged the custom of opening each meeting of the Austin, Texas, city council with prayer and the practice of displaying a nativity scene and a Jewish menorah in the Texas state capitol, also in Austin, where her headquarters are located (80-1907, *O'Hair v. Cooke*; 80-1908, *O'Hair v. Clements*).

Although the Supreme Court handled fewer than the normal load of cases dealing with government aid to religious institutions, one of them turned out to be a blockbuster of a decision.

In that case, a badly divided high court ruled that Americans United for Separation of Church and State did not have legal standing to sue the federal government for donating surplus land and buildings to an Assemblies of God college in Pennsylvania.

In a 5-4 opinion the high court held that the Silver Spring, Md.-based group failed to prove, either as taxpayers or as citizens, that it was actually injured by the transfer of a 77-acre plot of ground valued at \$1.3 million to Valley Forge Christian College.

Americans United argued before the high court that the gift of land and buildings violated the no establishment of religion clause of the First Amendment.

But Justice William H. Rehnquist, the high court's most conservative member, ruled that the federal government has the right under Article IV of the Constitution to dispose of land which it owns and said that Americans United failed to prove "any injury of any kind, economic or otherwise, sufficient to confer standing [to sue]."

Judge Rehnquist also decried what he called "the philosophy that the business of the federal courts is correcting constitutional errors," a philosophy, he added, which "has no place in our constitutional scheme" nor is made "more palatable when the underlying merits concern the establishment [of religion] clause."

Because it dealt with an organization's ability to sue the government for infringing the constitutional rights of its members, the Americans United de-

cision will have significance beyond the actual arguments in the case. Some constitutional scholars are assessing it as a major new victory for the "strict constructionist" wing of the court determined to discourage or bar insitutional plaintiffs from going to court with class action suits (80-327, *Valley Forge Christian College v. Americans United for Separation of Church and State, Inc.*)

The justices ended an 11-year battle in a Wisconsin school district over transportation of parochial school pupils by letting stand lower court rulings that the state has no constitutional obligation to bus such students beyond a five-mile limit set by the state legislature (81-624, *O'Connell v. Kniskern*).

The growing tendency of government at all levels to interfere in church life was reflected again in the Supreme Court docket for 1981-82, as the high court was asked to unravel a number of complicated and sensitive controversies.

The court declined to review a lower decision requiring the 4,000-student Southwestern Baptist Theological Seminary to file employment data with the Equal Employment Opportunity Commission.

The action left in place a ruling by the Fifth Circuit ordering the Fort Worth, Texas, institution to furnish the federal agency with numerical data on the racial, sexual and ethnic makeup of its support staff and other "nonministerial" employees.

The Fifth District Court had held that while the seminary was entitled to the status of "church" for tax purposes, and that faculty and teaching-related administrators should be exempted from the reporting requirements, data must be provided on support staff and administrators performing tasks "not traditionally ecclesiastical or religious" (81-1115, *Southwestern Baptist Theological Seminary v. Equal Employment Opportunity Commission*).

Several California churches and religious schools lost their high court case when a 7-2 majority sidestepped the primary question of whether state officials may demand tax information and collect unemployment compensation taxes on church school employees.

Justice Sandra Day O'Connor wrote for the majority that the federal Tax Injunction Act should have kept a federal district court in California from hearing the churches' challenge that the state



action infringed on their First Amendment rights. Justice O'Connor emphasized that the court's ruling was narrow and that the churches still have access to the California state court system. If denied relief in those courts, she said, the churches could then appeal once more in federal court (81-31, *California v. Grace Brethren Church*; 81-228, *U.S. v. Grace Brethren Church*; 81-455, *Grace Brethren Church v. U.S.*).

Also defeated was a self-employed Amish farmer from Pennsylvania who refused to pay Social Security taxes for his employees, each of whom likewise belonged to the traditionalist Old Order Amish sect. Members of the tiny group maintain that payment of Social Security taxes and receipt of such benefits conflict with a religious requirement that they provide for one another without government assistance.

But Chief Justice Warren E. Burger, writing for a unanimous court, held that while compulsory participation in the Social Security system interfered with the free exercise of religious rights of the Amish, "not all burdens on religion are unconstitutional." He added, "The state may justify a limitation on religious liberty by showing that it is essential to accomplish an overriding governmental interest" (80-765, *U.S. v. Lee*).

And in what was its most highly publicized case of the term, the high court was forced by Reagan administration indecision to hold over to its 1982-83 term the politically explosive question of whether the Internal Revenue Service may deny or revoke tax exemption to religious schools with racially discriminatory admissions policies (81-1, *Goldsboro Christian Schools, Inc. v. U.S.*; 81-3, *Bob Jones University v. U.S.*).

Attempts by local governments to regulate public solicitation by religious groups met high court resistance. A sharply divided court struck down in April a provision in Minnesota's charitable solicitations law which exempted from registration and reporting requirements only those religious organizations that received more than half their contributions from their own members. The law fell, in the words of senior Justice William J. Brennan Jr., because it set up "the sort of official denominational preference that the framers of the First Amendment forbade" (80-1666, *Larson v. Valente*).

In a separate action two weeks later, the high court left standing lower rulings declaring that city officials may not decide which church activities are spiritual and which are secular in regulating solicitation of funds. The 7-2 action followed earlier rulings invalidating an Albuquerque, N.M., ordinance empowering city officials to forbid charitable solicitation of the public unless numerous requirements were met.

The ordinance was challenged by the Seventh-day Adventist Church, which conducts an annual "ingathering" program that includes door-to-door solicitation (80-1207, *Rusk v. Espinosa*).

In other kinds of actions affecting newer religions in the country, the high court:

- Declined to review the denial of a charter to the Unification Church's Barrytown, N.Y., seminary (81-777, *Warder v. Board of Regents of University of State of New York*);

- Refused to disturb a lower court ruling that a Unification Church member had the right to sue his parents and others for making an unsuccessful attempt to "deprogram" him (81-751, *Mandelkorn v. Ward*);

- Left standing a lower court ruling upholding the constitutionality of a 1977 FBI raid on the Washington offices of the Church of Scientology (81-1275, *Founding Church of Scientology v. U.S.*); and

- Agreed not to review an Illinois decision that the International Society for Krishna Consciousness (Hare Krishna) was not entitled to collect damages or attorneys' fees they sought after the Evanston, Ill., city council revoked the group's "special use" permit (80-1838, *International Society for Krishna Consciousness, Inc. v. City of Evanston*). □

## Religion in Public Schools—Experience and Insights

I began public school after the Supreme Court decisions on government sponsored prayer in the public schools. As a result of those decisions, I have never participated in school sponsored prayer nor was I ever compelled to pray or meditate. When I prayed, it was because I felt a personal need to.

I attended public school in suburban Maryland. The neighborhood was predominantly lower and middle income families. There was an enrollment of about 1400 students in my high school which was comprised of grades 10 through 12. There are about 12 churches within a short distance of my high school, representing a variety of faiths. The dominant religion was Roman Catholicism, but there was a sizable Jewish and Protestant community.

There were several groups of a religious nature in our high school, none of which was sponsored by the school. That was not necessary; students who chose to, met in groups before or after school. The groups were allowed to use classrooms to meet in though some chose not to. They organized themselves without any administration participation.

In my senior year in high school I elected to take a course in advanced biology. A central theme of the course was the theory of evolution and the scientific method of problem solving. The theory of evolution was taught as

just that, a theory. It was never taught as fact or scientific dogma. Instead it was taught as the currently accepted scientific theory on how man came into existence as required by the rules of science and the scientific method. God's role in our development was left out of the discussion, not because the teacher or "science" felt He had no role, but because science by its very nature must *only* consider "natural" explanations of "natural" events. We were never taught to disbelieve the Bible; instead we were allowed to decide for ourselves its place in our lives. I learned that it is not necessary to ignore science in order to believe in God.

This class taught us to think logically and scientifically. We learned to use and develop theories, like evolution, in many areas of science as well as biology. These skills of logic and reason have proved invaluable as I continue my education in engineering at the University of Maryland.

We read a great number of books in high school, most of them classics and all of them worth reading. They stimulated us intellectually and led us to develop skills in reason and argument. A reading assignment was usually followed by a writing assignment that called for answers to questions raised in those books. That meant confronting the author and his attitude and supporting one's own opinions with argument and example. My class-

mates and I were thus made aware of our individuality and given confidence in the decisions we were, and still are, called upon to make.

The books we read were about a variety of people and their philosophies of life. Because they were often different from our own experiences, we were prepared for life in a pluralistic society. We learned to appreciate but not necessarily agree with those perspectives that differed from our own. We read books that espoused the teachings of Marxism, agnosticism and fascism along with a variety of other political and social ideologies. These books were not intended to coerce us into adopting alternate lifestyles.

My school, like most, was consistently amoral. They were in the business of teaching not preaching. I have never seen, nor have I ever heard of any teacher that in any way encouraged, taught or condoned what might be considered immoral behavior.

Public school prepared me for what I came to face in college: it taught me to think and probe for answers. I have yet to feel that the lack of religious exercises in the schools has been a detriment to my education or my Christian faith. On the contrary, this lack of religious overtones has enabled me to live and learn without prejudice and worship without coercion. □

Robert Keating is a member of First Baptist Church, Silver Spring, MD.

## Jealousy and Prayer

Those who wonder why many church folk react so strongly against the idea of prayer in public schools need to understand jealousy. Jealousy has a bad name most of the time but it is really a Godly thing.

In the Old Testament, God is often called a jealous god unwilling to share the love of His creatures with any other god. In that sense jealousy is a good thing. It protects a relationship, keeping it uncomplicated and pure.

Church folk are jealous of prayer. Whenever an institution of the state tries to take that holy conversation away from the churches and turn it into a ceremony, church memories come into play. People begin to remember that in the whole history of the world, whenever prayer became the responsibility of any community other than the Godly fellowship, it became corrupt.

That was true with Ahab and Jeze-

bel. It was true also with the Holy Roman Empire. It was true with the Third Reich in Germany. In many cases government officials have wanted to use prayer as a thing to calm the people or to unite them behind a certain political philosophy. Sometimes they have succeeded, and when they have it was a disaster.

Prayer, in order to be a true communion with God, must be nourished caringly. Ritual prayers, even at weddings, worship, and funerals have behind them the energy of souls striving to know God.

In such ceremonies prayer keeps its integrity by being nourished in the fellowship of those who seek God's way regularly. Most people in the churches fully believe that prayer is a powerful thing and if it does not retain its power then we all are lost. That is why many treasure it so dearly and why they become so anxious when another institu-

tion threatens to take it over.

Whatever the politicians and a few preachers mean when they say they want only "voluntary" prayer in the schools is not clear. Everyone I know is for voluntary prayer if that means each individual can pray whenever he chooses and in his own non-disruptive way. That is constitutional now.

One statement that makes folk really mad, not just jumpy is: "What harm will it do if they have a school prayer?" In other words, if the prayer is of no real effect what difference does it make? But such a statement seems to say that prayer is just a ceremony and there is no real power. To people who believe in the great power of prayer that is a painful word. Their response is to rise up in angry jealousy and say "Leave prayer where it belongs: in the hands of those who sense its power and who respect and nourish it." That means never the state. □

Dr. R. Clint Hopkins is the administrative associate to the president of Averett College, Danville, VA.

## INTERNATIONAL DATELINE



### U.S. Appeal for 'Evenhandedness' Brings Moderate Tone to Religious Conference

When it was all over, American participants to the religious conference in Moscow returned with sharply contrasting reactions.

Presiding Bishop David W. Preus of the American Lutheran Church came back happy. The conference, he said, produced a "balanced" appeal to all governments to demonstrate their commitment to disarmament.

Bishop Preus, a conference vice chairman, said that after his appeal for "evenhandedness" in the early stages of the meeting, the speeches took on a far more moderate tone.

In contrast, the Rev. Paul L. Brndjar, who attended as an observer, said he returned with a "significantly negative assessment of the conference."

Dr. Brndjar, a director in LCA's division for mission in North America, said he found it "unfortunate and disappointing that a significant and urgent concern for world peace and nuclear disarmament" was "so often submerged in overtly uneven political consideration."

Dr. William P. Thompson, stated clerk of the United Presbyterian Church, disagreed with the negative assessments of the conference and with reports of controversy arising over the documents that were passed.

He said the final documents "are very balanced and adopted by consensus, and arrived at in a procedure not unfamiliar to us."

"The most significant thing about this conference," Dr. Thompson said, "was that representatives of all the living religions of the world came together in one place to express their deep concerns based upon their religious beliefs that all life, especially human life, is subject to the greatest threat that has existed in all history from the possibility of nuclear war . . ."

"We were concerned about early drafts" which were unbalanced, and met with Metropolitan Filaret and the head of the drafting committee to express the concerns, Dr. Thompson said. He said suggestions of Americans were accepted. When the drafts were ready, they were brought to the conference and about 100 changes were recommended from the floor, he said. It was left up to the discretion of the drafting committee to use whatever

recommendations they saw fit in preparing the final draft. The documents were then "adopted by consensus" by the conference.

Describing what he perceived as imbalance, Dr. Brndjar said the final documents "have no crude anti-west or anti-U.S. stance, but the substantive positions reflect very closely current Soviet policy, without any significant concession to Soviet contribution to the arms race."

Dr. Brndjar did point to two "positive results" of the conference. The first was the "chance to establish and strengthen interchurch relationships within the Christian community" and the second was the "common spiritual urgency and outrage about the proliferation of totally destructive weapons."

Initial statements prepared for the drafting committee had lauded Soviet President Leonid Brezhnev for his efforts to promote peace, with no mention of similar efforts by the United States. But through appeals for evenhandedness and behind-the-scenes lobbying, Dr. Preus said he and other religious leaders succeeded in winning a statement commending peace initiatives by both the United States and the Soviet Union.

"There was a deep sense that we gathered as a people who believed that God will have the last word in determining human destiny," he said.

The World Conference of Religious Workers for Saving the Sacred Gift of Life From Nuclear Catastrophe, as the Moscow gathering was called, made its appeals to the churches, the nations, and to the United Nations conference on disarmament.

Bishop Preus, who was part of the delegation from the Lutheran World Federation, said his only objections to the statements were critical references to Israel and South Africa. He had supported an attempt to delete them, arguing that they didn't belong in a document dealing with nuclear arms.

—Tammy Tanaka (RNS)

### Individual Rights Needed To Guarantee World Peace

VATICAN CITY—The new envoy from Marxist Cuba invited the Holy See to join it in collaboration against

the arms race.

But Pope John Paul II turned the suggestion aside with a gentle chiding that peace cannot be guaranteed unless individual rights are respected.

The exchange took place when Ambassador Manuel Estevez Perez presented his credentials at the Vatican.

Asserting that Cuba had "severely denounced" the arms race and praising the pontiff for his frequent calls for disarmament, Mr. Perez said:

"We share the same objectives which humanity is struggling for and we think that, beginning with good relations between the Holy See and Cuba, we must collaborate with all . . . political, social and religious forces which fight for the same objectives."

The pope replied that he agreed on the need for cooperative efforts for peace, but, in an oblique criticism of the Cuban regime, declared:

"Peace cannot be obtained among communities and peoples unless the good to the individual person is guaranteed beforehand."

Relations between Cuba and the Vatican have been strained but never broken since Fidel Castro came to power in 1959. Catholic schools were expropriated, hundreds of priests were expelled, and social action was prohibited. About 40 percent of the Caribbean nation's 9.9 million people are estimated to be Catholic.

### Reformed Church Rejects So. Africa Fellowship Offer

GRAND RAPIDS—The Christian Reformed Church synod has refused to "enter into ecclesiastical fellowship" with the white Dutch Reformed Church of South Africa.

The 1.4 million member South African denomination, most closely connected with the official policy of apartheid, or racial separation, asked for fellowship with the 212,000-member American denomination in 1978.

The president of synod, the Rev. Clarence Boomsma, and the president of Calvin Theological Seminary, Dr. John Kromminga, reported that the white Dutch Reformed Church, known as the Nederduitse Gereformeerde Kerk (NGK), maintains "that the white population of South Africa has been providentially authorized to 'govern the fortunes of another people or peoples.'" The report also states that the status of the South African blacks "has been reduced to a condition of political, economic, residential, and social



oppression, in some instances nearly as in slavery."

Defending the recommendation to keep the South African church at arms length, Mr. Boomsma told delegates that the South African fellowship had refused "to recognize the impossibility of the system of apartheid being continued." Dr. Kromminga described that church's willingness to change as "glacially slow and totally inadequate."

### **Bishop Ignores Demand to Close Human Rights Office**

SAN SALVADOR—Contrary to some news reports, the San Salvador Archdiocese's human rights office has not been abolished, said a senior church official here.

The prelate, who asked to remain unidentified, said that Bishop Arturo Rivera Damas, the archdiocese's acting administrator, reorganized and renamed Socorro Juridico rather than close it down as its critics had demanded.

"Bishop Rivera decided Socorro had too many ties to the Popular Revolutionary Block (a leading left wing group) and could not continue under that name," the priest reported.

"Instead, he created a new organization, the Justice and Peace Commission, and gave it the same mandate Socorro had had. The work continues as before, but with a different name. The commission is using the same methods, the same forms and it is located in the same place"—in an archdiocesan building.

### **Radical Hindu Movement Blamed in Christian Deaths**

NEW YORK—A radical Hindu group which seeks to make India a Hindu nation is stirring up hate against Christians and other minority religions, says the president of the National Council of Churches in India.

As a result of local clashes, some 20 Christians in one area of South India have been killed since January; Christian women have been molested, thousands of homesteads burned, and Christian churches and convents wrecked, Daisy L. Gopai Ratnam said in an interview here.

The "root cause" of the violence, she says, is a group called the Rashtriya Swayam Sevak Sangh (National Pure Service Society), popularly known as the RSS. She says the group has ex-

isted for at least 20 years and has more than a million members.

The movement's philosophy is that Hindu values should form the basis of Indian culture and that all other cultures and religions should be subordinate, "deserving no privileges, no citizenship rights," Mrs. Ratnam asserted.

Concerned Hindus have joined with Christians, Moslems and other minorities in peace marches and other actions to protest the RSS's moves. They have urged people in the riot areas to forgive and forget, Mrs. Ratnam said.

### **All Africa Alliance Formed At Kenya Baptist Meeting**

LIMURU, Kenya—An All Africa Baptist Fellowship was organized here by 41 persons representing member denominations of the Baptist World Alliance on the continent.

The fellowship "will enable us to carry out evangelism with greater force and increase partnership and exchange of ideas and missionaries among African nations," said Samuel T. Ola Akande, general secretary of the Nigerian Baptist Convention, who was elected general secretary-treasurer of the fellowship.

At a meeting in Nairobi, Kenya, the general council of the Baptist World Alliance made the new African body its fifth regional fellowship and elected Mr. Akande the alliance's regional associate secretary for Africa.

### **British Church Council Condemns Israel Attack**

LONDON—The British Council of Churches has condemned Israel's invasion of Lebanon.

General Secretary Philip Morgan said the council was "appalled by the brutality of the attack, the scale of human suffering, and the fact that most of the victims were innocent civilians."

The statement was issued following meetings of the council's committees on International Affairs and the Middle East.

The council, which represents Anglican, Free and Orthodox denominations in Great Britain, urged full access to devastated areas in Lebanon by the International Red Cross and other humanitarian agencies and appealed to Christians to contribute generously to the relief of war victims there.

The council opposed suggestions that Lebanon be divided into Christian and Moslem mini-states under foreign patronage. "We believe that to impose such an arrangement without the agreement of the people will not lead to peace and stability in the area."

### **Can't Stay, Can't Leave; Catch 22 Nets Soviet Woman**

NEW YORK (RNS)—Ida Nudel, a Soviet Jewish activist who spent four years in Siberian exile, is now in a double bind—she can't leave the country but she can't find a city that will let her reside in it.

After completing her Siberian exile last March, Soviet authorities told her to give up her plans to leave the country. She returned to Moscow but was denied a residence permit. Then she went to Riga, where she has a number of close friends. But her sister said authorities there also refused to give her a residence permit.

Soviet citizens are not permitted to stay in certain major cities for more than 48 hours unless they obtain permission to do so.

### **Editor in Russia Lauds Graham's Participation**

RUSCHLIKON—A Russian Baptist editor attending a Baptist communication seminar in Switzerland expressed appreciation for the recent visit of the Rev. Billy Graham to the USSR and his participation in a peace conference there, sponsored by the Russian Orthodox Church.

The Rev. Vitaly Kulikov, editor of *Bratski Vestnik*, the publication of the Russian Baptists, told an American Baptist news service reporter, through an interpreter, when asked his reaction to the Graham visit, "Good things will come from it." He said, "Billy Grahams's visit was a big event," adding that the government newspapers devoted considerable space to his coming and his message, and that there were interviews with Graham both in the newspapers and on television.

Told that Graham's comments as reported in the US media had generated controversy and that Graham had been severely criticized by some US Christians, Kulikov commented, "You cannot judge great events up close. Only time shows their significance."

## CORRESPONDENCE

**To the Editors:** . . . concerning school prayer and scientific creationism . . . Please continue to speak out against such a dangerous wedding of religion and government. Continue to speak prophetically against the union of church and state and in favor of religious liberty. Continue to give voice to the historic Baptist position.

**Ken Camp  
Greenville, TX**

**To the Editors:** Thank you for the article, "Will Your Church Observe Religious Liberty Sunday?" Yes, because of your article, we did. It was a joy to me and well received by our church. In the morning sermon I used the "Baptists and Religious Liberty" pamphlet and in the evening sermon, the "Separation of Church and State" pamphlet. I have never given an entire sermon to these subjects. It was a learning experience for me and our church.

**Raymond Woodruff  
San Antonio, TX**

**To the Editors:** In light of much recent criticism which you have received and the attempted effort to silence and nullify your stand on the Prayer Amendment and other unfortunate actions of the Reagan Administration, I simply want to encourage you and your staff and affirm the outstanding job performance of each of you. Please do not become discouraged because of recent events and never become hesitant to publicly express a prophetic word.

My congregation is in full support of you and extremely appreciative of the work you do in keeping us better informed of crucial developments and direction of legislation and governmental policy.

**Gary C. Redding  
Jacksonville, FL**

**To the Editors:** Good work—keep it up! Hopefully, people will become better informed and more intelligent about this issue of the prayer amendment.

**Jean E. Hedges  
Washington, D.C.**

**To the Editors:** Have just read the issue of *REPORT from the CAPITAL* for July-August, 1982. It is an excellent issue. Tell Virginia Mollenkott that her pluralism material will preach in Texas!

One suggestion: I think that the date or identification of the issue should be provided on every page of such a magazine as *REPORT from the CAPITAL*. This allows people who tear them up

for filing to have publication data already on the various pages. Just an idea.

**Weston W. Ware  
Dallas, TX**

(Ed. note: Thanks, we heard you.)

**To the Editors:** The article in the June issue of *REPORT from the CAPITAL* by Bob Patterson entitled "Scientific Creationism: A Controversy Unraveled" is the best definitive statement I have seen on this issue.

**E.C. Watson  
Columbia, SC**

**To the Editors:** I have enjoyed every issue of *REPORT from the CAPITAL* this year. I would like to respond to Thomas Brandon's article, "Anti-Conversion Statutes—Threat to Religious Liberty," that appeared in the July-August 1982 issue.

I cannot see how deprogramming affects religious liberty at all, because I cannot include cults such as the Unification Church in the category of "religions." Why should an organization that exists to profit one man—while denying basic human rights to its followers—be labeled a religion?

Moon's success at attracting followers may indicate deep unfulfilled needs in our society that must be addressed. However, Moon's methods are those of a businessman, not a religious leader! I see cult deprogramming as a measure of protection from cult leaders who are stealing and warping lives under the guise of religious liberty.

**Gerri Ratliff  
Greensboro, NC**

(Ed. Note: *Deprogramming is a heinous practice, which if carried to its logical conclusion could jeopardize every religious conversion, be it to the Unification church or to Christ. In fact, an adult young woman convert to the Christain faith (SBC) in Colorado was kidnapped by her parents for deprogramming purposes. The endeavor to effect spiritual change by brutal psychological methods is an affront to "soul liberty," that freedom of conscience before God for which Baptists in times past gave their lives. Internal Revenue Service and some courts have already determined that the Unification Church is a valid religious body.*

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...to be faithless to the soul freedom principle denigrates the Grace of God. To be disloyal to the priesthood of believer battle cry betrays the "faith alone" revolution....

## REFLECTIONS

James M. Dunn  
Executive Director



Chip shushed me. John Waweru Mbaraya was going on excitedly in his Kikuyu embroidered English. He was testifying, preaching, sharing with the visiting Americans the core of his Christian faith. He was carrying on. My amening was egging him on.

It was as if he'd been waiting weeks just to unload the message. With the delivery of each phrase he drove the UNICEF car a little faster. He stopped watching the road and looked squarely at me, his congregation, with an occasional glance toward the back seat where Chip Kingery was shushing me.

A good thing. The winding roads on the south edge of Nairobi were difficult enough without a rotating testifier at the wheel.

"Law is old. Law not good. God's Grace frees me from sin. Law is full of death, but faith in Jesus Christ sets me free. I tell others. I work at my church. I a Christian, too. I love Christian brothers. Life is hard. I have six children. Not easy to live, since I been born again each day is joy. Jesus say first command is love God with all your heart, then love neighbor as self. That's good. That's happy. I very happy, not under law but under Grace, praise God."

Attending the Baptist World Alliance General Council and Men's meeting in Nairobi, we'd taken a morning to learn about the remarkable work of UNICEF in East Africa. You know, the greeting card people who work at fighting hunger. The visit to regional headquarters revealed anew a crowd who give and work without making folks feel foolish or handing down or hanging on or attaching strings. We saw the sophisticated, diplomatically sound work of an international crowd dedicated to helping folks help themselves. That day we also met in the person of John Mbaraya, the driver of the UN car that came for us, a man who understood that it is precisely for freedom that he'd been set free. His faith was vital, forward looking, loving, positive. He was free from the law, oh happy condition.

Alphonso was another driver on a wild ride that would improve the prayer life of the saintliest Ladies Aid worker. He met us at the Cairo airport and drove with his horn at breakneck speed, weaving in and out of the swerving cars, buses, donkey carts and pedestrians who hunkered and ran like Guinea hens.

Like John he looked at his passengers as he drove, too much for the good of their queasy stomachs. Like John he raved happily about his religion. Like John he responded to us with obvious warmth and unmistakable rapport as he said "I a Christian, too." But from there it was different.

In the troubled and tense Middle East Christian is a label. It defines one set of actors in the awful death drama now on that stage. Alphonso took us to see the assassination spot of Anwar Sadat. With gestures and sounds like a little boy playing guns he acted out the sorry scene and he pointed out the awesome modern pyramid where "Sadat sleep now."

The authenticity and vitality of the personal faith of these men is not the object of my attention here. Yet, as types they call to mind the wide gap between faith as in

"By grace are ye saved through faith, not of works 'lest any man should boast,'" and "faith" as in a tag for the big toe of a casualty.

There is a faith like John's: vital, forward looking, loving, positive. Yet, there's a breed of Christian with a rigid, nostalgic, labeling, negative religion that seems most interested in "dividing up sides." A kind of fundamentalism reigns today in many of the world's religions, Islam, Judaism, and Christianity. It's not that different from one to the other. This fundamentalism is more a matter of meanness of spirit than content of belief. This distorted zeal of which I speak is reactionary, wanting to recreate an idealized past rather than move forward fresh with faith and confidence. It's "hung up" on facts, not faith; law not love; words not people. Like all skeletal ideologies when the flesh and blood are removed it's statistically impressive, attracting the "true believer" (Hoffer) who is deaf to dialogue.

When will it dawn on them? We always face a temptation to trying to escape from freedom into rigid belief systems. Some Baptists seem to be turning away from the essence of our theology. When will they catch on? The folks who settle for civil religion are ripping out the heart of that which makes us Baptists. The people who mouth the extremist line that denies the axiomatic separation of church and state are breaching the Baptist bulwark for religious liberty. The ones who are willing to let government house and help along religion are inviting competition and confusion and meddling by the over-friendly big brother with whom they've compromised.

But worse than all that, to be faithless to the soul freedom principle denigrates the Grace of God. To be disloyal to the priesthood of the believer battle cry betrays the "faith alone" revolution.

O.K.! You don't have to believe this competency of the individual before God doctrine. Many Christians don't. But if you don't, stop calling yourself a Baptist. That's what it's about.

Oh, that Baptists could see that the only discipleship worth possessing is the vital, visceral, person-person faith in Jesus Christ. Let's not fall into the dichotomies of sterile state religion like those in Iran, Northern Ireland, Egypt, Lebanon. Christianity is not a political party. It's not "us" and "them" that give us our identity. Our faith is not a rational party platform that can be argued. We sing "Amazing Grace." We understand that it's unreasonable Grace. He loved me as much as if I were the only one for whom He had to die. He set me free and I'm free indeed. That sort of unreason may be quite a good thing.

Before us are two contradictory approaches to the word "Christian." The first is doctrinal, fact founded, propositional; the other vital, faith-focused, incarnational. One is fated with law and truths; the other filled with Grace and Truth. One is a categorical label that binds; the other a name for His followers that frees. They are mutually contradictory. We must choose. □

## REVIEWS



### HOW COURTS GOVERN AMERICA

By Richard Neely, New Haven, Ct.: Yale University Press, 1981, \$15.00.

Perhaps the greatest source of irritation in our body politic is that we have what some detractors would call an "imperial judiciary"—a set of powerful federal courts not directly subject to the whim of the majority, or even to normal democratic vicissitudes. After all, the judges are appointed for life and can only be removed with great difficulty, and their decisions can otherwise be changed only after monumental legislative effort, if at all. Many Americans, even though they pride themselves on knowing their civics, only dimly understand the role of the courts, and even then it is safe to say that most of us sometimes resent the intrusion of the judges, and especially the Supreme Court, into questions perhaps more aptly labeled social than legal.

Justice Neely, scion of a family prominent in West Virginia legal and political life, and himself a member of that state's supreme court, provides a useful anodyne to many of the misconceptions about the role of the federal courts in enforcing the constitution and protecting citizens from the onslaughts of Big Brother. He demonstrates with admirable clarity that under our Constitution the judiciary is a branch coequal in power with the President and the legislature; and that its constitutionally proscribed duties to interpret the laws, including the more enigmatic provisions of the constitution, almost guarantee that judges will have a major say in the important political and social questions of the day, since the courts are open to all with grievances cognizable under the laws.

Yet, as Justice Neely, himself an activist jurist, is the first to admit, the courts are inherently authoritarian and undemocratic. But, as his endlessly fascinating exploration shows, our judges are bound by training and tradition to enforce their mandates in a neutral and uniform manner, and with great deference to the will of the people. Too, just as no court can shirk the duty of deciding a case properly before it, neither do the courts actively seek out controversy. In fact, as Neely makes clear, they often go too far to avoid difficult cases, using doctrines

designed to guarantee disengagement from disputes best left to the other branches of government.

Thus, the most useful part of this estimable book comes from Neely's careful discussion of how a democratic political machine can create structures that threaten the integrity of democracy. As Neely so eloquently says: "The average American may not be able to explain the mechanics of how a political machine can cheat him of his economic, civil, and political rights, but he knows that the machines are out there ready to take him to the cleaners unless the courts or some other institution besides elected politicians provide protection."

In the end, it is just this notion that in a democratic society, no one may be safe from the spectre of democracy itself, unless independent institutions are honor bound to guard the fundamental principles of the democracy itself, that should make all Americans less wary of the judiciary. □

—Don R. Bustion

(Assistant professor of law,  
Campbell University, Buies Creek, N.C.)

### Under the Rule of Thumb: Battered Women and the Administration of Justice

United States Commission on Civil Rights,  
Publications Warehouse, 621 N. Payne St.,  
Alexandria, VA 22314. (Jan. 1982). No charge.

If you had to flee in the middle of the night from a spouse who was seriously injuring you and your children—would you stop to pick up birth certificates, social security cards and rent receipts? Without such documents you could not qualify for public assistance in many states. This is the kind of special problem addressed across the country in hearings held by the U.S. Commission on Civil Rights to determine how police, courts, shelters, and social service agencies are responding to the battering syndrome. Their recommendations were released in January 1982.

While exploring the justifications for the low priority given by both police and prosecutors to spouse abuse cases, the report urges that police officers take "whatever action would be appropriate were assailants and victims not related or acquainted, while bearing in mind the extra protection necessary for victims who may be emotionally or financially dependent on their assailants." "Left unchecked, spouse abuse generally increases in severity as time passes, resulting in the victim's death in many cases."

Since homes of friends and relatives are usually accessible to the assailant, shelters are an extremely important source of safety and counseling. Public funding is essential to insure the existence of shelters which make it possible for women to pursue legal remedies.

The excerpts from testimony offer a great deal of insight into the problem and society's attitudes toward it. The recommendations are specific and helpful with special sections for police, courts, prosecutors, and social services. (G.F.)

### PAMPHLET REVISED

Advocates of reinstating state-mandated prayer in the public school classroom are attempting to accomplish their goal by constitutional amendment and/or by limiting the jurisdiction of the federal courts. If successful, they would succeed in circumventing the two major decisions of the Supreme Court.

The nation's high court, while declaring mandatory prayer in primary and secondary schools unconstitutional, permits voluntary, individual prayer by students.

Following substantial revision and updating, the pamphlet "Religion in the Public School Classroom" is now available.

Order: single copy-free; 12 copies-\$1.25; 100 copies-\$7.50; and 1000 copies-\$70.00. Plus postage on all orders other than single copy.

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