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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. 40, No. 4

April, 1985

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**Cover:** American Baptist Churches "day" at the South African embassy, in Washington, D. C., witnessed some 300 demonstrators, including members of other denominational bodies along with D. C. area nurses, gathered to march in protest against the apartheid policy of that nation. The day began with a service of worship at Purity Baptist church. (Staff photo)

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# Integrating truth and action

**"W**hat does this have to do with the Baptist Joint Committee on Public Affairs?" Charles Smith raised that question before our policy board, of which he is a member, after he had carefully detailed some of the legal aspects relating to churches and the sanctuary movement. It's a reasonable question and its response should be framed in the context of the assignment of this Washington office.

The scope and function of the Committee calls for at least two major activities: to "defend the historic Baptist principle of religious freedom with particular application to the separation of church and state," and "to inform the Baptist constituencies of governmental movements and measures affecting . . . the right application of Christianity to the life of the nation."

Speaking as a Baptist, having wrestled with his own conscience, Judge Smith began his board address citing the Old Testament's witness to the provision of a life-saving remedy for those accused of taking human life—cities of refuge, or *sanctuary*. As a jurist, he explored the interpretation and selective application of U.S. immigration law which now denied refugee status to Salvadorans. While a Board task force has been formed to deal with sanctuary, "No Criminal Intent" makes us aware of this timely issue and brings Christian conscience to grips with current national policy. The full church-state implications are still to be determined. That was a premise of Smith's query.

Paul Simmons moves to the heart of Christian virtue in his chapel address on "The Integrity Factor." When he speaks of "wholeness," of "getting it all together," of integrating truth in one's character, it is because of his two-fold concern: building relationship and community and to deal confrontingly with the temptations of opportunism. If J. B. Ewing is on target in a quote Simmons cites—"once integrity goes, everything else is easy"—then like the famous credit card, no one dare to "leave home without it."

The historic Philadelphia Confession provided James Dunn with a still-fresh statement of faith, "God alone is Lord of the conscience," for reflections on the theme for Religious Liberty Day this June. Dunn accents personal freedom and biblical authority, notes the premises Baptists accept as necessary for interpreting the scriptures, but he counters the notion that faithfulness can exist where there is no balanced portion of the hearing and doing of the Word. Baptists Living their Biblical Faith, our theme, stresses that kind of sensitivity and biblical awareness. Write us for a free packet of planning materials, and the colorful poster. □

Victor Tupitza

**Chanting "Freedom Yes, Apartheid No!"** more than 150 American Baptists recently protested at the South African embassy on "American Baptist Day." Coordinated by Genna Rae McNeil of the Ecumenical Relations office of the ABC in Valley Forge, the demonstrators marched in disapproval of South Africa's policy of racial segregation. Nine ABC "representatives" were arrested as they tried to present their message to the ambassador.

Coming from as far away as California or by bus and van from New York and Pennsylvania, the demonstrators upon arrival in Washington met in two local Baptist churches. They heard speeches by denominational leaders Robert Coleman, Ronald Taylor, William Cober and Andy Smith, as well as by organizers in the South Africa demonstrations.

At the demonstration site, the protestors raised signs that read "American Baptists against Apartheid" and chanted their messages to the accompaniment of honking horns from supportive commuters. American Baptists Darrel Rollins, Rodrick Green and Carl Flemister addressed the demonstrators. Flemister said that "apartheid" ought to be spelled "apart-hate." After the speeches the nine "representatives" went up to the embassy door and to their arrest. ●

**May 2 has been proclaimed as National Day of Prayer** by President Ronald Reagan, who noted that U.S. history has been marked by "conviction in the face of tyranny, courage in the midst of turmoil and faith despite the roils of doubt and defeatism." The President quoted President Lincoln's response to a Senate resolution requesting a day of prayer in the depths of the Civil War. Lincoln declared that "intoxicated with unbroken success, we have become too self-sufficient to feel the necessity of redeeming and preserving grace, too proud to pray to the God that made us." ●

**A motion to dismiss a suit challenging full diplomatic relations** with the Vatican came before U.S. District Court Judge John P. Fullum, who promised to "act with reasonable promptness." But deputy assistant attorney general Carolyn Kuhl held that Americans United for Separation of Church and State and other plaintiffs in the case do not have legal "standing to sue the President and Congress over last year's exchange of ambassadors between the United States and the Holy See." The Baptist Joint Committee has filed an amicus brief in that suit.

Kuhl further argued that the constitutional doctrine of separation of powers among the three branches of government vests in the president broad foreign policy powers, including appointment of ambassadors. "No court has ever required the breaking of diplomatic ties with another country," she declared, adding: "This is a political question, not a judicial question."

In a key argument, Lee Boothby, attorney for Americans United insisted the Vatican is a church, not a nation-state. He cited the views of the apostolic pro-nuncio in Washington, Archbishop Pio Laghi, that the Pope derives his diplomatic role from the teachings of the Roman Catholic Church, and that all nations maintaining diplomatic ties do so with the Holy See, not with a nation-state. ●

# NO CRIMINAL INTENT

## Does motive count? A noted jurist explores the question of sanctuary

I am first of all a lawyer and a Baptist, one committed to principles of human rights. My involvement with the sanctuary issue began indirectly as a courier for University Baptist Church carrying a message to the American Baptist Churches' Board of National Ministries.

Having carried that message requesting an appropriation of \$7900 for the purpose of housing refugees from El Salvador and then having taken that money back to the Church, I found myself in the strange position of being asked to welcome the refugees from El Salvador to sanctuary in the University Baptist Church.

I had to do some soul searching because I had never done anything like that before. In the many things I had done in my lifetime, I had never sanctioned what could be a violation of law. This brought me to grips with my own theological and legal beliefs, and to recognize that the movement for sanctuary was a legitimate part of the church's activity.

Limited research of the Bible led me to an understanding of the concept of sanctuary within an entirely different context. Under the biblical theory of *Lex Talionis*—"an eye for an eye and a tooth for tooth"—which held that if someone killed another, members of that slain person's family could seek out and take the life of the killer. And thus arose the practice of providing cities of sanctuary for persons accused of killing, to protect them against the avengers of the families. This was my understanding of sanctuary and it took a great deal of intellectual manipulation to get to the point that that concept could be used in a broader sense under which the church could be used as a sanctuary for people fleeing from oppression. I thought about the Jews in Europe just before World War I and II and the failure of Christian churches to anticipate the Holocaust. After all, the Christians were obeying the laws of Nazi Germany.

We came to the realization that, in the context of the 80's, to provide a place of refuge for persons fleeing oppression in Central America was a Divine act. And though it may be a violation of the law, the church had to take a position either to accept the violations of human rights and do nothing about it or to provide sanctuary for those persons fleeing violations of human rights.

This brings into context a number of conflicting concerns, the first over the question, "what is the law?" Those of us who have had experience as government lawyers and prosecutors, and the opportunity to serve our country as special assistants to the Attorney General—with free wheeling investigative powers, grand jury experience and indictment authority—un-

derstand what the government is about here. This brings into focus the recent federal indictments in Phoenix, Arizona.

As you may know (this is an oversimplified approach to the law) conspiracy by definition is an agreement between two or more persons to commit an illegal act by illegal means. The act does not have to be successful. It is the agreement, usually verbal, between two persons which constitutes the conspiracy, and once a conspiracy to violate any law takes place, the crime of conspiracy has presumably been committed. Once a conspiracy has been established by the agreement, each overt act, though legal of itself, becomes a separate crime; anyone who joins the conspiracy by participating in the thing that was agreed upon becomes a co-conspirator and is responsible for everything done from the beginning until the conspiracy comes to an end.

Persons in the Phoenix cases were charged for conspiring to violate the laws of the United States by bringing into the country "illegal aliens." The conspiracy was allegedly entered into because until there is a conviction everything is alleged. The indictment itself is just a piece of paper that has been issued stating that crimes have been committed. It means nothing other than a criminal charge until it has gone to court and has been proven beyond a reasonable doubt.

The indictment in Phoenix alleges that John Fife, a minister of Southside Presbyterian Church in Phoenix, and Jim Corbett, a Quaker rancher in Tucson, had entered into a conspiracy in violation of the laws of the United States. Various other people—a priest, nuns, and church workers, joined in the conspiracy. Church persons who believe in sanctuary take the position that they have not violated the law for the reason that the Immigration and Naturalization Act of 1980 clearly makes the people they are helping political refugees.

The Immigration and Naturalization Act defines a refugee as any person who is outside any country of that person's nationality, or in the case of a person having no nationality, is outside any country in which the person last habitually resided and who is unable or unwilling to avail that person's self of the protection of that country because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group or political opinion. Clearly, that would apply to the refugees from El Salvador, say those involved in sanctuary. And therefore if anyone is violating the law it is the United States operating through the Immigration and Naturalization Service (INS) and the Department of Consular Affairs of the U.S. Department of State.

For some reason, which does not necessarily suggest that it is the position of the Reagan, Nixon, Johnson or the Kennedy administration, the Department of State, with the sanction of the administrative authority, says that persons who come to this country from El Salvador are not political refugees because they are economic refugees. Mr. Reagan describes them as the "feet people" as opposed to the "boat people" from Viet Nam, and therefore they may not become political refugees in this

Dr. Smith, former president of the American Baptist Churches, USA, is a member of the BJC Board. Past responsibilities included service on the Superior Court of the State of Washington, as special assistant to Attorney General Robert Kennedy in the U.S. Department of Justice, and most recently as Assistant Dean of the Law School, University of Washington and Professor of Law. Currently he is engaged in private law practice in Seattle.

country under that definition of the 1980 Immigration and Naturalization Act.

Contrast this with the 18-year-old tennis player from China who defects for better opportunities to play tennis and to make money in the United States—she becomes a political refugee because to return her to China would be embarrassing to her and her family. Or Baryshnikov and Nureyev, both millionaires, who defected from the Soviet Union in order to have greater artistic freedom and to make more money. They all became political refugees under the Immigration and Naturalization Act. It begs the imagination of those who support sanctuary to understand why they can become political refugees while others who come across the border from El Salvador cannot.

One would have to understand the mentality of the Department of State with reference to facts. The Department of State takes the position that unless information comes through diplomatic channels it didn't happen. People who have been to Central America and whose judgment I respect tell me of many things that happen. The State Department says "No, they didn't happen." Why? Because the information did not come through diplomatic channels. It is not a matter of government being untruthful; it is process. Therefore, our government can with impunity take the position that these people who claim that they have been tortured, that they are fleeing from oppression, that they are on death lists, and that they were participating in mass with Archbishop Romero when he was assassinated by death squads in March of 1980, cannot be believed because they don't have newspaper articles and photographs to prove it.

Those involved in the sanctuary movement are told by INS that really to assist those people they must not help them to violate the law which prohibits their coming into this country undocumented. Our Supreme Court has upheld the right of INS to regulate the flow of people through our borders. So that's not the question. The real question is the application of the laws and the decision of our State Department and INS not to accord the privilege of refugee status to persons who come from Central America because, among other things, the countries they come from are *allied* with us in some philosophical sense. An example of the mentality of this process: one person in a boat in the Atlantic Ocean who says "I am a Cuban" is welcomed as a political refugee. Another person in the same boat says "I'm a Haitian" and that person is deported, the reason being that, from a philosophical standpoint, we are in league with Haiti but are not in league with Cuba. The division falls along the lines of the so-called Communist countries and the so-called non-Communist countries.

What gives lie to that position in the instance of Central America is that the major participants in the movement for human rights in Central America are Roman Catholic priests and nuns. The history of Marxism and Communism affirms that Communism and Catholicism are diametrically opposed to each other and cannot exist in the same philosophical medium, and that Christianity and Communism are also on two different poles and cannot exist in the same medium. Thus if it is a matter of Communism and anti-Communism, why are the major participants in the movement for sanctuary committed Christians, including Roman Catholics, some of whom have been assassinated and others of whom have disappeared?

The new "in" words in the rhetoric of politics are "disappearance" and the "disappeared." In Central America, as those who document these happenings know, there are lists of thou-

sands of persons who have disappeared and thousands of persons who have been killed by representatives of government—either uniformed military or the death squads in civilian attire. In the main, they are high-ranking military authorities whose governments are being supported by funds from the United States.

Among the Baptists, participation in the sanctuary movement is limited; initially only one American Baptist Church, but recent figures indicate that seven American Baptist churches have become engaged in sanctuary. About 150-200 churches throughout the United States across denominational lines, a large number of Roman Catholic churches and churches of other denominations, have publicly declared sanctuary.

As a movement in the United States today, sanctuary is not clandestine and secret. For example, in Seattle it is a common practice to announce that new refugees are coming by public motorcade from Los Angeles, with live television coverage along the way. The mayor of the city welcomes them and the chief of police assigns them a special escort. Television stations have kindly agreed not to photograph their faces because photographing faces leads from identification to arrest, from arrest to deportation, and from deportation to consequences unknown—possibly death, possibly torture, possibly simply returning to whatever they did before they immigrated.

Are people in the church who are providing sanctuary criminals? On the surface the answer is possibly "yes", especially if a case goes to trial and there is a conviction. There are defenses available in all criminal cases. This leads into a technique which good United States attorneys use to sort of undercut the legitimate defense of persons accused of any crime.

The only overt acts in the Phoenix case which directly affect Baptists are those in which Donovan Cook, the senior minister of University Baptist Church, and a Church of the Brethren missionary who serves as an interpreter for the church, are named as unindicted co-conspirators in 2 of 86 counts. An unindicted co-conspirator is a person who has not been charged with the crime but who has been identified as a participant.

This conspiracy indictment reads: "On or about October 20th, [this is an overt act, which is a crime] defendant Hutchison unlawfully brought or guided an illegal alien, unindicted co-conspirator and 4 minor illegal aliens [those are children] into the United States at or near Douglas, Arizona while at all times knowing that the 5 illegal aliens had been brought to the border area by an unindicted co-conspirator and other unknown conspirators. Thereafter, defendant Hutchison and Fife transported the 5 illegal aliens from the Douglas, Arizona area to the Southside Church in Tucson, Arizona. Defendants Hutchison and Fife then delivered the 5 illegal aliens to an unindicted co-conspirator knowing that the 5 illegal aliens would be harbored by the unindicted co-conspirator until arrangements could be made for their transportation to other parts of the United States." That is one crime.

The other crime: "On or about October 22, 1984 at the Southside Church conspirator Fife and 3 unindicted co-conspirators discussed the unlawful entry of an illegal alien unindicted co-conspirator and 4 minor illegal aliens brought into the United States at or near Douglas, Arizona on October 20th, 1984. The defendants discussed the future harboring and transportation of the 5 illegal aliens to Seattle, Washington and

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The First Amendment built "a wall of separation between Church and State."—Thomas Jefferson

## VIEWS OF THE WALL

Stan Hasteley



No subject in the field of American church-state relations has so occupied the Baptist Joint Committee on Public Affairs over the past half century as that of U.S. diplomatic relations with the Holy See. From the beginnings of the Baptist Joint Committee—which next year observes its 50th anniversary—the Washington-based denominational agency has opposed efforts by a succession of U.S. presidents to establish diplomatic ties with the pope.

Yet no American president since Harry S. Truman sought to establish full diplomatic relations with the Holy See until Ronald Reagan suddenly announced Jan. 10, 1984 that his personal representative to the Vatican, William A. Wilson, would be named first U.S. ambassador. Besides Reagan and Wilson, the other key player in this hushed conspiracy to undo more than a century of formally established American policy against such relations was U.S. Senator Richard G. Lugar, a Republican from Indiana.

Speculation around Washington attributed to Wilson and Lugar credit for convincing the President to proceed with the move. Wilson, according to this version, was passionately committed to elevating his position from personal representative to ambassador. An adult convert to Catholicism, he personally lobbied Reagan for the upgrading of relations with the promise of improved intelligence data from Vatican diplomats scattered around the globe. Others have said Wilson's primary concern was that as personal representative he had to stand at the back of the line at official Vatican functions, whereas as U.S. ambassador he would go to the head of the line.

Lugar's role was likewise indispensable in the White House plan. As chairman of the Subcommittee on European Affairs of the Senate Foreign Relations Committee, the Hoosier senator deftly maneuvered through the Senate—without hearings or even a whisper of floor debate—the legislation necessary to lift an 1867 ban on full diplomatic relations with the Vatican. Later, when Wilson's name was sent to the Senate for confirmation as the new ambassador, Lugar scheduled only one day of public hearings on the nomination over the strenuous protests of the Baptist Joint Committee and other groups asking for more

hearings, not so much on Wilson's qualifications as on the entire question of full diplomatic relations.

That this brief congressional skirmish on a subject that three decades earlier (when Truman announced his nomination of General Mark W. Clark as would-be ambassador) produced an avalanche of vituperative anti-Catholic sentiment but now elicited reasoned appeals for proper respect of constitutional law, is indeed cause for rejoicing. Americans can rejoice that this latter-day opposition to an exchange of ambassadors came not from dark fears of papal domination but rather out of profound conviction that the First Amendment forbids it.

This is the key argument in the final legal brief filed by John W. Baker, the late general counsel of the Baptist Joint Committee (U.S. District Court for the Eastern District of Pennsylvania, Civil Action No. 84-4476, *Americans United for Separation of Church and State, et al. v. Ronald Reagan, et al.*). In a brief *amicus curiae* filed only eight days before his untimely death, Dr. Baker confronted head-on the government's position—first taken during Wilson's confirmation hearings and repeated in its own brief before the district court—that because the Holy See is a sovereign state, the President of the United States was empowered to send an ambassador. Quoting extensively from an address by Archbishop Pio Laghi—who as Apostolic Pro-Nuncio is the Vatican's ambassador to the U.S., Baker maintained that the Holy See "is indistinguishable" from the Roman Catholic Church.

Laghi's speech, made April 6, 1984 at the Catholic University of America, contained this passage:

... Some mistakenly tried to justify the American government's action by implying that it was entering into a diplomatic relationship not with the Roman Catholic Church as such, the Holy See, but rather with the sovereign Vatican City-State....

It is ... the Pope's religious authority which confers upon him the classical right of legation, a diplomatic standing in the world. Those who interpret Papal Diplomacy as emanating from the Pope's temporal sovereignty are failing to understand the true nature of the mission of the Holy See.

In the Baptist Joint Committee brief,

Baker insisted "this clear admission that the Holy See views its relationship to the United States as a relationship between the Church and the government of the United States brings the establishment clause of the First Amendment into play." Accordingly, Baker's argument continued, the lawsuit challenging the appointment is a justiciable controversy: "The fact is that the United States, by giving a preferred status to one religious organization, the Roman Catholic Church, has made invidious discriminations between religious organizations.... This is damage or injury which legitimizes the claim that a valid controversy exists."

As to the government's claim that Article II of the Constitution empowers the President to appoint and receive ambassadors and generally to conduct the nation's foreign affairs, Baker cited the Supreme Court decision of *Baker v. Carr*, 369 U.S. 186, 211 (1962), that "it is error to suppose that every case or controversy which touches foreign relations lies beyond judicial cognizance." In this controversy, Baker argued, "The First Amendment gives a preferred position to free exercise and no establishment of religion. The President must exercise his powers to appoint and receive ambassadors within the strictures of that Amendment."

The Baptist Joint Committee's view is that the Reagan administration violated all three prongs of the Supreme Court's test to determine when governmental action violates the establishment clause, a test first established by the high court in *Lemon v. Kurtzman*, 403 U.S. 602 (1971). On the first prong—that the action must reflect a secular purpose—the courts usually concede a secular purpose when Congress or the executive branch acts. But here, Baker argued, "President Reagan's purpose and Congress' purpose in appointing and funding an ambassador to the Holy See—whether conscious or not—was religious and not secular."

As to the second prong of the *Lemon* test—that the principal or primary effect of the action must be neither to advance nor to inhibit religion—"the President and Congress are expressing a preference for one church over the others."

But, Baker wrote, it was on the third prong of the test—that the action must not excessively entangle government

## VIEWS OF THE WALL

with religion or foster divisiveness along sectarian lines—"that the unconstitutionality of an appointment to the Holy See becomes most evident." He then cited concern expressed by the editors of the Jesuit journal *America*, who in a Dec. 24, 1983 editorial posed the prospect that an ambassador to the Holy See would seek to exert pressure on and to control the activities of the American Catholic Church.

A further prospect of excessive entanglement was made plain, Baker noted, by Deputy Secretary of State Kenneth Dam who, in an appearance before a House appropriations subcommittee to seek reprogramming of funds to upgrade the Wilson appointment from personal representative to ambassador, declared that one advantage of the new arrangement would be that the U.S. "will be able to influence the political positions" of the Vatican on a host of international issues.

Finally, in a line of argument novel in American legal annals, Baker told the district court, "The appointment of an ambassador to the Vatican seriously jeopardizes the missionary programs of religious organizations." He explained: "Because of anti-American, anti-religious and anti-democratic sentiments in many of the developing countries, missionaries and other persons representing religious institutions could actually become symbols of American governmental interests. The unwise course of maintaining full diplomatic relations with the Roman Catholic Church offers an occasion for misunderstanding, invites chaos and confusion, and places a burdensome albatross upon every American who represents religion overseas."

In this his final brief, John Baker demonstrated once more the consistency of the agency he represented so well in defending religious freedom and separation of church and state. While this lawsuit—and Baker's supporting arguments—may or may not result in the invalidation of the ill-advised moves by the President and Congress to undo what the wisdom of the years rightly put into place, it is the consistent witness to freedom and not uniform success that is demanded of those who stand in the breach. □

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to the custody of an unindicted co-conspirator." Now that's the only part of the Phoenix indictment that directly affects Baptists because Donovan Cook is named as an unindicted co-conspirator in those two counts.

The government has done something which lawyers will understand but which law professors simply cannot comprehend. And that is to file a motion *in limine*, a motion to limit the production of evidence in a trial. The government's two-page motion *in limine* was filed in this case after the indictment. When the government's motion *in limine* asks the court to prohibit the defendants from using as a defense their religious beliefs, oppression in Central America, the ambivalence of the United States with reference to interpretation of the Refugee Act, any evidence of torture and mistreatment of the aliens brought into the United States and Central America, it asks for everything under the sun. If the judge, (and I have a lot of respect for the integrity of the courts) who hears that motion *in limine* grants that motion in its entirety, it would be shocking. The most logical response would be to appeal the granting of the motion *in limine* because if it is granted, there remains absolutely no defense.

Basic to our criminal law with its roots in the old English Common Law is that there must be evidence of criminal intent before a person can be convicted of a crime. To take away from defendants their right to defend on the basis of their beliefs and their intent is unconstitutional. I cannot understand why anyone representing the power of the government as a prosecutor would go so far. Still, in court proceedings it is common practice to put all the eggs in one basket—to ask for everything and hope a judge will agree with you and thus not have to prove your case because all logical defenses have been removed. This is the part which gives me some concern as a lawyer. As one who has a reasonable understanding of fundamental fairness in the application of our laws, I simply cannot believe on a predictive basis that a court would grant that motion *in limine* as it is stated.

There is nothing in the language of the indictment which is inherently defective. One does not have to agree with it. I think, however, the weakness of the government's case is its motion *in limine*. If they proceed to a hearing on that motion and succeed, there is something radically wrong with the system because the concept of fundamental fairness in the application of our laws will have taken a vacation.

What does this have to do with the Baptist Joint Committee on Public Affairs and separation of church and state? On the surface it doesn't have very much to do with it except to the extent that we may believe that the government does not have the right to prohibit a religious group from practicing its religious beliefs by providing sanctuary for the oppressed. That's philosophical.

What about the invasion of the premises of the church for purposes of planting informants with tape recorders? Does this Board question that the activities of the government in conducting its investigation—employing confidential informants equipped with listening devices who attend church services for purposes of documenting alleged violations of law by members of the church group—violates the principle of separation of church and state? I do not suggest the answer. This is something that will have to be thought about by all of us.

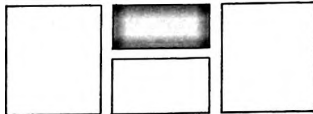
If we took a survey of this table I believe we would find as many different opinions about the various issues raised here as there are issues. I am myself ambivalent about them. It leads then to the real soul struggle that I have even over participation as an advocate. (You must understand that we lawyers are required by law to represent persons in any kind of criminal offense although we do not absorb the activity of our clients in representing them because we are obligated to provide for the defense of persons accused with crimes.)

But one has to recognize that persons participating in sanctuary are either taking the position that they are not violating the law because it is a matter of conscience and therefore they have done nothing wrong; or they are knowingly violating the law and engaging in an act of civil disobedience.

Civil disobedience is not avoiding the consequences of a criminal act. Civil disobedience is an expression of conscience which says "I deliberately and publicly violate this law for purposes of expressing my conscience. For purposes of focusing public attention on the issue, I am willing to stand up, be counted, be convicted and take my punishment."

Persons participating in sanctuary hold an ambivalent position. "Having violated no law, we should not have to suffer consequences;" or, "we are deliberately violating the law to focus attention on the issue to become martyrs so that we can take the consequences and the public will then become aware." There is no middle ground. And once that act occurs, one has to wrestle with one's conscience and ask, "Have I done the right thing?" □

# News in Brief



## Anti-apartheid measures introduced in Congress

WASHINGTON

A bipartisan group of more than 100 lawmakers has introduced legislation which would impose economic sanctions on South Africa because of that government's continuing policy of apartheid—separation of the races.

"The time has come for the United States, by our actions, to get on the side of freedom for South Africa's disenfranchised majority," declared Sen. Lowell Weicker Jr., R-Conn., one of the sponsors of the Senate measure (S. 635). Heading a long list of sponsors of the House bill (H.R. 1460) is Rep. Bill Gray III, D-Pa. Gray, new chairman of the House Budget Committee and a Baptist minister, who sponsored similar legislation in the 98th Congress.

The proposal contains four types of sanctions against South Africa. First it would permit no new bank loans to the South African government except those used "to construct and/or operate educational, housing, or health facilities open to and accessible to all on a non-discriminatory basis. Under the bill, this provision would be waived only after the apartheid system had been dismantled.

Second, it would ban exportation to the South African government of all computers, software and goods intended to service its computers.

Third, it would ban new investment in and bank loans to South Africa. Sponsors said this provision is aimed at stopping the flow of new funds from the U.S. to South Africa but would not curtail such activities as reinvestment of profits, obtaining loans and raising capital from sources within South Africa.

Finally, the bill would prohibit the importation of South African kruggerands (gold coins) into the U.S.

The last two restrictions could be waived by the President and Congress for periods of up to 12 months when the South African government has met any of a number of conditions listed in the bill designed to eliminate apartheid and improve quality of life for the nation's black majority.

Sponsors said all sanctions of the bill would be removed once apartheid has been dismantled "and South Africa is moving toward a system of full partici-

Stan Hastey, director of information services for the Baptist Joint Committee on Public Affairs, has also been named the organization's associate executive director. In his added role, Hastey will assist BJCPA executive director James M. Dunn with administrative duties and be a spokesman for the agency. Hastey, 40, an 11-year staff veteran, is also Washington Bureau Chief for Baptist Press, news service of the Southern Baptist Convention. □

pation by all its people in the political, economic and social life of the country."

"Up to this point, the United States, through Republican and Democratic Administrations and Congresses, has adopted a cost-free approach to apartheid," Weicker said. "Wonderful words and diplomatic entreaties have done little more than salve our consciences while the oppression goes on. As Bishop Tutu has said, there can be no neutrality with respect to apartheid: we are either on the side of the oppressed or the oppressor."

Meanwhile, in another congressional proposal at least partially directed at South Africa, Senate majority leader Bob Dole, R-Kan. and others have introduced legislation authorizing the U.S. to mint a gold coin which could compete against South Africa's kruggerand.

Dole said the legislation would be appropriate because every year about 3 million foreign gold coins are imported into the U.S. resulting in a \$1 billion trade deficit. In addition, Dole said "many Americans view the kruggerand—which accounts for \$400 million of that \$1 billion trade imbalance—as a symbol of apartheid." □

## House panels to focus on hunger, drugs, children

WASHINGTON

The U.S. House of Representatives voted March 7 to reestablish select committees to focus on hunger, narcotics abuse and control and children, youth and families.

The Select Committee on Hunger, which will be composed of 17 House members appointed by the Speaker, will have no legislative jurisdiction, but will conduct comprehensive review and study of hunger issues. Based on its re-

views it will make recommendations to any of the eight standing committees of the House which have jurisdiction over aspects of domestic and international hunger. In addition, the Select Committee on Hunger will be required to submit an annual report to the House including a summary of its activities.

The Select Committee on Narcotics Abuse and Control—first established in 1976, will function in a manner similar to that of the hunger panel. It also will have no legislative jurisdiction, but will be directed to conduct a comprehensive review of drug abuse problems and recommend legislative action to appropriate House standing committees. The panel will be made up of 25 members appointed by the Speaker, but including one member each from the following committees: Agriculture, Armed Services, Government Operations, Foreign Affairs, Energy and Commerce, Judiciary, Merchant Marine and Fisheries, Veterans' Affairs and Ways and Means.

The Select Committee on Children, Youth and Families was first authorized late in the 97th Congress and functioned during the 98th Congress. The new authorization provides for a membership of no more than 30 House members to be appointed by the Speaker. Like the other select committees, this panel will not have legislative authority, but will conduct a comprehensive review of issues related to children youth and families and make recommendations to House committees with appropriate jurisdiction. During the past Congress, the Select Committee on Children, Youth and Families conducted 25 hearings and issued five reports. □

## IRS issues new regs for business use of autos

WASHINGTON

The Internal Revenue Service has issued a second set of regulations implementing a 1984 tax code change which requires taxpayers to keep "adequate contemporaneous records" to substantiate deductions for the business use of "listed property" such as automobiles and home computers. Public protests over the detailed recordkeeping required by the first set of IRS implementation regulations prompted the introduction of dozens of bills in Congress to repeal or reduce the requirements.

Under new IRS regulations issued



Feb. 20, a minister or employee who "spends most of a normal business day" using a vehicle would have the option of keeping a travel log or counting 70 percent of the actual vehicle mileage for business purposes.

For clergy and employees who could not substantiate spending most of the normal business day in the car, the amount of recordkeeping has been reduced. For instance, rather than logging each segment of a trip involving several stops over a period of one day or several days, the new regulations would allow a single entry.

It is unclear whether the IRS changes will satisfy the U.S. public or Congress. Committees on both sides of Capitol Hill are looking into the matter. □

## BJCPA seeks to fill general counsel post

WASHINGTON

Acting to fill a key vacancy on its staff, the Baptist Joint Committee on Public Affairs March 5 approved a search process for securing the services of a new general counsel and director of research services.

The position is open because of the recent death of John W. Baker, a member of the staff from 1969 until his death in January.

Executive director James M. Dunn, along with the agency's four current officers, will conduct the search. Besides Dunn, they are chairperson Donald R. Brewer, a Southern Baptist attorney from Chicago; first vice-chairperson Wesley Forsline, pastor of the American Baptist-related Calvary Baptist Church, Minneapolis; second vice-chairperson Violet Ankrum, past president, Women's Auxiliary, Progressive National Baptist Convention, Inc.; and secretary Donald E. Anderson of Arlington Heights, Ill., editor of *The Standard* monthly publication of the Baptist General Conference.

The search panel is currently receiving applications for the position and indicated it welcomes all interested Baptist attorneys to send resumes to Dunn at 200 Maryland Ave., N.E., Washington, D.C. 20002.

The entire 44-member Baptist Joint Committee will be asked to approve the selection in a mail ballot. □

## Congressional Record carries Baker tribute

A leading House sponsor of the "equal access" legislation enacted by Congress last year has paid tribute to the late John W. Baker as "one of the Nation's foremost scholars on church-state relations."

Rep. Don Bonker, D-Wash., saluted Baker, general counsel and director of research for the Baptist Joint Committee on Public Affairs, in a March 7 tribute printed in the *Congressional Record*. Baker, whose tenure with the BJCPA covered 15 years, died Jan. 12 of heart failure.

"I had worked closely with Dr. Baker in the last Congress on the Equal Access Act and on efforts to prevent State-sponsored exercises of religion," said Bonker, who along with the late Kentucky lawmaker, Rep. Carl D. Perkins, led efforts in the House to pass equal access legislation. That measure permits secondary school students to meet for religious and other purposes before and after school on the same basis as

other student-initiated, noncurriculum-related groups.

"During that time, I came to admire and respect John Baker and to rely on his counsel, for he was not only a man of great knowledge and wisdom, but also had the personal qualities of balance, fairness, and grace that made him credible and respected even among political adversaries," Bonker continued. "In the delicate and potentially divisive area of policies and religion, John was uniquely qualified to bring reason, equity and compromise to the most controversial issues."

Bonker also praised Baker's reputation for bringing together lawyers representing churches and civil liberties groups on a wide range of causes dealing with religious liberty issues.

"While I mourn the passing of this great man," Bonker concluded, "his accomplishments, his example, and his spirit remain with us."

## House begins hearings on abortion clinic violence

WASHINGTON

A House Judiciary Committee panel has begun hearings on whether violence and other activities directed at clinics which perform abortions violate the constitutional rights of patients and employees of the clinics.

At a Subcommittee on Civil and Constitutional Rights hearing March 6, chairman Don Edwards, D-Calif., declared the purpose of the hearings "is emphatically *not* to debate the pros and cons of abortion."

In its first hearing, the committee heard from a panel of witnesses—including a patient and operators of clinics performing abortions—who described a variety of disruptions staged by abortion foes, ranging from arson to harassing phone calls and chants to patients and employees.

Edwards suggested "the harassment and intimidation of patients and staff" may be as injurious as the recent rash of bombings and burnings "in discouraging the exercise of constitutional rights."

"Reproductive rights are constitutionally protected," Edwards said.

The hearings themselves drew fire from Republican members of the subcommittee. Reps. William E. Dannemeyer of California and Michael DeWine of Ohio criticized Edwards for holding this set of hearings when he has refused during recent years to hold hearings on a Human Life Amendment to the Constitution to ban abortions. □

## Amish continue to battle

GLADWIN

Three Amish men who were ticketed for refusing to hang orange triangle warning signs on the back of their horse-drawn buggies, in 1978, have taken their case to the Michigan Court of Appeals.

Gladwin County Circuit Judge Raymond King said the defendants had objected to the sign because their religion dictates that they place their trust in God for their safety, rather than in human devices.

Douglas Jacobson, Gladwin city attorney, said an Amish representative testified to wearing orange clothing while hunting to keep from being shot. Presumably, this fact means that Amish will wear orange on occasion. □

# The Integrity Factor

**fanaticism  
blends religion with  
politics until basic  
important distinctions  
are blurred.**

**I** know nothing more important in our world than integrity—that basic commitment to honesty in word and human relationships that makes trust and community possible. But it also seems that there is a tendency to disregard or discard the demands of integrity in the face of opportunity for success or gaining or wielding power.

The call to integrity needs to be sounded. It is not enough to point the finger of accusation and judgment in the direction of politics and politicians. At least a significant portion of our national crisis can be traced to the "Keepers of the Spring" of our national conscience—religious leaders and those in places of moral influence. Preachers—many of them with national prominence—have a share in the blame for they have forgotten the roots of faith and have compromised the demands of obedience.

Cultivate all the skills of administration and communication; be personable, friendly and charming; but unless the outward skills are built upon an inner foundation of integrity, we have become hollow people.

Noah's ark needs no oars

For it has no bottom.

Integrity—we need a definition. The basic meaning is "to be integrated." The Latin root is *integritas*, meaning wholeness, entireness, completeness. The Greeks spoke of the *integer*—one is not a fraction but a whole. Socrates built his moral philosophy around the notion of getting his inner and outer life to agree. The popular phrase is "getting it all together." The dictionary defines it as soundness of moral principle and character; uprightness, honesty. It means a person of unimpaired condition.

The Christian's model of integrity is Christ. As Buttrick reminds us, "only he qualifies." Only he could declare: "I and the Father are one." His will was so integrated with that of the Father that there was no division of mind or heart. Here is soundness—wholeness, completeness—human life so perfected that he is at once the perfect image of the Father and the model of true personhood.

To that we are all called. His truth is to be integrated into our character. As he was, so are we to be. *Bonhoeffer* spoke of

conformity: we are to be conformed to Christ; to allow His image to become perfected in us. Our standard of integrity is always Christ-centered. He is not an alien mystic, abstract idea, nor a philosophical ideal. Christ is the reality of God and the model of integrity for us. He requires it of us. As Henry Nouwen put it: "The goal of the Christian is to be a living reminder of God ... by seeking a life of total integrity."

The word speaks of truth and honesty, intellectual and moral. It questions the way we package the truth of God. Jesus spoke of integrity in terms of loving God with all the powers of our being. The great commandment is that we love God with all our heart, soul, mind and strength. The great temptation of our time is for Christian ministers to compromise that Central Truth—the reality of Christ's truth in our life.

## Integrity in Ministry

Some of the most visible and influential models of religious leadership have not led the way in setting fine examples of integrity in ministry. In a recent nation-wide appeal to faithful supporters, one TV evangelist claimed to be in dire circumstances for cash contributions. As he said, the program is about to go off the air. At the same time, it was revealed that he and his wife had just purchased a half-million dollar home and were driving a Rolls Royce and a Mercedes Benz! Another scandal was associated with a "Christian" group that wrung the hearts of TV viewers by showing pictures of starving masses in Ethiopia. Viewers responded generously out of compassion, contributing some \$40 million to the rescue effort. A subsequent investigation showed that less than \$100,000 had reached Ethiopia.

There is no integrity in this. When people are manipulated by powerful religious leaders, the name of Christ is desecrated, the cause of Christ is distorted, the Church of Jesus Christ is defamed. Christ is crucified afresh.

Some try to build their ministry around deception. The pressures to succeed or to make money to subsidize a modest salary all become temptations to compromise integrity to accomplish our goals.

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Dr. Simmons is professor of Christian ethics at Southern Baptist Theological Seminary. This article is an adaptation of a chapel address based on John 14:5-6; Phil. 1:9-11.

## Integrity and Public Religion

The problem is even more pervasive. There seems a sickness in society that wears the mask of religion in public. Durkheim called it *anomie*—rootlessness, normlessness—with a standard to live by. Each chooses to set the standard by which they live. At least there seems no standard that requires integrity, that smacks of the truth, that conveys the will of God. This is true in spite of the fact that religion is so much in evidence. Prime time television religion is the rage of the age. Seldom has religion been so pervasive and powerful, and so perverted.

Such perversion is easy enough to see in Iran or Lebanon or India. The Ayatollah rules with an iron fist. Through his Moslem Mullahs, Khomeini is establishing a reign of terror that rivals if it does not exceed the worst excesses of brutality and political persecution of that of his predecessor, the Shah.

Fanaticism in the name of religion seems to be the great temptation of the age. It is religion without integrity: misled, misguided, angry, insolent, vindictive, hateful, vengeful. It is a crusade in the name of God to rid the earth of all infidels and unbelievers who dare defile the rare atmosphere of heady faith. Dissent is not tolerated. Intelligence is frowned upon unless it is dogmatic and closed. Disturbing questions, clear thinking and common sense are thought to be irreverent, insolent and disrespectful of proper authority.

This fanaticism blends politics with religion until basic and important distinctions are blurred. Zealous nationalism takes on the face of fervent religion; patriotism is baptized as kingdom service; love of country is tantamount to love of God and military ventures are regarded as pure paths of martyrdom and Christian service.

Such religion has an ugly face—the scowl of the true believer—the smirk of the conscientious killer who can do no wrong for it is done in the name of a higher purpose that justifies the wanton act.

In America it takes the form of political and social fanaticism on the radical right. It parades as Christian piety. A top U.S. General of the Army recently appealed to young recruits to “join God’s army.” The true believers are hard at work to deprive us of freedom of

thought, the exercise of private conscience, the responsibility of priestly prayer and action. This is neither the age of reason nor the age of faith; it is the age of false belief mocking the life of integrity to which Christians are called.

The examples are disturbing, frightening and far-reaching. The Christmas day bombings of clinics in Pensacola, Florida are a case in point. This terrorist activity was rationalized with a hideous mockery: “That bomb was for the baby Jesus,” said the bomber as he was led off to jail. We recognized the sickness of mind as well as the misguided soul. There is no integrity.

But let the guilt be shared. The terrorist bombings were given moral support and encouragement by the inflammatory and demagogic rhetoric of the radical right. Those who make their cause a religious crusade against “murder” in America and who compare abortion to the Nazi holocaust share the guilt of the clinic bombers. Intemperance breeds intolerance and intolerance breeds fanaticism which fuels the fires of violence in war or terrorist bombings.

We know we have a crisis of integrity when President Reagan uses Luke 14:31 to say the Bible supports his effort to pass a record-high defense budget. Sounding pious as prayer, he completely reversed the clear meaning of that passage. Jesus counseled peacemaking as a prudent act in the face of clear prospects for destruction. He taught us to learn the things that make for peace, not to cultivate the angry mentality of religious fanaticism that urges us on to war and death. Now to use him or his teachings to give scriptural support to an obscene arms race is blasphemous and heretical.

The integrity crisis is deepened when it is realized that such rationalizations are supported by members of the clergy. These court prophets give comfort where there should be judgment. They are so paranoid about Communism, they cannot be positive about Jesus.

The incestuous marriage of religion and politics in our country seems to be the ruin of each. Some have so blended religious rhetoric with zealous nationalism that one can hardly tell the difference between Jesus and George Patton. There is no truth in this—no integrity. Jesus died that all nations might live by the cross; not that they might die in a nuclear fireball.

The Crusader mentality may destroy us yet. Like destructive acid, it eats at the soul of our religious and national identity. Bainton described the Crusade ethic as having four premises: 1) the cause is holy; 2) the crusaders are godly, the enemy is ungodly, unchristian; 3) God fights for the crusaders and against their opponents; and 4) the war is prosecuted unsparsingly. It is a no holds barred contest to the death. There is no honor among combatants; no non-combatant immunity. The dirtiest blows may be dealt in the name of Jesus: “Go for the jugular,” is its call to arms.

The Watergate mentality we have always with us. No integrity—no truth—just a meanness that befits Jack the Ripper and uses the language of Zion.

J. B. Ewing has it right, “once integrity goes, everything else is easy.” There is no integrity in yellow journalism and where there is no integrity, there is no Christianity. Deliberately distorting facts, falsely accusing other Christians, misrepresenting details or theological arguments all have a common goal—whip the good people into an emotional frenzy. This is deliberate deception and deceit, designed to mislead in order to further political ambitions.

Reinhold Niebuhr warned years ago that “the temper and integrity with which the political fight is waged is more important for the health of the society than any particular policy (or social goal).”

Baptists in the past have been whipped into a frenzy for reform based on fears exploited by misguided but articulate leaders. Usually it is short-lived. In the end, a cooler, better wisdom prevails and the Baptist commitment to openness and toleration of diversity returns to establish normalcy in denominational affairs. The problem is, as in the Salem witchcraft and McCarthy eras, many good people will have been hurt before the scaffolding of the house without foundations in truth begins to fall.

The place to begin is with a recovery of the commitment to integrity which is at the heart of the Christian faith. One wise deacon went so far as to whisper knowingly and rightly in the ear of a young ordination candidate, “if you have not been called to integrity, you have not been called to the ministry.” □

# INTERNATIONAL DATELINE



## Congress asked to reject funding for 'contras'

WASHINGTON

In a broad attack on U.S. intervention in Nicaragua, Baptists were among the national leaders of 11 major Protestant denominations who appealed to Congress "on moral grounds" to reject the Reagan administration's request for new military aid to "contra" rebels trying to overthrow the leftist government.

"Stop the killing and terrorism," the church leaders said in a written appeal. "For the sake of life, decency, and peace with justice, support the negotiations of the Contadora (Latin) nations, not the aggression of the Nicaraguan contras."

The leaders said, "It seems increasingly clear that the administration will be content with nothing less than the demise of the Sandinista government."

They said it would be "morally wrong" for Congress to resume contra funding, cut off last year, because such action would impose Washington's will on the people of Nicaragua; use Nicaragua in a morally outrageous way for an ulterior motive to demonstrate to the Soviets and others that we are tough; support the administration's morally outrageous assumptions that Central America is ours to win or lose; that might makes right.

Robert Campbell, American Baptist Churches, USA, and C. J. Malloy, Jr., of the Progressive National Baptist Convention signed the appeal. □

## UN acts to control international drug abuse

UNITED NATIONS

Fourteen entities of the United Nations system are working to coordinate efforts on international drug control, the Secretary-General reported.

Several agencies were created by the UN specifically for some phase of drug control, including the International Narcotics Control Board and the UN Fund for Drug Abuse Control.

It was recommended by the UN's Joint Inspection Unit that drug abuse control continue to be considered at a high level within the UN and that governments be encouraged to use their own resources in the effort.

...

Commenting in the UN's *Development*

*Forum* on a draft code of development principles, Christa Love, an experienced development administrator says that the measurement of development should go beyond counting the Gross National Product.

She said it should take into consideration the less easily observed or measured factors of social, political, environmental and spiritual development. □

## Peace debate raises dilemmas for churches

BIELEFELD

One year after deployment of new NATO missiles began, the peace movement and the missile debate in West Germany would seem to be settled. National leaders of the peace movement have announced that there will be no major demonstrations in 1985. Peace groups throughout the country continue to meet, but most now concentrate on raising public awareness of other issues, like German arms exports to the Third World.

Despite the lull, the issues raised by the peace movement here are far from settled and debate about them continues in West Germany's Protestant churches. A church head commented at a national synod last November that the peace discussion within the church has gotten "more objective, but not any easier."

At the heart of the debate is the nature of the political positions that an institutional church like the German Protestant Church can or should take.

There are numerous signs that the peace issue, as church spokesman Rainer Koppe notes, "has become integrated in parish life." A church survey conducted in the fall of 1982 showed that 72 percent of Protestant church members wanted the church to support the aims of the peace movement. The annual "peace week" held every November in German churches has become a standard part of many parish programs.

But, as Mr. Koppe adds, "there are considerable differences among church members regarding the path of disarmament." These differences will become prominent in June, when the biennial Kirchentag, a national lay conference for German Protestants, takes place in Dusseldorf. There, peace groups hope to increase popular pressure on church leaders to take two main positions: clear rejection of nuclear weapons, even for

deterrence; and support of conscientious objection as "the only clear witness" for young men facing military service.

One outcome of the peace debate has been increased attention to East German churches. Several East German church leaders are on record as strong opponents of nuclear deterrence and have opposed deployment both of NATO and Warsaw Pact weapons. □

## NY prelate levels attack at Sandinista government

WASHINGTON

After returning from a fact-finding mission to Central America, Archbishop John J. O'Connor sharply attacked the Sandinista government of Nicaragua as "Marxist-Leninist" and "anti-Catholic." He said also that U.S.-backed rebels may be "impeding" further government domination.

At the same time, the New York prelate said the Nicaraguan government was not "beyond redemption" and that the American bishops, an influential force in the debate on Central America, will maintain their opposition to U.S. "military solutions" to conflicts in Central America.

The bishops met with a number of political figures, including the heads of both states, and spoke of themselves as a "bridge-builder" between the Nicaraguan government, that country's bishops and the Reagan administration.

For their part, the bishops have generally advocated political solutions to the conflicts and have opposed both U.S. funding of right-wing "contras" trying to topple the Sandinista regime and increased military aid to El Salvador.

"My impression, overall," said O'Connor, "is that certainly we should work for a political solution, (but also) be very wary of the Sandinista government. It has demonstrated itself to be anti-Catholic. It has attempted to encourage division in the church and to discredit the bishops," the prelate said.

"But I think it would be a great mistake if we just gave up all hope and said that it (the government) is completely beyond redemption."

Asked about the right-wing armed rebels in Nicaragua, Archbishop O'Connor said, "It appears that the contras may be impeding further encroachment by the government, but is doing so by immoral means." The allusion was to



## NEWS-SCAN

reports of atrocities and terrorist actions by the U.S.-backed militias. □

### Activists seek arrest in protest of NATO exercise

STIRLING

A leading Church of Scotland minister and members of other Churches in Scotland, protesting an upcoming NATO exercise here, have offered themselves for arrest. Their offer has been turned down.

The leaders of the peace movement here gave themselves up to Strathclyde police for arrest and imprisonment "as national subversives." Their purpose was to highlight a forthcoming NATO exercise involving state of emergency plans in the event of a military alert in Britain.

The Campaign for Nuclear Disarmament (CND) is convinced that if the NATO plans are ever put into practice, peace leaders will not need to go looking for the police—the police will come for them.

Mr. Keith Bovey, chairman of Scottish CND, explained that he and his colleagues were protesting about the secrecy with which such exercises were conducted and were drawing attention to the implications for the civil liberties of British citizens. □

### Vatican editorial blasts Rahner for 'grave errors'

VATICAN CITY

Less than a year after the death of prominent Catholic theologian Karl Rahner, the Vatican's newspaper has launched a scathing attack on a book he co-authored claiming that Christian unity is truly possible.

In a front page editorial signed by the Rev. Daniel Ols, a French Dominican theologian who teaches in Rome, *L'Osservatore Romano*, said only the Catholic Church possesses the full means for salvation, and that unity among Christians will be achieved only if non-Catholics accept all Catholic dogma.

"The Church of Christ exists in the Catholic Church and fullness of grace and of truth are the patrimony of the Catholic Church so that only she possesses the complete means for salvation," *L'Osservatore* said.

The editorial accused West German Father Rahner and co-author Rev.

Heinrich Fries, a professor emeritus of dogma in Munich, of "grave errors" and "unorthodoxy" in their 1983 book *Unity of Churches—A Real Possibility*.

The newspaper's statements echoed the views of the Vatican's highest ranking theologian, the West German prefect of the Sacred Congregation for the Doctrine of the Faith, Cardinal Joseph Ratzinger, who, in 1983, described the book as an example of "theological acrobatics." □

### Bishops call for change; immigration laws racist

LONDON

The Roman Catholic bishops of England and Wales are calling for a radical review of Britain's immigration and nationality laws. They allege the laws are based on racial bias rather than reason.

The bishops' department of Christian citizenship, in a scathing report just published, claims that policy and nationality law since 1964 have been largely "motivated by a desire to limit the number of black people coming to this country."

The report is thought to be the first time the bishops have explicitly criticized the racial bias allegedly underlying Britain's legislation in this field. □

### Observers say Iran guilty of 'religious genocide'

Iran is continuing to defy the Universal Declaration of Human Rights and to persecute members of the Baha'i faith despite international efforts, according to reports presented to the UN Human Rights Commission in Geneva.

Some 195 Baha'is have been executed since establishment of the Islamic Republic in 1979.

Gerald Knight, of the Baha'i international community told the commission that since its last session, Iran has engaged "in an official campaign of persecution so remorseless and so all-embracing that it has been described by many independent observers as "religious genocide." □

### Baptists Living their Biblical Faith

Religious Liberty Day—June 1985

Baptists across the globe mourn the passing of Michal Stankiewicz, president of the Baptist Union of Poland, a member of the European Baptist Federation, and a leader in the Baptist World Alliance. Most recently, he represented the Polish Ecumenical Council in official relationships following the murder of Priest Jerzy Popieluszko. He was the third prominent European Baptist (Nagy, Hungary and Svec, Czechoslovakia) to have died in recent months ... From *The Plough*, publication of the Bruderhof communities: "By the time Hitler came to power in 1933, the Bruderhof in Germany had fully absorbed and adopted the Anabaptist stand on the position of the Church with respect to government. We agree that a Christian must recognize that fallen man requires the reining-in that human government provides, that the government is ordered by God, and that Christians should excel in obedience to government, save where it violates conscience. Nazi rule posed a choice: either flight or disobedience on an issue-by-issue basis as led by the Spirit. We decided on the latter course, which did not rule out a leading to flee at any time. Courting martyrdom was seen as presumptuous" ... Bishop Desmond Tutu, reflecting on the life of Dietrich Bonhoeffer, noted that the "Western world has all but canonized the German theologian as a modern martyr—a man involved in a plot to assassinate the leaders of his country, and executed for his crime." Tutu used the example to illustrate how "blacks have been amazed at the convoluted logic and linguistic contortions of those who have condemned black-liberation movements" while praising the example of Bonhoeffer ... Marcia Chamorro, the young Nicaraguan Baptist kidnapped by contra forces last October, is alive and now a rebel herself, according to Atlanta reporter Gary Moore. He interviewed the young woman who was among the five volunteer government teachers taken captive; another was killed. After Chamorro told him she had fully expected to be killed, Moore speculated her situation may be a "classic Patty-Hearst-type case." Some psychologists call it "hostage identification syndrome," in which a terrified hostage begins to identify with a forceful captor after the hostage isn't personally mistreated. □

# CORRESPONDENCE

Reader response extends dialogue and thereby helps to focus and clarify the issues. Letters must carry both signature and address of the writer and should not exceed 200 words. We reserve the right to edit for length.

"Equal Access" never did smell quite right to me, but ... why? The near-unanimous, enthusiastic support of most of the Baptist community made me feel a little better, but still I wondered why I was smelling something that nobody else seemed to be detecting. Thanks to Larry Greenfield for explaining the strange odor.

The saddest words of tongue or pen may well be "It might have been," but some other sad words run a close second: "It seemed like a good idea at the time." God grant we never have to say them about "Equal Access." But it wouldn't surprise me. Not one bit.

Howard V. Pendley III  
Bedford, Virginia

... my appreciation for the excellent material you publish in the **REPORT**. With my continuing studies at UNO, invariably I find news items that tie in with my research. They are informative, timely and provocative. Thank you and your contributing editors for a job very well done!

Kay Grabia  
Omaha, NE

I have just finished your article about President Reagan's church-state views which was reprinted in the *Baptist Messenger*. I have been saying and observing this aspect of the Reli-

gious Right's views and I appreciate seeing them in print from you.

It's difficult sometimes for a politically sensitive Christian to have an answer for these people, until you begin at the very bedrock of their philosophy, which...is a false dogma.

David T. Hopper  
Norman, OK

Your news analysis of the inauguration (II Chron. 7:14 - A Reagan Exegesis) certainly reveals more about your own prejudices than about American political and church history. Your perception of the religious right and your polemical remarks against them and the president are an insult to the intelligence and fairness of anyone with some knowledge of American history.

George Marsden, Mark Noll, Kenneth Scott Latourette, Williston Walker—church historians all—would not agree with your thesis that the idea of God's hand being on the American experiment is something that had its origins in 19th century manifest destiny.

The ideas you decry did not blossom under Dr. Falwell or President Reagan. They find their origins in Puritan New England and run through the Revolutionary War, persisted into Lincoln's day, and on down through the decades to the present.

John E. Wagner  
Oklahoma City, OK

I look forward to seeing the packet you come up with each year for Religious Liberty Day. It's one of the best ways we have to celebrate our Baptist heritage. I appreciate your work on our behalf.

Steve Austin  
Baton Rouge, LA



• In the Sermon on the Mount, Jesus said that practice or non-practice of the law was secondary to one's intent or motive. Charles Smith in "No Criminal Intent" voices a similar truth from a legal perspective. How legitimate is it to be on trial for one's motives? Does it matter what kind of actions spring from motives as long as they are non-criminal? Discuss what it means to commit civil disobedience while at the same time denying any criminal intent.

• Did the appointment of an ambassador to the Roman Catholic Church catch you by surprise? Stan Hasty writes of the paucity of publicity, hearings and even national discussion that followed the President's nomination in contrast to that which took place when Harry Truman attempted to establish relations

with the Holy See. Why the silence? The **VIEWS** article gives three Supreme Court means by which to test the appointment. Do you agree or disagree that the President's action violates the U.S. Constitution as Hasty holds?

• Integrity—so easy to speak of, so difficult to practice. Ethicist Paul Simmons quotes Jesus: "I and the Father are one" as perhaps the best summary of what it means "to be integrated." Simmons considers the difficulty of preserving integrity when wedding them to either politics or religion. Think of other words of Jesus that point us in the direction of "wholeness," and their implications for Christian faithfulness and responsible citizenship.

• A zinger! The two words—soul and sole (or sola). Spelled differently, they share some common threads. In what ways do they complement each other? In light of James Dunn's references to experience and authority, is there a way of sensing when liberty approaches license? □

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With dogged determination regularly misunderstood and made fun of we insist upon approaching the living God as ultimate and immediate authority.

## REFLECTIONS

James M. Dunn  
Executive Director



Soul freedom sits serenely by the side of the sole authority of scripture as expressions of the Baptist basis for faith. The two watchwords may seem contradictory on casual reading.

When either spiritual slogan, soul freedom or *sola scriptura*, is made absolute they are pitted against each other. Can they co-exist creatively?

First, Baptists at our best have insisted upon balance between authority and experience, the objective and the subjective, the outer and inner. We have been such radical monotheists that we have refused to see the Bible as a paper pope. With dogged determination regularly misunderstood and made fun of we insist upon approaching the living God as ultimate and immediate authority.

There's room for a little variety of expression in a Baptist pattern for authority. For us the last word comes either 1.) from the Bible as made alive, explained, applied and tested by the work of the Holy Spirit or 2.) from the living Lord as we come to know God through the scriptures, as we are informed and kept on the track by the revelation of God's Word. Speaking of tracks, it takes both external and internal perceptions of religious liberty to keep us from being derailed.

Then, our understanding of the Bible calls for action. The scriptures are not to be held, defended, argued, fought over or analyzed so much as accepted and acted upon. We are taught from earliest childhood to be doers of the Word and not hearers only. Dietrich Bonhoeffer who acted on his faith until it cost his life commented on the only appropriate response to God's Word. "The hearer of the word who is not at the same time the doer of the word thus inevitably falls victim to self-deception (Jas. 1:22). Believing himself to know and to possess the word of God, he has, in fact, already lost it again, because he imagines that a man can possess the word of God for a single instant otherwise than in doing it."

Bonhoeffer went further to suggest that one could not be faithful to scripture while preoccupied with debate about it. "The irreconcilable opposite of action is judgement . . . 'if thou judge the law, thou art not a doer of the law, but a judge' (Jas. 4:11). There are two possible attitudes to the law: judgement and action. The two are mutually exclusive. The man who judges envisages the law as a criterion which he applies to others, and he envisages himself as being responsible for the execution of the law. He forgets that there is only one lawgiver and judge 'who is able to save and to destroy' (Jas. 4:12). If a man employs his knowledge of the law in accusing or condemning his brother, then in truth he accuses and condemns the law itself, for he mistrusts it and doubts that it possesses the power of the living word of God to establish itself and to take effect itself."

A smug arrogance mars the mien of those who presume to sit in critical judgement on the Word of God. What a lofty perch, what a remarkable vantage point one assumes in dogmatically telling other believers what must be said of scripture without having yet practiced it.

Finally, Baptists on our good days throughout history have insisted upon an affirmation of the authority of scripture that has been broader than proposition, more holistic than rationalistic, a guide for living rather than a term for arguing. This Baptist is unwilling to play today's silly word games in evangelical circles over who believes the Bible most. The spirit-led, time-tested confessions of the past seem to say it better.

One clings to the traditional Baptist view of scripture as the sole rule for faith and practice not because it says less but because it says more, not because it is a lower, less demanding claim for biblical authority but because it is higher and life-encompassing.

The Philadelphia Baptist Association, the first Baptist association in America formed in 1707, got around to adopting a confessional statement in 1742. It said "The Holy Scripture is the only sufficient, certain, and infallible rule of all-saving knowledge, faith and obedience." Good enough, that takes in how one lives as well as what one believes.

That confession was good enough for Baptists north and south. It was accepted by associations in Virginia, Rhode Island, South Carolina, Kentucky and Tennessee. Far earlier, 1611, Thomas Helwys had held simply that the scriptures were to be reverently used "as conteyning the Holie Word of God, which onlie is our direction in al things whatsoever." Is that inclusive enough?

More recently Southern Baptists reflected earlier confessions in the introduction to a 1963 statement saying the Bible is the "sole authority for faith and practice"; thus touching orthopraxy as well as orthodoxy. Could it be that one reason for the popularity of the expressions has been anxiety about creedalism?

Baptists have always known and been nervous about the tension between scripture as sole authority and precious soul freedom. Evidence of this concern that individuals interpret scripture freely is seen in Article XXI of the Philadelphia Confession:

God alone is Lord of the conscience, and hath left it free from the doctrines and commandments of men which are in anything contrary to his word, or not contained in it. So that to believe such doctrines, or obey such commands out of conscience is to betray true liberty of conscience; and the requiring of an implicit faith, and absolute and blind obedience, is to destroy liberty of conscience and reason also.

Baptists live out their biblical faith in soul freedom. □

## BJCPA will study liberty implications of sanctuary question

WASHINGTON

**R**eligious liberty implications of the sanctuary movement will be studied by a special task force of the Baptist Joint Committee on Public Affairs.

The study was approved during the annual meeting of the 44-member governing board of the BJCPA, a First Amendment organization composed of nine Baptist denominations in North America.

During its two-day meeting at First Baptist Church here, the committee paid tribute to its late general counsel John Baker in a ceremony marked by personal reflections and testimonies. Baker's widow, Mary, and sons Brian and John were present.

Steny H. Hoyer, a member of the U.S. House of Representatives, appeared before the group and warned of the impact of the budget deficits. Hoyer also evaluated the three proposed tax simplification programs and their impact upon charitable giving. Hoyer is a member of Broadview Baptist Church, Temple Hills, a Maryland church.

The committee also adopted a proposed budget for 1985-86, reiterated its long-standing position opposing state-sponsored prayer in public schools and heard reports on pending cases before the Supreme Court and legislation currently before Congress.

Prior to authorizing the sanctuary study, members of the committee heard a report by Charles Z. Smith, professor emeritus and former dean at the University of Washington Law School.

Smith, an American Baptist, explained the sanctuary movement is an effort to harbor refugees from Central America who have been declared illegal aliens by the U.S. Immigration and Naturalization Service (INS).

Smith, who has been a special prosecutor for the United States, said many persons involved in the movement believe the refugees are fleeing for their

lives from political oppression. The government, he said, has declared the Central Americans to be "economic refugees" and thus not entitled to refugee status.

First Amendment questions involved, according to Smith, may revolve around whether the government may determine the nature and mission of the church and whether government agents have the right to carry tape recorders into church services to gather evidence against possible "conspirators" who would shelter refugees.

Smith is an attorney for an American Baptist pastor in Seattle named an undicted co-conspirator in a recent case involving refugees from El Salvador.

Following Smith's presentation, Stanley Grenz, a professor at North American Baptist Theological Seminary in Sioux Falls, S.D., called for a task force to study the religious liberty implications of the sanctuary movement.

In supporting the task force, William R. Estep, a professor at Southwestern Baptist Theological Seminary in Fort Worth, Texas, noted the religious liberty questions "are worth investigating. We are not taking a position for or against sanctuary."

Samuel T. Currin, U.S. Attorney for the Eastern District of North Carolina in Raleigh, opposed the task force, saying: "Anyone who participates in an illegal activity should be prepared to suffer the consequences."

"The real problem with the illegal aliens," he added, "is the turmoil in Central America brought about by the Communists and Marxists."

He introduced a motion to "urge the President and Congress to take every measure possible to deal with the Communist-Marxist problem in Latin America and to stabilize that area, thus reducing immigration problems. . . ."

Currin's motion was referred to the task force for study.

Also opposing the task force was J. I. Ginnings, a business man from Wichita Falls, Texas, and a new Southern Baptist representative, who said: "I do not be-

lieve we want to see our (SBC) money spent on anything that opposes the legitimate carrying out of the laws of the United States. The sanctuary issue is, 'Will the government be permitted to enforce its immigration laws?'"

Lloyd Elder, president of the Southern Baptist Sunday School Board, said: "The only reason to pursue this is the First Amendment question. It will not be a study of the sanctuary movement."

In other business:

"The BJCPA adopted a proposed 1985-86 budget of \$576,000. James M. Dunn, BJCPA executive director, said the BJCPA will be looking for ways to develop additional funding from Baptist denominations as well as from other sources.

At the close of the meeting, Albert Lee Smith of Birmingham, Ala., introduced a motion to put the BJC on record supporting separate measures in the U.S. House of Representatives and Senate identical to President Reagan's school prayer amendment, which was defeated during the last term of Congress.

Smith, a former one-term congressman from Alabama and a recent unsuccessful Republican candidate for the U.S. Senate, said: "since prayer was outlawed in 1962 we have seen an increase in divorce, homosexuality and promiscuity . . . because we have turned from God."

Southwestern professor Estep said he opposes the proposed prayer amendment "because I believe in prayer. I agree completely that the nation has turned from God and is drug-crazed and debauched. But I do not agree this will all be changed simply because a prayer amendment is passed."

"The amendment," he added, "is not a return to prayer, but is a call for civil religion, which is the antithesis of the Christian faith."

With only four votes favoring Smith's motion, the BJCPA reiterated its long-standing policy of opposition to state-sponsored prayer in the public schools.

Dan Martin

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