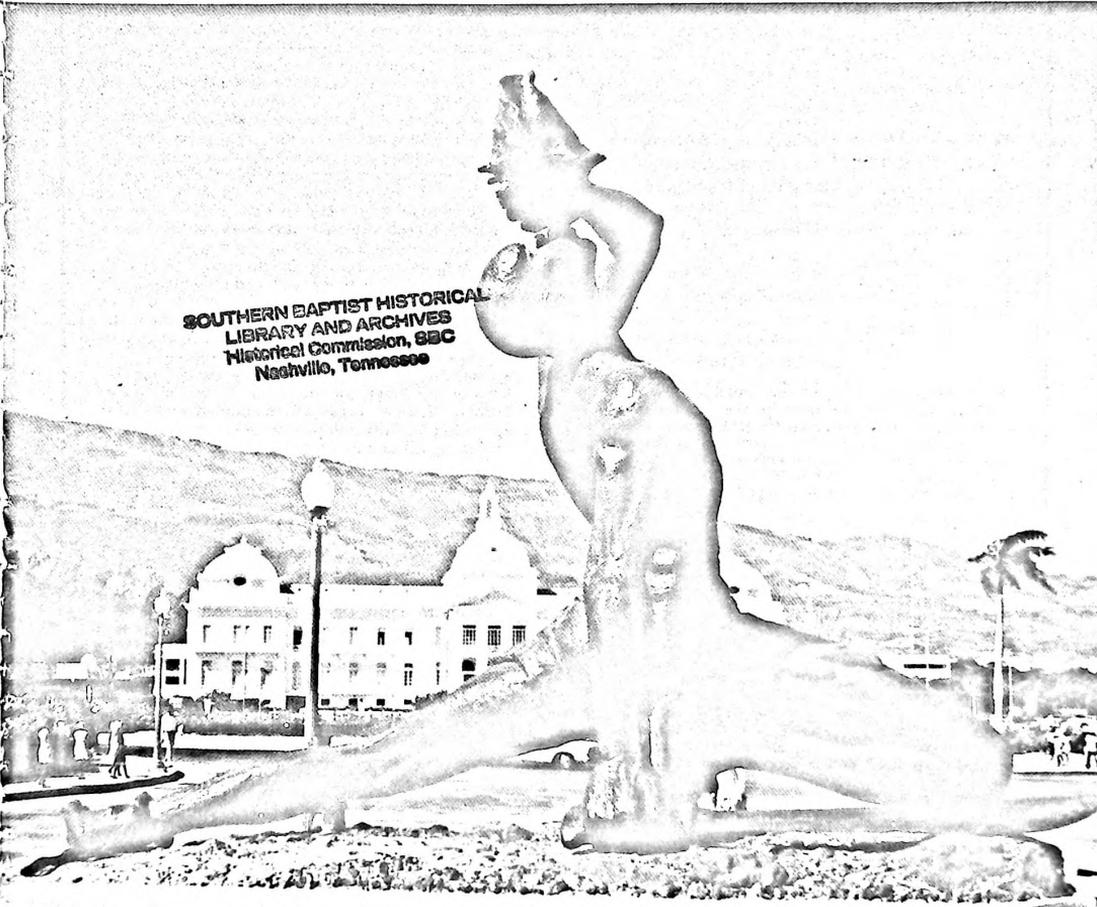


March, 1986

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REPORT from the CAPITAL

SOUTHERN BAPTIST HISTORICAL
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FREEDOM

REPORT from the CAPITAL

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

Vol. 41, No. 3

March, 1986

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Cover: "Le Marron Inconnu," once stood proudly on the public square in clear view of the presental palace in Port au Prince. It was created by artist Albert Magones in dedication to Haitian slaves at the time of their revolt from French colonial rule in 1804. The figure sounds the rallying call toward freedom on the "shell of liberty." Protesters of the Duvalier regime destroyed the work late last year.

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Then and Now

An anniversary gives good reason to look back, especially a golden anniversary. Fifty years ago Baptists across the United States set aside some of their differences and agreed to cooperate in a working relationship on behalf of religious liberty. Looking back via the pages of the first few issues of REPORT from the CAPITAL, it became obvious that the more things change, the more they remain the same.

The first issue of the then-mimeographed REPORT—appearing in October, 1946, referred to the calling of the Baptist Joint Committee's first executive, Joseph M. Dawson, as the "fulfillment of a long cherished expectation." At least one decade earlier, Southern and American Baptists engaged in discussions over a staffed public relations office to represent their interests in the nation's capital. Following are some items of interest from that newsletter.

Dr. W. O. Lewis, Baptist World Alliance: "I am very glad Dr. Dawson has come to Washington. Baptists have been among the most persistent and most consistent advocates of freedom of religion in the past. We rejoice that others have joined with us in the fight for freedom in the past, and others stand with us now. But the battle for full religious liberty is not yet won. Insidious foes to this idea are active."

From his perspective, Dr. Dawson saw a "deplorable drift toward the union of church and state, resulting in dangerous encroachment on the Constitution and the sinister growth of clerical control over government." He declared this had come about largely through neglect, and he called for united action now.

One of the first issues tackled involved the "tragic effects of the American coal strike on the people of Europe." The new organization adopted a resolution appealing on Christian principles to the miners and owners to act at once in getting the mines opened: "This had been the first time the Committee had ever attempted to express itself in the field of industry, but the integrity of the government and the needs of the people were so involved it seemed to demand any possible influence exerted on Christian principles and in the Christian spirit."

Other engagements that bespeak of the courage of this new Baptist office:

On disarmament, Dawson wrote, "After World War I, France could never fight another war. After World War II, Britain is unable to fight again. Only two other nations, Russia and America, are still able to fight. How long before civilization will be completely destroyed?"

Federal money for parochial schools: "That we register our firm opposition to the passage by the Congress of any bill for Federal Aid to education which includes provision, directly or indirectly, for the application of public tax money to church schools."

Few if any significant church-state, public policy issues were neglected by the young Committee. And in effect, they were the first to wrestle with what is now the theme for the 1986 National Religious Liberty Conference: Intersecting Values: Church, State, Discipleship and Citizenship. Even more important—that first Committee has passed the mantle on to those committed to the responsible exercise of religious liberty and American citizenship. □

Victor Tupitza



In an effort to protect the tax-exempt status of church pension and welfare benefits boards, the Baptist Joint Committee on Public Affairs has filed a written statement with the U.S. Senate Finance Committee.

Filed in conjunction with five days of hearings held on the Tax Reform Act of 1985 (H.R. 3838), the statement proposes deletion or amendment of the act's Section 1012 that calls for stripping such church boards of their federal tax exemption.

Before taxing of those church boards could begin, however, the bill would have to be passed by the Senate and signed by President Reagan in the same form as it was passed by the House of Representatives in mid-December.

In its written statement, the BJCPA described church pension and welfare benefits boards as "an integral part of the mission and ministry" of churches since they carry out the "churches' spiritual task" in providing for needy and retired ministers and denominational employees."

"Taxation of these church boards is tantamount to taxation of the churches themselves and as such constitutes a radical departure from the traditional interpretation of church-state separation," according to the statement.

The BJCPA also warned taxation of church boards would require "continual surveillance, monitoring, periodic investigations and audits resulting in an 'impermissible degree' of entanglement" of the federal government in church affairs.

"Perhaps the most compelling reason for exempting church boards from taxation lies in the potential for state regulation or control of religion," the BJCPA stated. Apart from its unconstitutionality, the proposed tax reform bill would "undoubtedly engender conflict and confrontation with the churches" and at the very least would "lead to a quagmire of litigation," the statement said. ●

A virtually unnoticed provision in the same Tax Reform Act would subject tax-exempt groups—including churches and church-supported institutions—to corporate income taxes on dividends earned if they own as little as 5 percent of the stock in any corporation.

The provision most likely would adversely affect private colleges, universities and hospitals, said Gary Nash, general counsel of the Annuity Board of the Southern Baptist Convention. But, Nash warned, potentially all churches and church institutions and agencies might be losers if the provision were to become law.

As contained in H.R. 3838, the provision likely would inhibit large gifts of stock to church-related and other nonprofit institutions. It also would hurt institutional endowment funds in those cases where investments in a single corporation exceed the 5 percent threshold. ●

People who disagree on political or religious issues should not be considered any less American, former U.S. Rep. John Buchanan said in a debate during the National Religious Broadcasters national convention.

Buchanan was countered by television evangelist Jimmy Swaggart, who insisted the "true American way is the true Christian way,"

"Imposing someone's view on everyone does not result in revival," said Buchanan, an ordained Baptist minister who represented Alabama in Congress from 1965-1980.

Buchanan said Christians in the United States should "thank God" their religious liberties are protected by the First Amendment. "Our God does not impose himself on us and neither should our government," he said.

Swaggart countered, however, that the argument is not separation of church and state, but separation of God and state.

"When they legislated God out of the country, they legislated morality out," said Swaggart. ●

Religious Liberty Under Fire



The time is October 5, 1573 in Antwerp, Belgium. A woman named Maeyken Wens has been arrested and tortured. Her tongue was then screwed to her upper palate so she could not witness to her faith while she was hauled in a cart to the place where the sentence was carried out—death by fire.

Her crime? What violation of law had she committed for which she was to suffer the ultimate punishment? She proclaimed the Gospel as she understood it from her personal reading of the New Testament.

She was a victim of the Inquisition. She was found guilty of heresy, impiety and disobedience to Mother Church. And for that the government was putting her to death. These politicians did not believe in separating church from state. "God" was directly related to the affairs of government. Doctrine was imposed by law.

Religious liberty was only a dream. It was put to the torch as they burned Maeyken Wens, an Anabaptist mother of mine.

The time is a century later (1672) in Bedford, England. At the Swan Hotel, a gentle woman pleads her case before the judge. Her request is simply that her husband be released from jail. He was now in his twelfth year without a trial.

Her husband was John Bunyan. His only crime? He disobeyed the Queen's orders to cease preaching the doctrines and beliefs of the Baptists. There was no room for dissent in England. Bunyan served a total of 14 years in prison insisting on freedom of conscience in religious matters. His imprisonment was interrupted for a time when his wife appealed to the sympathetic judge.

Religious liberty was under fire. It was not to be in England. An official church

still stands as mute testimony to the future of Bunyan's witness in the land of his birth—and his death in 1688.

The time is another century later. The scene is the Commonwealth of Virginia. The conversation is between two neighbors in Orange County, John Leland and James Madison. The subject was the established church of Virginia. The Baptists felt it unjust that they should be taxed to pay the salaries of Anglican priests and support the work of a church with whom they had religious and doctrinal differences.

A trade-off was offered. If Leland would withdraw from the race in opposition to Madison, Madison would support a bill to disestablish religion in Virginia and work to assure religious liberty in the Constitutional Congress. Virginia approved a declaration of religious liberty in January, 1786, and the Continental Congress followed suit under the leadership of Madison and Jefferson who [later] spoke eloquently of a "wall of separation" that should exist between church and state.

Out of ashes, a new vision

Maeyken Wens had not died in vain. John Bunyan's imprisonment had born fruit. From their tears, blood, prayers and ashes there arose a new vision, a new relation between church and state without parallel in other countries of the world. Three patterns were clearly rejected.

(1) In this new republic there would be no dominant church over the state. The Holy Roman Empire was dead. It would not extend its evil collusion of church and government into this "kingdom by the sea."

(2) Gone were the days when the king could control a subservient church. King Henry VIII had only reversed the political alliance he saw in Rome. With Thomas Hobbes he felt the state should be over the church.

(3) Gone, too, were the days of Puritan New England where a theocracy required that citizens of the state also be

orthodox Puritan Christians.

A new vision had been born—a Free Church in a Free State. An amendment was added to the Constitution of this new and different land:

"Congress shall make no law respecting an establishment of religion nor prohibiting the free exercise thereof."

This simple but profoundly important amendment was intended to guarantee that:

- Congress would not make any religious group or church the established or favored or official church for the nation;

- Citizens would not be required to pay taxes to support any religious establishment; religions would be free to support themselves by their own constituents but government funds would not be used to support religious causes or institutions;

- Congress or government officials would not interfere in doctrinal disputes; no one group's dogma would be made law for everyone; nor would everyone be forced to believe or live by any particular doctrine;

- Dissent on religious opinion could not become the basis of criminal prosecution;

- Government would not interfere with religious exercises; it would occupy itself with maintaining domestic tranquility and defending the country against enemies both domestic and foreign;

- The people were to be free to be religious or not religious; the government would not force religion whether in doctrine or in practice upon anyone. Religion was to be entirely voluntary. Government would use its coercive powers only for the interests of state; it is not a religious body; prayer and doctrine are not in its jurisdiction.

By this amendment was fashioned a new relation between religion and politics. Gone was the fear of the executioner's gibbet for heresy; gone were the tears of broken homes and tortured bodies for those who dared dissent; gone were the days of paying taxes to support

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religious causes through government channels.

The task of the government was to preserve and protect this arrangement of religious and secular affairs. The courts were appointed guardians to assure strict adherence to the "wall of separation" that should exist between the powers of church and those of the state. Congress was carefully restricted in the types of law that could be imposed upon the citizenry—no dogma could be camouflaged as law.

Religious liberty was given birth; a glad and glorious era was conceived and brought forth in this new land. A witness was raised to all the world that drawing a firm line between the interests of government and those of institutional religion would best protect the uniqueness and value of each. Religious groups like the Baptists and Methodists and free thinkers like Madison and Jefferson believed that liberty in religion would better assure the freedoms of government and social existence.

Freedom of religion meant that government could not coerce people of faith to conform to regulations in doctrine, morals or polity not of their church's own making;

Freedom for religion meant that religious leaders were free to speak their mind, even criticizing policies and practices of government without fear of punishment or retribution;

Freedom from religion candidly recognized that even atheists have rights of conscience in a free and pluralistic society. The power of government would be used to check the tyranny of religious groups against those who preferred no religion at all.

A "Social Contract" of toleration, respect, and acceptance of various religious traditions and doctrinal persuasions was fashioned and accepted by all groups consenting to the new Constitution.

The covenant was dearly won. But religious tolerance was and is a fragile possession. Its only protection was the First Amendment, an informed Supreme Court and judicial system, a friendly and supportive Congress and Executive Branch of government, and the mutual agreements of the various sects and denominations in America.

Survival of a minority view

Two hundred years after that precarious agreement we are testing whether it can survive a new assault and assure our

Now the church-over-staters, the state-over-churchers, Puritan theocrats and various assortments of politicians who care little for religion but a great deal about power are working fervently to erase the protections and privileges of separating the church from the state.

children of the liberties thus far enjoyed but too often simply taken for granted. New alliances have emerged that threaten the guarantees at the heart of the First Amendment. Religious liberty is under fire in 1986.

The Free Church in a Free State idea has always been a minority opinion in America. Now the church-over-staters, the state-over-churchers, Puritan theocrats and an assortment of politicians who care little for religion but a great deal about power are working fervently to erase the protections and privileges of separating the church from the state.

Fundamentalist (Protestant) Christians whose roots are in Puritan New England are exploiting their new-found power in Washington to try to make America a theocracy. The Puritans we have always with us. They are trying to impose their moral and doctrinal opinions upon all of us. They would make us all Christians like them. The Puritan preacher was a stern judge who believed that mere mortals could never decide rightly before God. Only "the ordained" (clergy) had such authority from God. Playing God, judging the laity, and ordering the magistrate to pass laws to serve righteousness and assure doctrinal fidelity was God's will for the Puritan preacher.

The long line from Cotton Mather and Jonathan Edwards now includes Jerry Falwell and other Fundamentalists who seek political power "in the name of God." Falwell sincerely believes God has called him to make us all Puritans. As he said: "I have a divine mandate to go right into the halls of Congress and fight for laws that will save America. He has called me to take this action."

We know you believe that, Jerry. We've seen you before. You were a part of the mentality that drove Roger Williams out of Massachusetts and into the wilderness where he established the First Baptist Church of Providence, Rhode Island—a witness to liberty of conscience and freedom of thought. The Puritans among us would still suppress dissent, control our thought and freedom of expression; muzzle our minds

and ban our books.

They still insist on doctrinal creeds and conformity to moralistic codes in dress and manners. Puritanism never dies; it lives to kill the freedom of the human spirit in the name of "Christian orthodoxy." Soul competence and freedom of conscience have never been a tenet of Puritan theology. The Fundamentalists are putting religious liberty under fire.

So is the current administration in Washington:

- Tuition tax credits have been proposed that, in effect, would provide public funding for religious educational establishments;
- An ambassador has been appointed to the Vatican;
- The traditional Roman Catholic approach to human fertility control has been adopted for federal regulations domestically and in foreign policy, as the President admitted in Hoboken, N.J.;

A ban on abortion is supported in Congress based on a doctrine of personhood (one is a person *from the moment of conception*) that is odious to many Protestants, American Catholics, and Jews. The doctrine of a few is threatened to be imposed upon the many. Acting on a dissenting theology (procuring an abortion) now may become grounds for criminal action and punishment;

- A Constitutional amendment to require prayer in the public schools is also proposed.

The Constitution assures us that Congress should not make laws about religious matters. Prayer is the business of the church; it is entirely voluntary. The coercive arm of government does not belong in the religious arena.

The Secretary of Education, Mr. William Bennett, has declared that "freedom of religion is being destroyed," by those who oppose government-mandated prayers and tuition tax credits.¹ He fears that religion will not survive if government does not subsidize the educational and missionary en-

Continued on page 7.

VIEWS OF THE WALL

Oliver S. Thomas
General Counsel



One of the more talked-about subjects in Washington these days is tax reform. In December, the House of Representatives passed the most revolutionary piece of tax legislation since the inception of the federal income tax, and those of us who are "hill watchers" can't wait to see what the Senate does with this political hot potato. The last thing a politician wants to do is choose between his voters and the corporate giants, and this bill forces many Senators to do just that. No doubt the professional lobbyists—or as Senator Bill Bradley calls them, "the guys in the Gucci shoes"—will be coming out of the woodwork as American business faces its biggest legislative challenge in years.

H.R. 3838 (the Tax Reform Act of 1985) is in large part a result of the growing frustration Americans feel toward their income tax system. People are simply tired of seeing billions in corporate profits go untaxed. Amazingly, half of the largest corporations in the United States manage to avoid paying income tax.

Fifteen years ago corporations accounted for over 15 percent of the tax revenues in this country. Today the percentage is half that amount. While the President has justified corporate tax loopholes by claiming that they would allow more capital for investment, statistics now show that lower taxes do not translate into higher investment. In fact, the opposite appears to be true. Corporations that save the most through tax loopholes invest less than their corporate counterparts that pay more in taxes. In light of these statistics, tax reform is long overdue. H.R. 3838 will help shift the tax burden from low and middle income families to those in our society who for too long have gone without contributing their fair share to the nation's treasury.

Not surprisingly, some senators are coming up with ingenious ways to avoid serious tax reform while at the same time creating the illusion of progress. A good example is the effort to scrap H.R. 3838's provision for a 25 percent minimum tax on corporations, replacing it with a so-called "business transfer tax." Apparently, proponents hope that because the word "business" is included in the title most voters won't recognize it for what it really is—a sales tax. The imposition of a nationwide sales tax on consumers in lieu of a minimum tax on corporations is like prescribing sugar for a diabetic.

A chief proponent of the business transfer tax is Senator William Roth of Delaware. Delaware also happens to be the state where many of the largest corporations in the United States are headquartered.

As one would expect, most churches strongly support tax reform in some form or another. Part of our religious mandate is proclaiming good news to the poor, and removing the tax burden from the backs of more than 6 million impoverished households, as H.R. 3838 will do, is certainly a step in the right direction.

Like all bills, H.R. 3838 has its flaws, the most serious being that §1012 of the bill will revoke the tax exemption of church pension boards.

For centuries church pension boards have been providing pension and welfare benefits to their ministers and denominational employees. Now, because they engage in "commercial-type insurance activities" such as providing annuity contracts, H.R. 3838 will revoke the boards' tax-exempt status and treat them like commercial insurance companies.

Clearly, church pension boards are not commercial insurance companies. They differ in significant respects. One obvious difference is that church boards do not compete in the open consumer market for policyholders. To the contrary, church boards are non-profit corporations serving only the ministers, missionaries and lay employees of their member churches. These boards are carrying out the churches' spiritual task of providing for their needy and retired ministers and are, therefore, an integral and inextricable part of the mission and ministry of the churches.

Because they are an integral part of the churches' ministry, taxation of the church pension boards is tantamount to taxing the churches themselves. Congress has acknowledged the central role of the pension boards in the life of the church and has provided them with an exemption since the inception of the income tax. Consequently, §1012 constitutes a radical departure from the traditional interpretation of church-state separation. The Baptist Joint Committee insists that such a tax is violative of the First Amendment and, therefore, unconstitutional.*

Congress recognized the dangers of

excessive church-state entanglement in 1974, when it passed the Employee Retirement Income Security Act of 1974 (ERISA). An express exemption for "church plans" was provided for fear that application of the Act to the churches would violate the First Amendment.

Far more serious than the threat of ERISA is H.R. 3838's removal of tax exemption for church pension boards. By applying §1012 to the pension boards, Congress is in effect saying that these boards are not part of the church. Any such attempt by government to define the church's ministry is unacceptable whether the issue is providing pension and welfare benefits to aged and disabled ministers or food and shelter to homeless orphans. Government must never be allowed to define or determine the mission and ministry of the church. Singling out the church pension boards for taxation does precisely that.

Apart from the significant constitutional question, §1012 will undoubtedly engender conflict and confrontation with the churches and will at the very least lead to a quagmire of litigation. Enormous sums of time, energy, and money will be expended by both government and the churches as the legality of §1012 is tested. Hopefully, the Senate will prevent this unfortunate scenario from occurring.

As concerned church members and citizens, ours is the surgeon's task. We must work for the excision of that portion of H.R. 3838 which is constitutionally infirm without endangering the life of tax reform. Hopefully, we can do this without coming off like the guys in the Gucci shoes. □

*For a more detailed analysis of why taxation of churches is unconstitutional, see "Views of the Wall," REPORT from the CAPITAL, January, 1986, pp. 6-7.

John P. Diggins
The Center Magazine

FIRE, from page 5.

terprises of various churches. He said that to a cheering crowd of the Knights of Columbus, an organization of Roman Catholic laymen! Mr. Bennett is either poorly informed, badly misguided or willfully ignorant.

Religion in America has never, does not now and will not in the future depend upon government subsidies to survive. Only those theocrats and church-over-staters who believe government *should* finance religious affairs believe otherwise. Both their ideology and their self-interest are clearly evident. So is their tradition. We know from whence they come. We will thank Mr. Bennett to obey the Supreme Court's recent rulings as to the violations of separation of church and state in New York and Michigan and to cease and desist in his efforts to provide funds for religious groups.

He is sadly mistaken to believe that separation of church and state is supported only by secularists. It was born out of and is supported also by those in the Free Church tradition.

The U.S. Attorney General, Edwin Meese, also seems oddly informed about the First Amendment. His recent attack on the Supreme Court is more an attack on religious liberty than a concern for integrity of constitutional interpretation.² He also wants government-mandated prayer in good theocratic or church-state collusion fashion. And he is screening out candidates for federal judge appointments who do not meet his religious "litmus tests."

He is right to say that the Judeo-Christian tradition has made a vital contribution to American government. But that contribution is best seen and experienced in one word—freedom. That means freedom from coercion by government in matters religious; freedom from doctrinal orthodoxy imposed by legislative fiat making heresy a criminal act; and freedom from state financial support for religious enterprises.

Mr. Meese needs a good course in American history taught by Mr. Thomas Jefferson. Right now he is flunking the course "Religion in America 101." While he is at it he should also enroll the President in the Sunday School of his choice. But if they are genuinely interested in religious liberty let them learn from those who suffered, bled and died to win that First Amendment guarantee. Let him listen to Isaac Backus, John Leland, John Bunyan—and Maeyken Wens! Let them listen to the cries of those children who suffered when their parents were imprisoned, tortured or burned at the stake.

Let them listen to the moans and prayers of those in prison who cried for liberty.



Those who suffered for religious liberty did not need and we do not want kings or parliaments or presidents or Congress to tell us we *must* pray. Politicians need to pray for themselves and by example show the power of prayer to overcome personal prejudice and the arrogance of political power. When they learn the stern lesson of voluntarism in religion, they will begin to understand the First Amendment.

Until they do, those blessed heirs of Bunyan, Leland, Backus, Madison, Jefferson and Wens must band together, not only to pray for Congress, the President and the Supreme Court, but to insist they respect our rights to religious liberty.

Thomas Jefferson once vowed that he would keep eternal vigilance and wage constant war against every tyranny over the mind of men. Our spirits, our consciences and our minds are in jeopardy of an old tyranny in a new disguise. It seems clear that those politicians and religious charlatans speaking most about the danger to religious liberty are the biggest threat to our precious freedom. Let not the misguided, the ignorant and the demagogues rule the day.

The time has come to say "no" to further assaults on the wall of separation between church and state. With our cards and letters, our telephone calls, our personal influence and the process of the ballot box we will cast our vote for religious liberty.

And there is Scripture for this. Hear the word of God proclaimed by Baptists who died for the right to be heard by presidents and parishioners alike:

"For freedom Christ has set us free; stand fast therefore, and do not submit again to a yoke of slavery." (Gal. 5:1) □

ENDNOTES

¹See Edwin M. Yoder, Jr., "Assault at the Church-State Line," *The Washington Post*, Friday, August 16, 1985, A-23.

²See *The Washington Post*, August 9, 1985, A-1, 6.

Lincoln's was a theological vision that closely affected how a politician or statesman should behave, particularly when coming to grips with something as evil as slavery. He knew that America faced a clash of values. Slavery was morally wrong, but to move rapidly against it would endanger the Republic. At the same time, Lincoln felt that that part of the Constitution violated the Declaration of Independence.

Some students of American history and politics would disagree with what I have just said. They would say that there is a continuity between the Declaration of Independence and the Constitution. But Lincoln—and Melville—felt that America should return to the original covenant of the Republic: the Declaration. They imputed to it a spiritual value that I think would have astounded its author, Thomas Jefferson. Jefferson saw the Declaration as almost a scientific document rooted in nature, whereas for Melville and Lincoln it rings with religious implications. □

George Shultz
Secretary, U.S. Dept. of State*

Freedom.... There is no more striking image of freedom than the solitary writer, the individual of imagination, creativity, and courage, imposing through language the perceptions and prescriptions that can illuminate and, perhaps, change the world. The writer needs freedom, but the writer also is the creator of freedom. No government or ideological system has ever yet succeeded in stopping the writer, although some are trying very hard.

Freedom is real, and it works. In fact, one of the most powerful trends in the world favors freedom. In recent speeches, and in Moscow and Geneva, I have spoken on the reality that the industrial age is coming to an end. In some places, it is over. The economy of the future will be based more and more on information technologies. And the creative flow of information requires freedom—freedom of thought and communication. Ideology has nothing to do with this; it is just a fact of life.

I've taken very seriously my Department's role in reviewing proposed visa denials that could affect free expression. It has never been the approved policy of the United States to deny visas merely because the applicant wants to say that he disapproves of the United States or one of its policies. □

*An address before the Poets, Playwrights, Essayists, and Novelists (PEN) International Conference, NYC.

News in Brief

Weicker lauds religious freedom in America

RICHMOND

America's guarantee of religious freedom developed neither automatically nor swiftly, U.S. Sen. Lowell Weicker Jr., R-Conn., told an audience gathered at the University of Richmond.

During a celebration of the 200th anniversary of the signing of the Virginia Statute for Religious Freedom, Weicker paid tribute to Thomas Jefferson who penned the Virginia Statute and to James Madison who saw it through the General Assembly after Jefferson went to Europe as ambassador to France. The bill became the basis of the First Amendment to the U.S. Constitution.

Weicker offered quotations from Jefferson, Madison and the late U.S. Sen. Sam Ervin of North Carolina to support his belief that the First Amendment is sufficient to protect religious freedom.

The senator said although the First Amendment and Article VI of the Constitution should "make it unqualifiedly clear that by law religion and government are enjoined from merging," current opinion and legislation do not reflect that understanding.

"A recent poll shows adults in this nation favor school prayer by 87 percent and disfavor separation of church and state by 25 percent," he said. "Such figures, in my opinion, desecrate our national heritage and those who died in the cause of freedom—religious included.

"Whether they came to pass by virtue of intent, ignorance or politics is of no matter. That they should translate into new law should be of the deepest concern to every American."

In an attempt to "set the historical record straight," Weicker recounted numerous violations of religious liberty from American history. He called the story of the construction of a wall of separation between church and state "a truly bloody chapter in human history."

Weicker pledged to continue his resistance to a constitutional amendment allowing school prayer.

"Putting school in front of the word prayer and having children mouth it does not make it any less government prayer," he said. "The two are interchangeable.



"School is an arm of government as much as the IRS or the CIA or the United States Senate. I dare say not many persons polled would ever express themselves in favor of government prayer."

He said the phrase "voluntary school prayer" is a contradiction. Since public education in the United States is mandatory, he argued, prayer conceived within schools cannot be voluntary.

"Thanks to the Constitution as written, no one, no individual in these United States can be prevented from praying or reflecting as he deems fit anywhere, anytime," Weicker stated. "Why would anyone trade off such a total freedom for the organized freedom of prayer in a classroom at 8 a.m.?" □

Federal court orders FCC to restore 'log' ruling

WASHINGTON

In a victory for church groups seeking access to the airwaves, a federal court here has ordered the Federal Communications Commission to restore requirements that radio stations make available daily logs of programming.

The logs are used by civic groups, especially churches, to evaluate whether the stations are serving the public interest in accordance with federal law.

The court acted on a petition brought by the office of communication of the 1.7-million member United Church of

Christ, which has a long record of involvement in media-regulatory issues.

In a unanimous decision, the U.S. Court of Appeals for the District of Columbia ruled that an FCC order reducing record-keeping requirements failed to protect the public interest. The order had allowed stations to eliminate daily logs in favor of quarterly lists of five or more community-related issues addressed on the air. □

Schools use bus to avoid Supreme Court decision

PORTLAND, OR

A school bus is helping a Portland teacher get around a U.S. Supreme Court ruling.

A 1969 school bus is being used by the Portland public schools to provide remedial programs to private schools. It has carpeted walls, stereo music and three computers.

Last summer, the high court ruled that separation of church and state is violated when public schools provide federally funded remedial programs in parochial school classrooms.

Patricia Spooner, who teaches remedial skills through the federal Chapter I program, took special driving lessons so she could drive the bus to Pope John XXIII School. Now she uses the bus as a classroom, and the children at the parochial school merely step out the front door of the school into the bus to get help in reading, writing and math, said the public school publicity department.

Bush calls for revival of nation's 'moral vision'

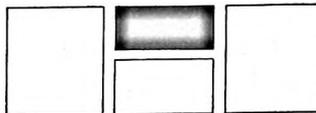
WASHINGTON

Vice President George Bush recently stated that while there may be "a solid wall between church and state, there should be no solid wall between church or synagogue and politics."

During an address to more than 500 members of Jerry Falwell's newly organized Liberty Federation, Bush praised the re-emergence of fundamentalists in American political life.

"America is in crying need of the moral vision you have," declared Bush. "The country needs a message of hope, love, rebirth of freedom and love of God."

Recalling the withdrawal of many tun-



damentalists from politics during the 1920s. Bush said those leaders took with them a certain moral perspective. He described recent political involvement by religious-political conservatives as "a great revival of an old American tradition." □

Student sues school board over graduation date

NEW YORK

A Jewish high-school student has sued his local school board for scheduling the 1988 graduation ceremonies on a Saturday.

David Smith, a sophomore at North Babylon (N.Y.) High School, has asked the U.S. District Court to order the board of education to move the graduation to "a time and date not in conflict with the religious observances of any of its graduating students."

The student's father, Rabbi Richard N. Smith, has made several unsuccessful attempts to persuade the North Babylon Board of Education to reschedule the 1988 graduation. At a public meeting last June, the school board unanimously voted to keep the Saturday date, citing the "convenience for most of the students, their families and the personnel of the school district." □

Supreme Court rejects Church of Christ battle

WASHINGTON

Two elders in a local Church of Christ dispute over control of church property lost their final legal appeal when the U.S. Supreme Court refused to hear arguments that they—not the entire congregation—have authority to decide who their minister and elders will be.

Mannie Black and Moses Williams, elders of the Liberty City (Fla.) Church of Christ, argued throughout their two-year legal battle in state courts and in two appeals to the nation's high court that they possessed sole authority to hire and fire a minister and to control the congregation's purse strings.

When they sought to dismiss their minister, Freeman T. Wyche, the congregation rebelled, voting to retain him and to discharge instead the two trustees.

Black and Williams then sought relief at trial, contending Church of Christ doctrine vests such authority in the elders, not in the whole congregation. But

Wyche disputed that claim, arguing church polity is congregational in nature, leaving final decisions to the entire body.

After the trial court ordered a new vote to decide the dispute finally, the congregation once more voted to retain Wyche and discharge the trustees. A Florida appeals panel affirmed the congregational vote. It was that ruling Black and Williams unsuccessfully appealed to the Supreme Court. □

Court upholds aid to blind divinity student

WASHINGTON

The U.S. Supreme Court has ruled that the Constitution's First Amendment ban on an establishment of religion does not mean that a blind student may not receive state vocational funds because he is studying for the ministry at a Bible college.

At the same time, the high court informed the Washington Supreme Court it may decide to apply that state's stricter ban on any form of aid to sectarian institutions if it chooses to do so.

In a unanimous ruling, the court nevertheless reversed a Washington Supreme Court decision that the federal constitution forbids assistance such as that claimed by Larry Witters, the blind ministerial student who has pursued religious training at Inland Empire School of the Bible, a private Christian college located in Spokane, Wash.

Justice Thurgood Marshall, who consistently has voted against state efforts to fund sectarian schools at the elementary and secondary levels, disagreed with the lower court's finding that Witters' use of state funds for religious training had the primary effect of advancing religion.

Noting the "well-settled" precedent "that the Establishment Clause is not violated every time money previously in the possession of a State is conveyed to a religious institution," Marshall wrote that Witters' choice to spend vocational funds for religious education was his, not the state's.

At the same time, Marshall stopped short of ruling that the First Amendment's free exercise clause requires states to provide vocational funds to students like Witter. To do so, Marshall wrote, would be to "leapfrog" to a conclusion not warranted, especially be-

cause the Washington Supreme Court may choose now to apply its own state's "far stricter" prohibition against spending state funds for sectarian purposes. □

Pastor claims church, school are tax exempt

INDIANAPOLIS

Greg Dixon, pastor of Indianapolis Baptist Temple, contends that his 8,765-member church and its 425-student Christian school have paid "ministers" but not employees.

The argument was developed when the Indiana Department of Revenue said the church and school owed \$40,000 for not paying withholding taxes on employees' wages for almost two years.

Dixon argues that what determines whether a church or Christian school owes taxes to the government is whether it is incorporated. Dixon said that at the end of 1983 he dissolved the old Indianapolis Baptist Temple and reorganized it as the Indianapolis Baptist Temple Church, an unincorporated body. □

Schlafly distributing 'student's Bill of Rights'

WASHINGTON

Phyllis Schlafly's Eagle Forum has begun distributing "A Student's Bill of Rights" to help parents and children assert their religious and moral values in public schools.

Mrs. Schlafly said many parents think their children's beliefs are under attack in the schools.

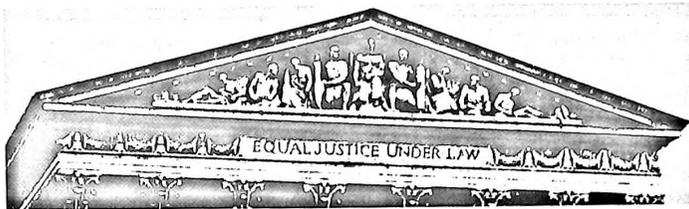
Ten declarations contained in the student's "bill of rights" include "the right to my religious faith and beliefs" and "the right to have and to hold my moral values and standards, my political opinions, and my cultural attitudes."

Under religion, the document states: "Schoolpersons may not force me to do assignments or engage in classroom activities which criticize or downgrade my religion." □

Nigeria restricts visas to limit mission work

LAGOS

The government of Nigeria has imposed visa quotas which will require some Southern Baptist missionaries to leave the country and limit the type of work new missionaries may do. □



Meese v. Marshall

Attorney General Edwin Meese III has sharply criticized the federal judiciary, particularly the United States Supreme Court, for departing from the "original intent" of the Founding Fathers.

Furthermore, the attorney general questions whether the so-called "doctrine of incorporation" (which through the 14th Amendment applies the Bill of Rights to the states) is really in accord with the framers' wishes.

Justices William Brennan and John Paul Stevens have publicly taken sharp exception to these Meese views, terming them unfounded, simplistic, and anachronistic.

The protagonists might have debated in government briefs or court opinions. Going public, however, considering the principles, is rather unprecedented. But as Chief Justice Warren Burger has acknowledged, the court, like all our institutions, is not immune from criticism. Constitutional debate has historical origins, and criticism of the judiciary isn't necessarily harmful and may be both warranted and helpful.

In analyzing the merits of this debate, one must confess to a sense of *deja vu*. The subject is hardly novel; rather, it has comparatively ancient roots.

With respect to the contention of the attorney general, that the Supreme Court should adhere to the "original intent" of the Founding Fathers and is overstepping its bounds in not doing so, Mr. Meese confronts a formidable adversary.

Arthur J. Goldberg is a former justice of the U.S. Supreme Court. Reprinted by permission from the Opinion page of *The Christian Science Monitor*.

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The attorney general runs afoul, in judicial constitutional interpretation, of the greatest of all chief justices of the Supreme Court, John Marshall.

The core of the constitutional philosophy of Chief Justice Marshall was expressed in *McCulloch v. Maryland*, decided in 1819. In an oft-repeated phrase,

the Constitution

... our fundamental law in 6000 words, general in nature and replete with ambiguities ...

he described the Constitution as "intended to endure for ages to come, and consequently to be adapted to the various crises of human affairs." Marshall added that to attempt to prescribe in detail in the Constitution the answers to unforeseen contingencies "would have been to change, entirely, the character of the instrument and give it the properties of a legal code." This, he observed, would be most "unwise."

Chief Justice Marshall's constitutional philosophy has been described as the evolutionary concept of the nature of our Constitution. This philosophy has been pervasive throughout our legal history and has been accepted, with few exceptions, by the federal judiciary, present and past scholars, legal and lay.

A few pertinent quotations are illustrative: Chief Justice Harlan F. Stone, who was appointed to the court by President Coolidge, said in *United States v. Classic* (1941):

In determining whether a provision of

the Constitution applies to a new subject matter, it is of little significance that it is one with which the framers were not familiar. For in setting up an enduring framework of government they undertook to carry out for the indefinite future and in all the vicissitudes of the changing affairs of men, those fundamental purposes which the instrument itself discloses. Hence we read its words, not as we read legislative codes which are subject to continuous revision with the changing course of events, but as the revelation of the great purposes which were intended to be achieved by the Constitution as a continuing instrument of government.

And Justice Joseph McKenna, appointed by President McKinley, expressed the same view in *Weems v. United States*, decided in 1910:

Time works changes, brings into existence new conditions and purposes. Therefore a principle to be vital must be capable of wider application than the mischief which gave it birth. This is peculiarly true of constitutions. They are not ephemeral enactments, designed to meet passing occasions. They are, to use the words of Chief Justice Marshall, "designed to approach immortality as nearly as human institutions can approach it." The future is their care and provision for events of good and bad tendencies of which no prophecy can be made. In the application of a constitution, therefore, our contemplation cannot be only of what has been but of what may be. Under any other rule a constitution would indeed be as easy of application as it would be deficient in efficacy and power. Its general principles would have little value and be converted by precedent into impotent and lifeless formulas. Rights declared in words might be lost in reality.

The simple fact is that the Founding Fathers, endowed with an unparalleled genius for statecraft, wrote our fundamental law in 6,000 words, general in

nature and replete with ambiguities, requiring judicial interpretation.

This the framers did to endow this greatest of political documents with an innate capacity for growth and adaptation to enable the Constitution to meet new needs and unforeseen contingencies.

The Constitution, as Justice McKenna and many other judges have pointed out, was, in Marshall's words, "designed to approach immortality as nearly as human institutions can approach it."

The grand design of the Constitution is frustrated by reading it literally as a code or statute.

The Constitution is a state document of inspiration. It is our legend and hope, the union of our minds and spirit.

It is our defense and our protector, our teacher and our lodestar in the quest for liberty and equality.

In a profound sense, simplistic invocation of the Founding Father's intention does injustice to their vision and grand design in framing our fundamental law.

On the "original intent" issue, it would appear that Mr. Meese, with all

respect, is on a bad wicket.

The attorney general's other criticism of the court's constitutional philosophy, the so-called "incorporation" doctrine, is equally untenable.

All present members of the Burger court—like the justices of the Warren court—agree that the 14th Amendment makes the fundamental guarantees of the Bill of Rights (originally designed to protect only against abridgment by Congress) obligatory on the states.

This derives from the plain language of the amendment, which reflects the intention of its framers: "... No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

Surely, the basic safeguards of the Bill of Rights are fundamental liberties of Americans. Denial of any of them by states is plainly a denial of due process of law, prohibited by the 14th Amend-

ment.

The attorney general is also on a bad wicket in arguing to the contrary.

Mr. Meese, however, is not engaging in an abstract, philosophical constitutional debate. He is insisting that it is time to rein in libertarian interpretations of the Constitution. Simply put, he wants "conservative" judges who share his views about abortion, school prayer, civil rights, and the like. He believes that federal judges have been "too liberal" or "too activist," whatever these terms may mean.

Therefore, both President Reagan and the attorney general are seeking to appoint "conservative" judges, in the belief that they will practice "judicial restraint" and renounce "activism."

I do not share their viewpoint, but I do not find it surprising or unusual that a president and an attorney general should seek to appoint judges who are philosophically at one with them. This is common to almost every previous president.

But history teaches that Reagan and Meese are in for a surprise. □

REVIEWS



THE POLITICS OF LIBERATION

By John W. Swomley, Brethren Press, Elgin, IL., 1984.

IN SEARCH OF REFUGE

By Yvonne Dilling, with Ingrid Rogers, Herald Press, 1984, 189 pp., \$9.95.

Here is John Swomley, author of *Liberation Ethics* at his best, analyzing the various ideologies which pervade ours and other nations—ideologies which determine what we think and what we do. He shows how we, as affluent and comfortable Americans, are shaped by the system in which we live, adopting unconsciously by the influence of press, radio, TV, and other means of communication evils which we, as Christians, ought to deplore.

How hard it is for us in our luxury and comfort to see how liberation movements are a part of the plans of God to free people from hunger, oppression and slavery. We may even celebrate the birthday of M.L. King, Jr. as a national holiday, recognizing the work of God and the Gospel in freeing slaves and black people in general in our own country from oppression and injustice. We may recognize liberation movements of the past with enthusiasm and at the same time militantly oppose liberation in the present for people who are equally enslaved and oppressed in South and

Central America.

For lessons and help in breaking the bonds of culture, and entering into a new realm of Christian freedom—for ourselves and others—read Swomley.

It is one thing to talk about Liberation Theology. It is another, as Yvonne Dilling shows us, to do it. This is the story of a young teacher, a Protestant (Church of the Brethren) who joins CARITAS, a world-wide Catholic refugee organization, to initiate and supervise a program of education for the children of Salvadoran refugees in the camps of Honduras.

At the very first she was "baptized" into the war in El Salvador which spills over into Honduras. Refugees are lined in hundreds along the banks of the river separating El Salvador from Honduras. Dilling and her CARITAS associates stretch a rope across the river in a desperate effort to bring the children and their parents across. She crossed many times with precious children on her back. They saved many; some were lost. Every crossing was accompanied by blood-curdling screams from the children and Ave Marias from the mothers. This was the beginning of many heroic deeds and terrifying days.

The book is a smile through tears, a story of faith, hope, and love under the

Reviewer

Carroll Arnold is a prolific writer of reviews and articles, appearing frequently in *REPORT* and in his local newspaper in Phoenix, AR. He writes with insight and irony in prose that is as readable as it is perceptive.

most horrendous circumstances. Dilling tells of generosity on the part of the Honduran host families, indifference of the Honduran military, and bestiality on the part of the Salvadoran soldiers. She tells of the terrorism of ORDEN, the Salvadoran death squads, the heroism and hard work of the French doctors. Many stories of tenderness and love amongst the CARITAS workers abound, also stories of camaraderie and devotion born of terror, moments of despair, and some bright splashes of joy and success.

This is the story of unbelievable ineptitude and cowardice on the part of bureaucrats, but faith, hope and charity on the part of penniless refugees. It is the short and not simple annals of the poor. Their troubles are not of their own making, but issue out of a mindless war fought by a heartless military, supported by careless politicians.

Sometimes the good guys win: A group of journalists on one occasion rescue a number of refugees from what seemed like certain death at the hands of soldiers.

Yvonne Dilling in her faithful diary and loving spirit has given us a few beautiful and dreadful lines of current history. In the end she had to leave on account of her health. She came to teach refugee children how to read and write. She has taught the world courage, compassion, faith and love.

A good biography and an excellent appendix by Gary MacEoin, Central American journalist and historian par-excellence, accompanies this book. □



INTERNATIONAL DATELINE

Claims disputed in Portuguese immigration

TORONTO

Hundreds of Portuguese visitors to Canada are filing for refugee status each month on grounds that, as Jehovah's Witnesses, they face religious persecution in their native land.

But their claims have been challenged, even by Jehovah's Witnesses leaders here, who say that the sect's missionaries in Portugal send back reports regularly saying that their work is going well.

Supporting the Witness leaders' contention are the Portuguese ambassador to Canada and Amnesty International, the human-rights group. All maintain that the refugees' charges are spurious and that the Roman Catholic majority in Portugal is not persecuting any religious group.

Lucy Cardoso, a Toronto community worker and immigration counselor who herself is of Portuguese heritage, said two men in particular are raking in tens of thousands of dollars a month, charging Portuguese clients an average fee of \$1,500 (U.S. \$900). Since no investigation into the pair's activities has yet been officially launched, their identities are being withheld.

Michael Schelew, a Toronto lawyer and Amnesty International representative in Canada, said the human-rights group has no evidence of any religious or political persecutions, arbitrary detention or torture in Portugal.

Luís Navega, the Portuguese ambassador to Canada, said his country is run on "democratic principles" and "does not engage in persecution of any type." □

Soviet Jewish activist warns protests can harm

JERUSALEM

A leading Soviet Jewish activist says anti-Kremlin protests staged at the wrong time could hurt Russian Jewry.

Eliyahu Essas, who arrived in Israel recently, also called on world Jewry to support trade and cultural relations with Moscow—saying this could help ensure Jewish emigration.

The 43-year-old Jewish scholar has been described as the father of the Jewish religious revival movement in the Soviet Union. Because of his tremendous following in the Soviet Union and his re-

cent emigration, Essas is regarded as an authority on emigration.

In his first speech before a Western audience, Essas told the World Jewish Congress convention that quiet diplomacy as well as large protests should be used to press Moscow to change its emigration policy. In 1985, fewer than 1,000 Jews were allowed to leave the Soviet Union, the lowest figure since mass Jewish emigration began in 1971.

Essas urged world Jewry to be flexible in its tactics. Regarding public protests, he said, "If they're in the appropriate time, they're a help. If they're in an inopportune time, they can hurt.

On the same platform as Essas was Edgar Bronfman, president of the WJC, who successfully lobbied the Kremlin for Essas' release.

For his part, Bronfman continues to assure Jews that Moscow is about to change its emigration policy. "I believe my message is understood in Moscow," he said. "We are pro-Jewish without being anti-Soviet. And as trust grows on both sides, I am optimistic that the Soviets will be forthcoming over time."

During his presentation Essas stressed that the Soviet Jewry movement must not be linked with any superpower. Referring to the fur hat he wore, "Essas said, 'I walk with this hat. This is not the hat of any party. It's the hat I wore in Russia. It's the hat that represents the cold atmosphere in Russia.'" □

Buchanan saw mood for change in So. Africa

WASHINGTON

Just back from a trip to South Africa, a noted Baptist minister and former Republican congressman declared here that television evangelists such as Jerry Falwell are "out of step" with most Christians when they voice support for the white-ruled government.

John Buchanan, a critic of the fundamentalist Christian political movement, spoke out in a January interview here to counter what he described as the "impression that he [Falwell] is speaking for Christians in this country on South Africa. That is absolutely not the case." Buchanan is president of People for the American Way.

"I found, to an encouraging degree, that people in South Africa, across the board, are not in sympathy with the current policies of their government," said Buchanan.

During his visit, he said, South Africa's leading trade group, the Federal Chamber of Industries, presented to the government a comprehensive plan for reforms, including the release of political prisoners and the sharing of power between blacks and whites. The group also called for abandonment of the homeland policy in which several million blacks have been forcibly relocated to undesirable areas designated by the government, he said.

"Black leaders across the board, with the single exception of [Gatsha] Buthelezi, the Zulu, favored economic sanctions" during his visit, said Mr. Buchanan. Chief Buthelezi is the hereditary leader of the Zulu tribe. "They felt that, in the long run, blacks will suffer much more under the current repressive arrangement."

Buchanan added that while he himself is undecided on the issue of sanctions, "most blacks would agree with Bishop Tutu, not Jerry Falwell. And many whites would too, although they know it would be painful." □

Peace Conference warns of technological 'hubris'

BUDAPEST

At its post-Summit peace conference in Budapest, the Christian Peace Conference (CPC) called for the end of "technological hubris" and for nations to move from "just war" theories to "just peace" policies.

Taking note that 1986 is the International Year of Peace, the Conference reaffirmed the United Nations as "the most comprehensive peace structure of humanity . . . which can secure the life and development of all nations in peace and justice."

Conference participants, who came from churches throughout the world, including the Soviet union and the U.S.A., received reports on the possibility of nuclear holocaust, the inadvisability of the Strategic Defense Initiative, a call for an Ecumenical Council on Peace along with reports of various regional peace councils.

Following the Presidential address members reaffirmed their opposition to "technological hubris"—the idea that "all that can be done should be done," and that conflicts between different states "can be solved by political means only."



NEWS-SCAN



CRI INTERVIEWS NEPALESE CHRISTIANS

Officials confirm report of religious rights abuse

KATHMANDU

A delegation of British and U.S. officials on a private trip to Nepal, investigated reported religious rights abuses here and said it found ample evidence of outright persecution and torture during its six-day mission.

In a meeting with Foreign Minister Randhir Subba, the group asked the Hindu government of the Kingdom of Nepal to examine some specific problems. The Foreign Minister was responsive to the delegation's concerns and assured the group that the problems raised would be thoroughly pursued by the government.

Sponsored by Christian Response International (CRI), an interdenominational human rights organization based in Washington, the fact-finding delegation included two members of the British Parliament, two U.S. congressional staff members representing the offices of U.S. Sen. Don Nickels, D-Okla., and Rep. Don Bonker, D-Wash., two American attorneys, three CRI senior staff, a pastor and a businessman.

According to CRI Executive Director Rev. Jeff Collins who led the delegation, transcripts of the testimony of persecuted Christians received during the investigation will be provided to the government of Nepal, the U.S. State Department and the Foreign Office of the United Kingdom.

"It is urgent that Christians throughout the world come immediately to the aid of the persecuted Nepalese believers," says Collins. The most effective, expeditious way of helping at the moment, he says, is by writing letters to the Nepalese ambassador in Washington and by praying specifically for increased religious freedom in this Hindu nation.

Boy Scouts of Canada dismiss atheist leader

RED DEER

A self-proclaimed atheist has been dismissed as a beaver-scout leader in this central Alberta city in Canada.

Arnold Paulsen, a Red Deer regional scout commissioner, said that Margaret Lyall "is unfit to lead the beavers because she will not swear to love and serve God."

Robert Milks, director of public affairs for the Boy Scouts of Canada, said in Ottawa that swearing to "love and serve God" is a requirement for leaders. "If a person cannot abide by that principle, then obviously this isn't the right organization for that person," he said.

He said churches sponsor most of the scout troops across Canada. These include Christian, Hindu, Moslem and Buddhist churches.

Mr. Paulsen rejected charges of religious discrimination on the ground that "an atheist has no religion at all." □

Philip Uhlinger, American Baptist missionary in Haiti, described the situation preceding the eventual departure of Jean Claude Duvalier as tense, but reported the safety of all persons related to the work of the American Baptist Churches, the Southern Baptist Convention, and the Haitian Baptist Convention. A group of 21 persons from FBC, Richwood, Ohio, unable to leave Port-au-Prince for work in the north, engaged in alternative duties in the capital. When trouble broke out SBC missionary Jack Hancox arranged for the group to move from a downtown hotel to a safer area near his home and secured their flight reservations to the U.S.... Trinity Episcopal Church, one of the wealthiest and most influential Episcopal parishes in the country, acted to sell off \$10-million worth of stocks as a moral statement in opposition to racial apartheid in South Africa. The Wall Street area congregation will couple that action with an increased commitment by its grant-making arm to fund church groups in South Africa working against apartheid.... TV evangelist Pat Robertson through his Christian Broadcasting Network (CBN) is supplying chaplains to the "contra" forces trying to topple the leftist Nicaraguan government. An earlier statement held that CBN had no direct ties to the contras.... Non-Christians are shouting curses at a Southern Baptist dental facility in Benin, West Africa, that has been closed because it has no missionary dentist. Ex-missionary Tom Starkey said "the clinic is really a key ministry" and "they could sense we were going out of our way to give them the best, and they really appreciated it.".... Congressional members of the Commission on Security and Cooperation in Europe, known as the Helsinki Commission, nominated Dr. Anatoly Koryagin for the 1986 Nobel Peace Prize. The Soviet psychiatrist was imprisoned in 1981 in reprisal for his active role in the unofficial Working Commission on Psychiatric Abuse. The Commissioners noted Koryagin's moving speech at his trial: "I will never accept the situation which exists in our country, where mentally healthy people are imprisoned in psychiatric hospitals for trying to think independently." Sen. Alfonse M. D'Amato (NY) and Rep. Steny Hoyer (MD) signed the letter of recommendation. □

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.

REFLECTIONS] in the January issue... was most insightful and helpful. I have often looked for a good metaphor to describe how the "wall of separation" between church and state allows Christians to exercise political influence. Your editorial helped me to see the wall not as brick and mortar, but as people—people on whom both politics and religion make claims.

Thanks for the help and for all the Committee's work to safeguard our heritage of liberty.
Richard A. Cheshire
Hartsville, SC

REPORT gets read from cover to cover because your coverage on public affairs items is most comprehensive and right on target to maintain religious liberty in our beloved country. It is good to read that as Baptists we continue to be heard in high places of the U.S. government. Thanks to staff for faithful ministries. It is still considered a privilege to have served on the BJCPA for more than 12 years.

Gideon and Eleanor Zimmerman
Port Richey, FL

[Dr. Zimmerman, retired, was general secretary of the North American Baptist Conference.]



• In his article, Paul Simmons outlines the new vision of religious liberty—a free church in a free state. What makes this new vision (embodied in our First Amendment) so desirable and what evidence does he use to show its fragility? How does your faith community bring out the emphases of voluntarism, soul freedom and the wall of separation between church and state?

• The Honorable Arthur Goldberg joins the public debate over the "intention of the founders" in the matter of interpreting the Constitution. Review **REPORT's** January, 1986 article by Justice Brennan and the October, 1985 **REFLECTIONS** of James Dunn. What differences divide those who call for the original intent of the founders and those who say

We often read in magazines and newspapers of the separation of church and state. The word *religion* is always used.

Now there is a great difference between religion and godliness... It is the religionists today that will—if they can get the votes—kill the Supreme Court, and in God's name. And without the Court's impartial rulings, where is our form of government? ... Unfortunately, the religionist is always waving some church or cult banner.

K. P. Walker
Midland, TX

Write A Hymn

The 20th National Religion Liberty Conference. Theme: "Intersecting Values: Christian Citizenship and Church-State Separation"

This marks the 50th anniversary of the Baptist Joint Committee on Public Affairs. We invite the submission of hymns on the theme of religious liberty, soul liberty, and the freedom of religion. Baptists have cited soul liberty and the priesthood of believers as the biblical bases for their strong commitment to freedom of conscience.

You may write new lyrics to an existing, familiar hymn tune. Entries will be judged by leading church musicians. The winning entry will be introduced at the October, 1986 conference in Washington, D.C. Winner will be provided registration, hotel, with meals.

that the "innate capacity for growth and adaptation" ought to allow for more flexibility in the wall between separation of church and state?

• With its theme of "Intersecting Values," the Religious Liberty Conference (p. 16) will explore the area where public entities—state and church—intersect with one's more private citizenship and discipleship. No one "speaks" for Baptists. How can the Baptist Joint Committee function on behalf of all Baptists without speaking for them? Justify how an individual Christian can allow a public agency to speak for her or him to government?

Pop Quiz

1. What inconsistency did Lincoln see between the Declaration of Independence and the Constitution? How did he reconcile them? 2. Which leader of which black South African tribe does not favor economic sanctions against the South African government? 3. How did a peace group recently define "technological hubris"? 4. Where and when will the 1986 Religious Liberty Conference convene?

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3/86 _____ Bill Me

... an opportunity for reflection on our heritage ... perhaps even a clarified resolve to be who we claim to be as Baptists ...

REFLECTIONS

James M. Dunn
Executive Director



Intersecting values: that's what we will be discussing October 6-8, 1986 at the Twentieth National Religious Liberty Conference in Washington. Put the dates on your calendar. Plan now to come. You need it. We need you.

It's not just another meeting. At this important moment in Baptist life it offers an opportunity for reflection on our heritage, exchange of ideas and interpretations, fresh insights and perhaps even a clarified resolve to be who we claim to be as Baptists.

When popular church historian and social critic **Martin Marty** was asked by the Religious News Service what excited him, he said, "First, what is the nature of the republic, and the role of religion in the republic, and how do you keep them healthy? If you don't have freedom and a basis for integrity, you don't have much of anything else for very long either. ... I have a terrible fear that forces around the world are turned loose which might reach here [creating a situation] in which a society formally legitimates one religion, a religion of the sword."

Martin Marty will examine "Intersecting Values: Church-State Separation and Christian Citizenship." So will **Patricia Ayres**. Mrs. Ayres is heavily engaged in the practice of Christian citizenship as President of Bread for the World, a Christian citizens' hunger lobby and a member of the Christian Life Commission of the Southern Baptist Convention. She mixed it up with government as an active advocate for juvenile justice reform in the years she chaired the Texas Youth Council, the state agency overseeing all programs for juvenile offenders. Pat has had to face head-on the tensions of a layperson practicing political decision-making.

A practitioner of pastoral care and the proclamation of the gospel will bring insights from that perspective. **Daniel Vestal**, pastor of the First Baptist Church of Midland, Texas is uniquely qualified to consider the classic clashes between faithfulness to biblical ideals and realistic involvement as citizens.

The best known Baptist layperson in the Congress of the United States today is also to speak to the Conference. **Mark Hatfield**, U.S. Senator from Oregon since 1966, consistently stands by his Christian citizenship without denying or diminishing his dedication to the separation of church and state. He is living proof that it is possible to survive in the busy intersection of politics and religion. Survive he has without soft-pedalling his personal faith. In one of his books, *Between a Rock and a Hard Place*, he said:

Many believe that civil religion is better than no religion at all. But I wonder. Civil religion, in my view, is not a harmless, generalized unitarianlike depository of belief, which can help people reflect upon God, or even provide helpful ethical guides for the country. Rather, because most civil religion is devoid of both the prophetic dimension of biblical faith and of the centrality of God's revelation in Jesus Christ, it becomes highly vulnerable to being exploited as a tool of national self-righteousness and even idolatry. History has shown that a little bit of religion, taken out of context, often does more harm than good. Christians who hold to the integrity of their faith

should insist on its wholistic application, and resist piecemeal versions as unbiblical. That principle should guide our perspectives on civil religion.

Another Baptist who served eight terms in the United States Congress, the first Republican from Birmingham, is **John Buchanan**. There is a particular reason for Mr. Buchanan's part in this 50th anniversary celebration of the Baptist Joint Committee on Public Affairs. His father, also John Buchanan, on May 16, 1936 appointed a Committee on Public Relations for the Southern Baptist Convention. The senior Buchanan was chairman of the Committee on Committees and was at that time pastor of the First Baptist Church of Lynchburg, Virginia. The Committee on Public Relations appointed by Congressman Buchanan's dad continued uninterrupted in its work, reached out to a committee of the Northern Baptist Convention in place since 1925, included a parallel group from National Baptists and became the Baptist Joint Committee on Public Affairs.

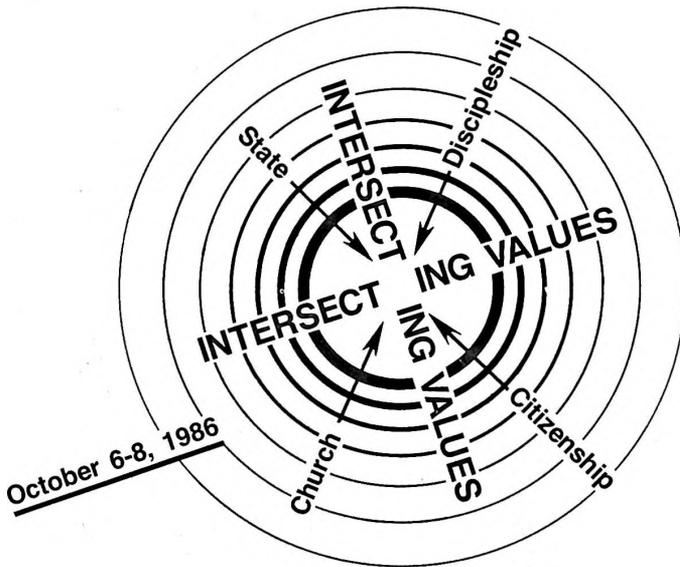
Edwin Scott Gaustad, distinguished Professor and Chairman of the History Department at the University of California, Riverside, and one of America's most respected Baptist scholars, will join the working session on Baptists and politics. Edwin Gaustad has a long list of books to his credit including *The Great Awakening in New England, A Religious History of America, and Dissent in American Religion*. He has been a member of the Baptist Joint Committee but, best of all, like Martin Marty, Edwin Gaustad is a scholar who keeps up with what's happening.

One of the things that's happening now is an attempt to tax the churches. Governments at all levels are desperate for revenue. Among the most astute authorities in the country to deal with questions related to taxation and the churches are **Dean M. Kelley** and **Samuel Ericsson** from rather different backgrounds. Dean Kelley, author of *Why Churches Should Not Pay Taxes*, has worked in the field of religious and civil liberties since 1960 at the National Council of Churches of Christ. Sam Ericsson is executive director of the Christian Legal Society, a national organization of Christian lawyers. Ericsson, a Harvard Law School graduate, has been often in the news as an expert on clergy malpractice. The high energy executive director of Americans United, **Bob Maddox**, will also contribute to the search for understanding at the intersection of church-state separation and active Christian citizenship.

It makes our hearts beat a little faster to anticipate this rich, intensive experience next October. And as other participants respond to invitations for the October 6-8 meeting **REPORT from the CAPITAL** will announce their names. For now, take this as an honest, urgent, personal invitation to make your plans to be a part of a highly participatory event looking at Intersecting Values: Church-State Separation and Christian Citizenship. For details write me. □

TWENTIETH NATIONAL RELIGIOUS LIBERTY CONFERENCE

Our Golden Anniversary Celebration



A Conference on Christian Citizenship and Church-State Separation

Participating

Sen. Mark O. Hatfield

Martin E. Marty

Samuel E. Ericsson

John H. Buchanan

Dean M. Kelley

Patricia Ayres

Daniel Vestal

Edwin S. Gaustad

Robert L. Maddox

Awaiting Confirmation of other Prominent Speakers

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