

October 1986

ISSN-0346-0661

# REPORT from the CAPITAL



“ . . . Healing Process ”

SOUTHERN BAPTIST HISTORICAL  
LIBRARY AND ARCHIVES  
Historical Commission, SBC  
Nashville, Tennessee

# REPORT from the CAPITAL

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

Vol. 41, No. 9

October, 1986

## Articles

To Return or Not to Return By Barbara Bianchi and Sylvain de Pury	4
Let's Be Consistent By Jeffery Warren Scott	10
The First Freedoms By Mark Caldwell	11

## Features

Washington Observations By Stan Hasty and Kathy Palen	3
Views of the Wall By Oliver S. Thomas	6
News in Brief By Kathy Palen	8
International Dateline By Victor Tupitza	12
Correspondence	14
Reflections By James M. Dunn	15
Reviews	16

**Cover:** "Beginning the Healing Process," says the brochure about the Vietnam Veterans Memorial. The sculpture by artist Fred Hart adjoins the inscribed, polished black granite wall conceived by Maya Yin Lin to create a most moving tribute. Of those still *missing in action*: they, too, are among the ones who have been "taken from us." [Staff photo]

Executive Director: James M. Dunn  
Editor: Victor Tupitza

Contributing Editors: Rosemary Brevard, Stan Hasty, Jeannette Holt, Marc Mullinax, Kathy Palen, Oliver Thomas; Gary McNeil, Austin, TX; Glenn Saul, Mill Valley, CA; Kenneth L. Smith, Rochester, NY.

Circulation Assistant: Gayl Fowler

REPORT from the CAPITAL is published 10 times each year by the Baptist Joint Committee on Public Affairs, a denominational agency maintained in the nation's capital by its nine member bodies: The American Baptist Churches in the USA, Baptist Federation of Canada, Baptist General Conference, National Baptist Convention of America, National Baptist Convention, U.S.A., Inc., North American Baptist Conference, Progressive National Baptist Convention, Inc., Seventh Day Baptist General Conference and Southern Baptist Convention.

Subscriptions: Single, \$6.00 one year, \$11.00 two years; Club Rate (10 or more) \$5.00 per each year; Student Rate \$2.50 single year. Foreign, please add \$2.00 postage.

BAPTIST JOINT COMMITTEE ON PUBLIC AFFAIRS  
200 Maryland Avenue, N.E. Washington, D.C. 20002

## Compassion and Consistency

**T**he taking of human life violates the sanctity of life. We belong to God first and then to those who gave us birth. Ruthlessly possessing another life by kidnapping or any other means constitutes a violation of personhood as well as a deprivation of essential freedom. In an article by Barbara Bianchi and Sylvain de Pury, parents as well as children are being kidnapped; parents often discovered murdered or simply made to "disappear." Their "orphaned" children, plucked out of their "ecological nest", are then "adopted," often by families of their persecutors. The International Association Against Torture actively publicizes practices of this nature in Argentina and calls for their total cessation. Meanwhile, "Mothers of the Plaza de Mayo" march in protest of the kidnappings and for the return of the children.

There is no need merely to restate the obvious, that our's is a litigious society. But BJCPA General Counsel Oliver Thomas (VIEWS) believes it is essential that church leadership become aware of the increasing vulnerability of churches before the law. He makes several suggestions. Because not all churches have gone through the legal procedure of incorporation, Thomas stresses that this step be taken. Liability insurance is also essential, not only to protect church assets but also to meet its responsibility for injuries caused by its agents or employees. A reading of your daily newspaper will show there is little hesitation to sue even churches.

Consistency may not produce positive goals. In writing about church-state relations, Jeffery Scott notes a number of instances of Baptist inconsistency and calls pastors and educators to a renewed attack on ignorance of our heritage. It is no longer true that our concerns are self-centered. Many Baptists remain alert to what it means to be unpopular as a religious sect and defend groups unpopular on the basis of the First Amendment to the U.S. Constitution. Yet according to Scott, too many Baptists have minimal awareness and perhaps less concern to get excited about another's freedom. In a review article closely related to this, Mark Caldwell also discovers instances of Baptist inconsistency, both past and present. His greater concerns in examining the book, *The First Freedoms* are the sources of religious freedom in America, the notion of "separation of church and state," and the First Amendment.

The plea for uncoerced conscience carries James Dunn's REFLECTIONS through a succinct historical journey that recognizes the contribution to religious liberty of Colonial Virginians and significantly supported by Virginians, today. Those early legislators could differ passionately (see Jefferson on Patrick Henry), and achieve consensus only after lengthy and heated debate. And after they agreed, they gave the nation an enduring Constitution with a First Amendment that guarantees freedom. There was doubt then over the competency of the state in the matter of religion — the wonder today is that there is so little doubt among so many. □

Victor Tupitza

**The Executive Committee of the Southern Baptist Convention** has given unanimous approval to creation of a seven-person "fact-finding" committee to study the advisability of continued SBC financial support of the Baptist Joint Committee on Public Affairs. The action came in response to a motion made during last June's annual meeting of the 14.5-million-member body to cut off funding and establish a new Southern Baptist office in the nation's capital. In addition to studying future SBC funding, the panel was instructed to come up with a recommendation on a separate motion made at the June meeting concerning the size and composition of the Public Affairs Committee, the formal designation given to the SBC's 15 members of the Baptist Joint Committee.

Members of the special committee are Gary F. Young, pastor of First Southern Baptist Church, Phoenix, Ariz. (chairman); James F. Yates, pastor of First Baptist Church, Yazoo City, Miss. (vice chairman); Frank C. Ingraham, an attorney from Nashville, Tenn.; Frank Lady, an attorney from Jonesboro, Ark.; Carolyn Miller, a homemaker from Huntsville, Ala.; Paul Pressler, a state appeals court judge from Houston, Texas; and Darrell W. Robinson, pastor of Dauphin Way Baptist Church, Mobile, Ala. Ex officio members are David C. Maddox, a real estate developer from Fullerton, Calif., and James E. Jones, pastor of Campbellsville Baptist Church, Campbellsville, Ky. o

**Seven Republican congressmen have introduced legislation** that—although calling for education vouchers—differs from an administration-backed voucher plan proposed late last year. The newly introduced bill would allow federal Chapter 1 funds to be used at public and private schools—including church-related institutions—but would limit the use of those funds to special instructional and support services. Currently, Chapter 1 funds go to public schools that provide compensatory education services for children who are economically and educationally disadvantaged. The administration's voucher plan would allow parents of eligible children to obtain vouchers that in turn could be "spent" at the public or private school of the parents' choosing for compensatory services, general tuition or a combination of the two. o

**Supported by statements from two former Southern Baptist Convention presidents**, religious broadcaster Pat Robertson announced he will seek the 1988 Republican presidential nomination if during the next year 3 million registered voters will sign petitions pledging their prayers, work and donations toward his election.

During Robertson's September rally, figures from the fields of entertainment, sports and religion voiced their support for his candidacy. Among those supporters were former SBC presidents James Draper and Charles Stanley.

"His commitment to God and his understanding of the historical base of our nation which is grounded and rooted in biblical truth," Draper said, "will enable him to protect us from the threat of the dangerous notion that religious and moral convictions are inappropriate in the political and public arena." He added that Robertson's legal background would equip him to protect the nation from the threats of reducing law to a state's precedent instead of basing it on eternal principles.

"His entire life and experience has prepared him to understand the relationship between the state and the church," Draper continued. "He understands that separation of church and state does not mean separation of God and government."

Draper read a letter from Stanley, who was unable to attend the meeting. In the letter, Stanley said, "I encourage you to pursue the course to which God has called you. Remember that God always honors our obedience." o

# To Return or not to Return

Stolen children's  
grandmothers believe  
in telling them  
the truth

**D**uring the years when thousands of Argentinian civilians were being tortured and killed by the military junta, it was not uncommon for the torturers to bring up as their own the orphaned children of parents they themselves had killed.

Today, after Argentina's return to democracy, the mothers and grandmothers of the "disappeared" — the "Mothers of the Plaza de Mayo", named after the square in Buenos Aires where for years they have been gathering to demand the return of their loved ones — are devoting enormous energy to finding these children and returning them to their true families.

It is impossible to say certainly how many children of parents who disappeared were born in captivity or kidnapped during this period. Like the adults who disappeared, whom human rights organizations estimate to number some 30,000, though fewer than 10,000 are officially registered, it is probable that many cases of children who vanished were not reported and thus remain unknown.

This disparity between registered cases and the global estimate of the number of the disappeared — whether adults or children — is explained by fear which lingers despite the return to democratic institutions. State terrorism under the junta aimed to impose a law of silence. Today, many are still loath to speak, the more so because they believe the terror machine has not been dismantled.

The grandmothers know of 183 officially reported cases of kidnapped children. But they put the actual number at about four hundred. Of these, 38 have been found since 1980. Sixteen of them have been returned to their true families; eleven, with the consent of their real relatives, are still with their adoptive families although living under their true names; four have been killed. Legal battles are being fought over the remaining children.

The attempt to understand the psychological motives of torturers who adopt the children of their victims is probably doomed to founder in conjecture. Undoubtedly, some of the motivation was pathological. And it is probable that the usual motives of people seeking to adopt children were present in some cases. But what is more important is the political motives of such adoptions.

For the Argentinian junta, the dogma of national security taken to its ultimate conclusion was a system to eliminate that part of the population deemed "subversive" — children along with parents. But while parents were made to disappear for good, small children and even unborn babies were to lose their identity by being brought up in a "healthy" environment — that is, by the police or the military.



Mothers of the "disappeared" in their weekly protestation at the Plaza de Mayo.  
(WCC photo: Peter Williams)

The official justification for this policy sounds a bit more pious: in the best tradition of "Western Christian civilization," those who took into their own homes the orphans of parents whom they themselves had tortured and killed were doing their charitable duty.

Thus, say the grandmothers, the military dictatorship included the "disappearance" of children in its methodology of repression. At the trial of several junta members whose sentence was pronounced in December, 1985, charges and evidence to that effect were presented, for example, by Ana Maria de Gatica, whose two children had just been found.

To the astonishment of those following the trial, none of the generals was charged with the crime of kidnapping. The judges reasoned that, although children had certainly disappeared, this could not be considered a "methodology of repression" and thus did not constitute part of the generals' responsibility as heads of the army in power at the time.

Kidnapped children were occasionally given to first comers or to ordinary couples wishing to adopt children. But most stolen children were placed with representatives of the forces of repression.

The policy for babies born in captivity was clear: let the mother live only until she gave birth.

The personal motives of the kidnappers are thus insignificant next to the ideological justification of this system. In murdering their parents and attempting to efface all trace of the lives they would have led in their true families, the junta effectively converted the children into society.

The nature of this theft leaves no doubt as to the legitimacy of returning the children to their true families. But the imperative of return carries with it a heavy moral responsibility towards the child.

The psychological and spiritual health of each child is the first preoccupation of the grandmothers and their team of helpers. This does not mean — for them at least — leaving the children with their parents' torturers.

#### New understandings

The wisdom and determination of the grandmothers has made for progress in our understanding of psychology and genetics, as well as raising questions about many well-established tenets of child psychology.

Argentinian psychological theory currently uses the concept of an "ecological nest," determined by the child's family background or antecedents — not only genetic antecedents but also "moral" ones, such as the plans made by the parents for the child.

Experiences of children who never "knew" their parents and were returned to their grandmother and legitimate family show that these children have "memories" of such plans which, needless to say, were never carried out.

The grandmothers must show almost infinite patience in order to avoid needless trauma. Their first concern is always the child. Once a judge rules that a child must be returned to his or her legitimate family, however, events may take a surprising turn.

The case of Paula, who was kidnapped when she was two years old and adopted as a recently born baby by a torturer named Ruben, is a particularly encouraging example.

When the judge, after carefully preparing the child, told her that her real father was not Ruben but Claudio, she reacted violently. "No, my daddy is Ruben", she cried. Looking at her grandmother who was present, she added: "She's a witch who steals children!" The change came when her grandmother said gently, "Of course you didn't call your daddy 'Claudio.' You used to say 'Caio'." At these words, the little girl quieted down. She began looking at photos of herself and her parents, and examined herself in a mirror brought for this purpose.

Within twenty days this child, who while she was with her adoptive parents was considered "slow" and agitated, regained her true mental age (thus reappropriating the two years stolen from her), her tranquility and her intelligence.

Although during her "disappearance" she had been in the first grade, she had no difficulty in entering third grade along with other girls of the same age. Paula surprised everyone in her entourage, particularly the specialists.

Obviously, not all the problems confronting children who "disappeared" and have been found again are solved with the same ease. Paula's story, nevertheless, has much to say about a child's capacity to adapt himself or herself to the truth, particularly when that means returning to his or her "ecological nest."

## Education and Democracy

Ninety-five percent of the private schools in this country are separate, religious schools. What will happen if we institute tax credits? Catholic children will attend Catholic schools, different Protestant groups going to different Protestant schools, Jews going to Jewish schools. Hispanics will set up new schools to teach their students, many of them in Spanish. And we will have some political groups doing this, too. Undoubtedly, some small left-wing fringe groups founding schools and here and there the Communist party or the Klu Klux Klan. There will be a variety of schools....

After they have all gone off to their own separate schools and had their own separate experiences—as in Quebec and in other countries where separate education exists—will there be a democracy as it presently exists, a society where they are not literally shooting and killing each other, and where there is no question over whether or not there will be one country and not many separate countries. There is no place in the world with that system of education which has democracy and peace and freedom, and is free of tearing itself apart.... Those who want private schools for their children should have them. They should not ask other people to pay for them. □

Albert Shanker  
American Fed. of Teachers

This article is based on the experience of Ms. Bianchi and Ms. de Pury, members of the Swiss section of the International Association Against Torture (IAAT). They worked with grandmothers, psychologists and psychiatrists in Latin America at a seminar on torture.

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

## VIEWS OF THE WALL



Oliver S. Thomas  
General Counsel

Unless you've been asleep for the last ten years, you realize that our society has gone lawsuit crazy. The only sport more popular than football is litigation. Each of us is likely to be a party to a lawsuit at some point during our three-score and ten years. In fact, we may be parties even after we die if our estates are sued.

*It could never happen to churches.*

Wrong. It has been happening to churches and continues to happen at an increasing rate. The doctrine of charitable immunity is a fading memory, and despite some efforts to resurrect it, we must be prepared to live and minister in a litigious society.

### Rule No. 1: INCORPORATE.

An unincorporated church has no legal identity apart from its members, and, therefore, the members themselves may be held liable *individually* for the acts of the group. So, if Aunt Sallie slips in the church vestibule and breaks her hip, she can sue both the church and Deacon Jones.

Because the members of an unincorporated church have joined in a common organization with a common purpose, they also may be deemed *mutual general agents* of each other. Thus, each member potentially is liable for the negligent acts of every other member who is engaged in the activities of the church. While this may have caused little or no concern twenty years ago, today it creates the possibility for a nightmare.

Suppose the church van is involved in an automobile accident, and a number of people are killed. Claims totaling several million dollars are filed against the church. Assume that the church has net assets of less than a million dollars, and a judgment of two million dollars is awarded. The individual members of the church may have to pick up the tab for the extra million. What once would have been farfetched is now possible in an age where multimillion dollar judgments are commonplace.

Fortunately, the law has a mechanism for protecting people from this frightening scenario. It is called incorporation. By incorporating, a church can limit its liability to the assets of the corporation — church — and shield its members from personal liability. This means that once the assets of the corporation are depleted, the liability stops. The individual members are not at risk.

Incorporation is an inexpensive means of securing peace of mind for a group of Christians who want to concentrate on doing ministry and not on protecting their pocketbooks.

### Rule No. 2: INSURE.

Liability insurance is a must for churches in today's society. While day care centers, active youth ministries, recreation programs, and retreats are important parts of the modern church program, all increase the possibility for lawsuits. The church should be well insured against liability arising from the use of its vehicles and property and from the acts of its agents or employees. An umbrella liability policy of at least a million dollars is also well-advised.

Many companies now offer liability policies for clergy malpractice. To date, no court has allowed a claim against a minister for malpractice because of the obvious constitutional problems associated with defining a minimum standard of competence and care for ministers. Notwithstanding, cases alleging clergy malpractice are being filed, and the possibility for a change in the law exists. Therefore, it is prudent for any church to carry malpractice insurance on its ministers, especially those who provide pastoral counseling. These policies are available at a very modest price, and the fact that the church has purchased such a policy cannot be disclosed to a jury in the event of a lawsuit.

### Rule No. 3: SHIFT LIABILITY.

In some states churches can protect themselves from liability by shifting the responsibility for an accident or injury to the individual who chooses to participate in the particular church activity. The most common method of shifting liability is the *waiver*. A waiver is a written agreement between the individual and the church, stating that if the church agrees to take the individual on a retreat or other activity, the individual will not sue if he is injured. In other words, the individual assumes full responsibility for his own health and safety.

Waivers are enforceable in a limited number of states. Even in those states, a waiver will be recognized only if it is voluntarily and knowingly signed. Other states hold as a matter of public policy that no individual can waive his right to sue for personal injury. In no state does a minor have the capacity to sign a

waiver, and his parents cannot sign on his behalf. Parents may be able to waive their *own claims* arising out of a child's injuries.

Even when unenforceable, a waiver is a useful tool for discouraging lawsuits. If a person has agreed to waive any claims he might have against a church in return for being allowed to participate in a particular activity, he may choose not to sue for an injury he sustains even though he has the legal right to do so.

A second method for shifting liability is the *indemnity agreement*. Indemnity agreements are useful whenever a church allows an outside organization to use its facilities. This type of agreement requires the outside group to indemnify — reimburse — the church for any judgments obtained against it by a person who was injured while the outside group was using the facility. Leases and indemnity agreements can also be drafted to require that any group using the facility provide insurance to guarantee that funds will be available in the event that a judgment against the church is obtained.

### Rule No. 4: CONSULT.

Competent legal counsel should be retained for the purpose of evaluating the church's present legal status, insurance coverage and potential exposure to liability. The church's attorney can then implement any suggestions from this article that he and the church deem desirable. Churches often have an attorney among their deacons or trustees who can help them take these basic steps to guard against liability.

What about Jesus' admonition in Matthew 5:40, "If anyone wants to sue you and take your shirt, let him have your coat also"? Clearly, Jesus calls us beyond the requirements of justice and the law to a *radical benevolence* that suffers on behalf of others. However, Jesus did not say to give one aggrieved party a closet full of coats that might have clothed scores of other needy persons. Good stewardship demands that we protect the church's assets from excessive and unjust claims. At the same time, we can only justify protecting these assets if they are being used in the service of God and others and not in the service of ourselves. The church has no biblical basis for protecting its assets solely to perpetuate its own interests.

What of the injured party who ex-

Irina Ratushinsakya

Hon. Thomas A. Wiseman, Jr.  
The New Age

**A**s Americans, we should remember we are not without sin in the history of persecution of minority beliefs. For instance, the laws of the Virginia Colony in 1610 made speaking against trinitarian doctrine a capital offense. The problem seems to be that majorities cannot visualize the possibility that they may at some point become a minority. I think it is best to approach the problem in terms of the functions of state and church in the execution of God's plan. Both have a function, and both are God-given. But both are executed by humans and, therefore, capable of error.

It is the function of the state to encourage moral conduct in order to make the social compact work. Under our system, this is to be accomplished with as much latitude as possible to individual liberty. This encouraged conduct may, and usually does, comport with basic religious belief.

It is the function of the church to promote belief in God and love of one's neighbor, both of which necessarily involve moral conduct. The problem comes when the church tries to use the state to accomplish its purpose and function. I call this *evangelization through Caesar*. □

Charles V. Bergstrom  
Lutheran Council

**I**n this election year, we need to avoid giving credence to pious phrases which pollute the political waters and stagnate debate.

As a born-again Lutheran I do not take too seriously the theology of a religious entertainer who says the Bible, in Ezekiel, Chapter 38, speaks specifically about Russia and the USA. I do, however, as a Christian who is also committed to the U.S. Constitution and to the health of our pluralistic society, take very seriously the campaign of any fundamentalist politician who says:

"Christians feel more strongly about love of country," and "the Democrats are more accommodating to Communism," and "the 'evangelicals' can take over the political process," and "the Christians have won".

It is better to say that God cannot be used by any group of politicians — those claiming to be the "Christians" or those not having such pride and prejudice. Rejoice and be exceedingly glad about the constitutional Article VI, "No religious test shall ever be required as a qualification to any office or public trust under the United States."

Rejoice that there are American voters who have common sense, patriotism, and human patience to see through the maze of political goals translated into fundamentalist phrases, whoever the candidate may be. □

*No, I'm not afraid; after a year  
Of breathing these prison  
nights*

*I will survive into the  
sadness  
To name which is escape  
The cockerel will weep  
freedom for me  
And here — knee-deep in  
mire —*

*My gardens shed their water  
And the northern air blows  
in draughts.*

*And how am I to carry to  
an alien planet  
What are almost tears, as  
though towards home . . .  
It isn't true, I am afraid, my  
darling!  
But make it look as though  
you haven't noticed.*

[Three years ago Irina Ratushinsakya was imprisoned in a Soviet hard labor camp for writing poetry which authorities decided amounted to anti-Soviet agitation and propaganda. (REPORT, Oct. '85) Her book of poems is entitled, 'No, I'm Not Afraid', Bloodaxe Books. This poem gave the book its name.]

Kenneth J. Nettles  
Air Force Chaplain (SBC), R'd

**W**hen Christian churches see their government trampling on the principles of the freedom of the human spirit taught in the Bible and say nothing, are they not by their silence in bondage to the government? This is not religious liberty.

I sat through most of the Tucson sanctuary trial and have seen our government shut out the plea of the defendants, that they acted under the requirements of the 1980 Refugee Act which specifically says the United States should not return refugees who have a well-founded fear of persecution if returned.

From testimony in court it became apparent to me that the refugees the sanctuary defendants helped did have such a fear. Our government needs to be rebuked for subverting justice. □

culated a waiver but has been injured by the negligence of the church or its agents? Obviously, the church should assume responsibility for any injuries caused by its agents or employees. Injured parties should be made whole. Notwithstanding, the church like any other organization should not be subject to excessive, unfair or frivolous claims.

Let's protect the assets of the church as good stewards. Let's use those assets for the good of others as disciples of Christ. □

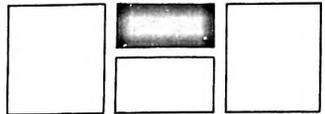
## Warning Elections May Be Hazardous to Your Church's Health

Churches risk losing their tax-exempt status if they participate in political campaigns on behalf of or in opposition to candidates for public office. Activities that should be avoided by churches wishing to retain their exemption include:

- endorsement of a candidate directly or indirectly,
- contributions to or provision of volunteers for a political campaign,
- distribution of campaign literature,
- publishing voting records or candidate questionnaires that indicate any bias or preference for a particular candidate,
- using the pulpit to promote or oppose a particular candidate.

If you have specific questions, call Oliver Thomas at the Baptist Joint Committee (202-544-4226).

# News in Brief



## **RJCPA asks high court to review Vatican case**

WASHINGTON

Calling President Reagan's appointment of an ambassador to the Vatican a "blatant violation" of the First Amendment's demand of government impartiality toward various faiths, the Baptist Joint Committee on Public Affairs has asked the Supreme Court to review lower decisions upholding the action.

In a friend-of-the-court brief written by its general counsel, Oliver S. Thomas, the BJCPA argued the high court should review the case because Reagan's action more than two years ago conferred upon the Roman Catholic Church a status not enjoyed by any other religious group. "Perhaps the most fundamental guarantee of the establishment clause of the First Amendment is that government cannot act in a way that prefers one religion over another," Thomas wrote.

Reagan announced the appointment of long-time political adviser William A. Wilson as ambassador to the Holy See in January 1984, ending a 117-year period during which the United States was forbidden by Congress to establish formal diplomatic ties with the Vatican. An action by the U.S. Senate in November 1983 cleared the way for reestablishing such ties by repealing the 1867 ban.

Wilson resigned his post earlier this year, leaving a vacancy Reagan has yet to fill. Although numerous religious bodies have urged the president to leave the position vacant, he is expected to fill it.

Dozens of religious bodies and individual taxpayers challenged the Wilson appointment in a suit filed by Americans United for Separation of Church and State in the U.S. District Court for Eastern Pennsylvania. That panel ruled in May 1985, however, that plaintiffs had no legal standing to bring the suit. Even had standing been granted, the ruling continued, plaintiffs would have lost anyway because the Constitution confers on the president the authority to conduct foreign policy, including the appointment of ambassadors.

Last March, a three-judge panel of the Third Circuit Court of Appeals in Philadelphia affirmed the lower ruling. In making a final appeal to the nation's high court, the plaintiffs agreed their chances would be better if Americans

United was not the lead petitioner. Accordingly, the case was re-fashioned as *American Baptist Churches in the U.S.A. v. Reagan*.

In the Baptist Joint Committee brief, Thomas asked the court to reaffirm the longstanding legal principle that even in conducting foreign policy "the President's power is not unlimited. He does not have the power to violate the First Amendment by appointing an ambassador to a church .... In short, it is the responsibility of the Court to see that the Constitution is upheld and that even the President abides by its commands."

On the question of standing, Thomas argued the parties petitioning the court's review of the lower decisions have suffered actual injuries, a basic criterion for establishing legal standing. As a direct result of Reagan's action, he went on, "the petitioning churches and religious organizations have been made objects of official governmental discrimination. They, unlike the Roman Catholic Church, will not have the benefit of diplomatic access to the President of the United States of America."

The formal petition asking the high court to review the lower rulings is to be considered sometime during the court's current term that began Oct. 1. Four of the nine justices must vote to hear the case before it can be placed on the schedule for oral arguments. □

## **Tennessee appeals court reverses PAC decision**

JACKSON

The Tennessee Court of Appeals' western section has reversed a chancery court decision that declared churches that speak out on referenda issues must file financial disclosure statements.

On a 2-1 vote, the three-member appeals court ruled the Tennessee Campaign Financial Disclosure Act was unconstitutional as applied to referenda elections because it violated the First Amendment right of free speech.

The appeals court judges, however, did rule such churches are "political campaign committees"—political action committees—under the disclosure act.

The memorandum issued by the appeals court was in response to an appeal by 13 Jackson, Tenn., area churches.

The 13 churches—nine of which are Southern Baptist—had declined to file disclosure forms related to their involve-

ment in opposing an August 1984 local option liquor election. The referendum was defeated by 40 votes.

Tennessee Attorney General Michael Cody later that month issued an opinion that churches that had spent at least \$250 in seeking to defeat the liquor-by-the-drink referendum were "political action committees" and were subject to filing the financial forms within 48 days after the election.

The churches refused to comply, instead bringing suit against the state of Tennessee on the grounds the Financial Disclosure Act as interpreted by the attorney general violated the First Amendment's freedom of religion guarantee.

The lawsuit was tried in August 1985 in the Chancery Court of Madison County. Chancellor Joe C. Morris ruled in October that since the disclosure act did not specifically mention churches or church groups, they were not exempted from the act.

The churches then filed an appeal with the State Court of Appeals.

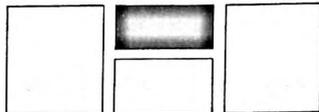
Although the original class-action lawsuit and appeal were based on the churches' responsibility to speak out on moral issues, the appeals court's ruling dealt with all political action committees on referenda elections, removing the requirement to file reports of receipts and expenditures. □

## **Two groups file briefs in 'creation science' case**

WASHINGTON

A brief claiming Louisiana's "creation science" law has "debased and trivialized" religion by putting religious belief on the same level as other classroom presentations has been submitted to the U.S. Supreme Court on behalf of the American Jewish Committee, Americans United for Separation of Church and State, General Convention of Swedenborgian Churches and National Council of Churches.

According to the brief, the Louisiana Balanced Treatment Act is intended to promote a fundamentalist Christian belief concerning the origins of the world. "Creation science" or "creationism" is not science at all, but is instead religious doctrine with its essential nature obscured," the brief stated, adding "there is nothing wrong with a religious world view, but the Constitution clearly bans the advancement of theological perspec-



tive in the public schools."

Another brief that also charges the Louisiana law with promoting fundamentalist Christian beliefs in public schools has been submitted to the Supreme Court by 72 U.S. Nobel laureates and 24 scientific organizations.

One of the brief's signers, Harvard University paleontologist Stephen Jay Gould, said "creation science is an oxymoron—a self-contradictory and meaningless phrase—a whitewash for a specific, particular and minority religious view in America."

The group of signers is thought to be the largest number of Nobel winners ever to unite in support of a single cause. □

## Indiana group can't find willing parents for suit

MUNCIE

The Indiana Civil Liberties Union has dropped plans to file a suit complaining of religious practices in public schools here because it can't find any parents willing to let their names be used in the complaint.

Earlier in the year, the school board voted 3-1 to continue several religious practices the schools' attorney had said were "impermissible." The activities include voluntary group prayer before the start of the school day, singing of religious songs and prayer sessions among teachers. □

## School district ends fight to hold Bible club meetings

HOWARD CITY, Mich.

The Tri-County Public School District has agreed to end its fight to hold Bible club meetings on school property during school hours.

The district and a parents group that wanted the clubs have agreed to ban permanently the meetings as part of a proposed agreement with the Michigan Department of Education. The state agency had said the clubs should not be allowed to meet on school property during the school day, although they could meet before or after school hours.

In September 1984, state education officials sued the school district, alleging the clubs violated the constitutional

guarantees of church-state separation. Parental groups got involved on both sides of the issue.

In October 1984, a U.S. district judge issued a temporary ban. Jon March, attorney for the schools, said the proposed settlement likely will result in the temporary ruling becoming permanent. □

## License photo objectors need not belong to church

MADISON

Wisconsin residents who object on religious grounds to being photographed for a driver's license need not be members of formal religious organizations, state Attorney General Bronson LaFollette has announced.

In issuing the opinion, LaFollette responded to a memorandum submitted by the legal staff of the American Jewish Congress, urging him to find an existing state law unconstitutionally restrictive.

The memorandum was submitted on behalf of Kenneth Green, a Jewish resident of Kansas who says he believes having his picture taken for his driver's license violates the Second Commandment, which forbids making of a "graven image."

The AJC had contended the state requirement that a religious exemption must be based on membership in a congregation led by a clergyman gave a government preference to a particular form of religion. □

## Church to appeal ruling

LOS ANGELES

The Church of Scientology of California says it will appeal a \$30-million verdict awarded to a former member on the ground that no Scientologists were on the jury.

"The courts have ruled the systematic exclusion of blacks from a jury that's going to try a black is unconstitutional," said church attorney Earle Cooley, "but if a jury with no Scientologists on it tries the Church of Scientology, that's constitutional? That's ridiculous." □

## Texas-based group offers Christian 'yellow pages'

NEW YORK

A Texas-based organization called the Christian Chamber of Commerce is establishing a national network of "yellow pages" guides to local Christian businesses, as well as publishing a national directory.

In the late 1970s and early 1980s, the Anti-Defamation League of B'nai B'rith filed lawsuits against several publishers of "Christian Yellow Pages" guides that required advertisers to pledge faith in Jesus Christ. Unlike those companies, the Christian Chamber of Commerce does not require a faith statement in order to place advertising. Its "National Yellow Pages," however, does say "Christians should give their business to other Christians if at all possible."

Abigail Kelman, assistant director of ADL's legal affairs department, said the Christian Chamber of Commerce publication is "probably not violating the law because they're not requiring the advertisers to sign an oath." At the same time, she said, such a directory is "offensive to anybody that's not Christian because they're being excluded from something that religion should play no part in."

John P. Hansen, a Hockley, Texas, Church of God minister and national director of the Christian Chamber of Commerce, said such objections to the directory are "probably Satanically inspired." He said the directory is "a form of working together with people of like mind" and compared it to networks of black-owned businesses.

Hansen said the directory does not require its advertisers to sign a statement of faith because "we fully agree that only God knows for sure who is and who ain't a Christian." He said the company is letting its advertisers know its own position and letting them decide whether they want to support such an enterprise.

The directory, Hansen added, also supports local churches by giving Christian businessmen more money to contribute.

The Christian Chamber of Commerce started in Texas in 1984 with 50 members. Hansen said the organization currently has more than 800 members in 10 states and is signing up about 35 new members each week. □

## LET'S BE CONSISTENT

**A**cross the nation literally thousands of Baptist congregations — big downtown churches, small struggling inner-city churches, suburban churches, and small rural churches — share a common malady: too often the membership of these churches lack a solid understanding of their heritage. Particularly is this true of the heritage of religious liberty and its expression in the separation of church and state. Few Baptists can identify the names of Roger Williams, Isaac Backus, or John Leland and even fewer can give more than a few sentences about the contributions of these men.

The problem is compounded by the prevalence of myth. The few who identify Baptists as champions of religious liberty often do so only in simplistic and idealistic terms. Many persons with some appreciation of the Baptist contributions to religious liberty maintain that Baptists have always stood for the separation of church and state in America. Many mistakenly have the notion that the idea of separation of church and state began with Roger Williams, was consistently maintained during the Colonial period, and was passed down to Isaac Backus and then to John Leland.

A careful examination of history reveals that the early Baptist view on church and state was neither uniform nor consistent. In addition, history clearly shows that these important Baptist principles evolved over a lengthy period of time.

In the early 18th century Baptist churches struggled for their existence within the established church environment. Persecution of dissenting groups was common and in many cases severe. The attention of the Baptists in the early colonies thus was more on survival than on the principles of separation of church and state.

One illustration of the kind of inconsistency of the early 18th century Baptists can be found in Swansea, Massachusetts. Early 18th century Baptists, who were in the majority in Swansea, willingly accepted income from public lands to support the ministry of the church. Although the practice was common among the established Congregational churches in Massachusetts, such action is not consistent with the notion of separation of church and state.

In the mid-eighteenth century Baptists in New England favored religious toleration, not strict separation. They engaged in numerous fights on the local and state levels to exempt themselves from the payment of taxes to support the established church. This fight was one of self-interest, as they sought toleration primarily for themselves and not for other dissenters. There is evidence that it was the Separate movement and the Roger-ees who moved the Baptists from seeking toleration to a position of seeking total disestablishment and separation of church and state during this period.

In the last third of the 18th century Baptists began to speak out in favor of religious liberty. The most orthodox spokesman in this period was Backus. In speaking before the Continental Congress and as the author of numerous pamphlets and books on religious liberty, Backus might well be characterized as desiring some degree of harmony between the institutions of church and state. His view was much more lenient than that of John Leland, the Baptist who had the most influence on the writing of the First Amendment guarantees of religious freedom. William McLoughlin describes Leland as a scandal within his denomination for his eccentric language and behavior. Moreover, Leland maintained a strict view of separation. The point again seems clear: Baptists were neither unified nor consistent in their proclamation of religious liberty, some desiring toleration and the more radical wanting strict separation.

Following the Revolutionary War Baptists grew rapidly in numbers. Furthermore, they moved from being a despised group of dissenting trouble-

makers toward becoming accepted as a group with some degree of orthodoxy. Despite these advances, and despite the adoption of the Bill of Rights, the fight for religious liberty continued on the state and local levels. It was on these levels that Baptists continued to exhibit a variety of positions on the proper relationship between church and state.

Inconsistency continued into the 19th century when Baptists fought hard for moral legislation that would punish the evils of card playing and theater-going, enforce temperance, and honor the sabbath. Their primary desire was to evangelize the new nation and secondly to insure religious liberty.

All this is not to depreciate the contributions of the early Baptists to religious liberty in America. Indeed, Baptists, more than any other single group, took the lead in the struggle for the religious liberty that we now prize. This accomplishment came after long years of suffering and persecution. In time, Baptists came to a consensus that the best way to ensure religious liberty was through the separation of church and state. It is fair to say that the Baptist position of separation was arrived at over a period of time and then became solidified. This viewpoint crystallized as Baptist ministers and laymen came to appreciate the struggle for religious liberty. Their appreciation did not drop from the sky but was arrived at because Baptist laymen and clergy cared enough to teach the Baptist history and heritage of religious liberty.

Today, there seems to be a woeful ignorance of the Baptist doctrine of religious liberty and its American expression of church-state separation. This may well be the cause of our inconsistencies today. In one breath Baptists claim to support separation, yet in the next breath they willingly support tuition tax credits or vouchers for parochial schools. Let's be consistent! Maybe the answer is better education. Pastors, let's preach on this timely subject and teach our members about the history of Baptist

Continued on page 14.

The Rev. Scott is pastor of the First Baptist Church of Eddy, Texas, and a Ph.D. student in Religion at Baylor University.

In support of

# The First Freedoms

Church and State in America to the Passage of the First Amendment

By Thomas J. Curry. New York: Oxford University Press, 1986, \$24.95, 276 pp.

In contrast to other church-state commentators, Thomas J. Curry avoids using the term "separation of church and state" in this history of church-state relations in Colonial America. To Baptists accustomed to hearing the phrase used widely and with great approval, this decision comes as something of a surprise and perhaps a disappointment. Curry claims that treating the First Amendment in terms of "a wall of separation" only moves the subject from the sphere of the legal and concrete to the realm of metaphor and symbol.

American religious freedom sprang, according to the author, from several sources — first, from the passionate adherence to religious freedom of those who held it to be an article of faith; secondly, from the steady increase in numbers of those who believed that no article of faith demanded sufficient importance to warrant persecution on its behalf; and thirdly, from the circumstances of Colonial America that threw a multitude of different religions together and demanded that they get on in peace with the business of colonization.

Central to Curry's thesis is the notion that the only serious church-state conflicts during the Revolutionary period had to do not with the exclusive state preference for a single religion, but proposals for non-preferential state support of many religious groups. The passage of the First Amendment, because it was making explicit the non-existence of a power, not regulating or curbing one that existed, saw Congress approach the subject in a somewhat "hasty and absent-minded manner." To examine the two clauses of the amendment as a

carefully worded analysis of church-state relations would be to overburden them. Similarly, to see the two clauses as separate, balanced, competing or carefully worked out prohibitions designed to meet different eventualities would be to read into the mind of the actors far more than was there. The two clauses represent a double declaration of what Americans wanted to assert about church and state. Congress settled on the wording of the amendment because, in Curry's phrase, they found the words the "most felicitous-sounding of those proposed."

Curry contends that the First Amendment must arise out of its historical context rather than from a literalist reading. The amendment meant at least this, he claims, that each citizen had a right to the free exercise of his or her religion as long as it did not break out into overt acts against peace and order; furthermore, that people of almost every state that ratified the First Amendment believed that religion should be maintained and supported voluntarily. They saw government attempts to organize and regulate such support as a usurpation of power, as a violation of liberty of conscience and free exercise of religion, as falling within the scope of what they termed an establishment of religion.

Baptist readers will be pleased to note the overwhelming support of Baptists in Colonial America for the notion of separation of church and state, or, as Curry prefers to call it, the support of the first freedoms. Baptists inherited a tradition of voluntary support, although not until later in the Colonial period would they develop strong theological arguments against tax supported religion. In early opposition to ministerial maintenance in New England, Baptists relied heavily on the charter grant of "liberty of conscience." Not until 1773 when the Baptist apologist, Isaac Backus, rediscovered him did Roger Williams' thoughts on these matters resurface in any coherent way.

The most significant developments in church-state during pre-Revolutionary 18th century America were social rather than intellectual. The Great Awakening increased an already growing diversity of sects within the colonies and, especially, by promoting the rise of Baptists in the southern settlements altered the existing balances. In its wake, no church or religious group could hope to achieve a dominance in doctrine and numbers. Especially significant, according to Curry, would be the Baptists' adoption of the idea that government support of

ministers violated liberty of conscience. As strong as Baptist support of these notions was, Baptists were not entirely consistent. In 1790, the New England Warren Baptist Association joined its Congregationalist foes in a petition to Congress to see that no Bible was imported or published without it being "certified to be free from error" by a congressional committee. This petition probably looked only to insuring the accurate renditions of the King James Version. Nevertheless, the Baptists of the Warren Association, as had other Baptists, had long opposed the New England states' interference in religion. Asking a congressional committee to certify that Bi-

The First Amendment:  
... making explicit the  
non-existence of a power,  
not regulating or curbing  
one that existed . . .

bles are free from error seems to breach the wall of separation of church and state.

At a time when Baptists and others in this country are reconsidering the place of religion in government and the separation of church and state, and when these terms are being debated heatedly on television and in the major denominations, Curry's work is a helpful historical corrective to an often overly emotionally charged debate. Of some concern to faithful readers of *REPORT from the CAPITAL* would be Curry's contention, or at least implication, that the dominant image of establishment Americans carried with them from the Colonial period was that of an exclusive government preference for one religion rather than a clearly worked out or even less clearly worked out notion of the separation of church and state in all of its complex variations. Baptists even in the Colonial period regarded the New England ecclesiastical arrangements as an establishment of Congregationalism and the equivalent of the religious tyranny that Congregationalists decried in England. So that, if the majority of Colonial America seemed to be content during the Colonial period with the view that the government should not give preference to one religion over the other, Baptists seemed to be more in touch with later developments which saw even establishment . . . er of the liberty of conscience.

Dr. Caldwell is pastor of University Baptist Church, College Park, Md.

# INTERNATIONAL DATELINE



## Cardinal Sin: Church must not wed political systems

MONTREAL

**P**hilippines' Cardinal Jaime Sin has cautioned the church against becoming involved in politics except under extreme circumstances, such as preventing widespread bloodshed.

"Politics is a human activity, and as a human activity it has its morality," he told reporters at a press conference here. "However, I would say that the church should not marry a system of government, because the moment the church marries a system [it] becomes a widow in the next generation."

Cardinal Sin, following a major address to the five-day international assembly of the St. Vincent de Paul Society, told reporters that the Catholic Church now plays a low-key role in Filipino political affairs. During the 20 years of the Marcos regime, he said, he saw his role as "a prophet of negotiation and a minister of reconciliation."

The prelate said he had told the deposed Filipino leader that "we do not see eye-to-eye but we can work hand-in-hand for the welfare of the people because the church wants justice and, at the same time, mercy."

Cardinal Sin said the government of Corazon Aquino is still "adjusting," but "with the help of God they are now going on properly and I am very happy with their [progress]."

Earlier, in his talk to the convention, Cardinal Sin spoke on the assembly's theme, "Work for the Advancement of Mankind." He said that oppressive factory conditions have led to a wounding of the spirit and a sense of servitude among workers.

"Surrounded by machines, the worker begins to forget his God-given freedom," Cardinal Sin said. "The spectacle of labor conditions where men are treated like machines while machines are prized more than men and women is contrary to the Genesis account of God, who could pause on having finished his handiwork in order to contemplate its beauty and goodness." □

## Italian Protestants shun religious-secular service

ROME

Italy's major Protestant denominations did not participate in one part of the

June 2nd national celebration, which this year honored forty years of the Italian Republic. Special events included an inter-faith religious service following the traditional placing of a wreath at Rome's National Monument on June 1st.

Catholic, Jewish and Protestant faiths were to have taken part in the service. However, Baptists, Methodists, Waldensians, Pentecostals and Adventists were united in their decision not to participate, according to NEV, the news service of the Federation of Protestant Churches in Italy.

In a cordial letter to the Honorable Giuliano Amato, the Italian president's undersecretary, federation President Aurelio Scaffi explained the Protestant absence from the function. Scaffi said that "biblical and theological considerations within our churches" which emphasize the essentially "secular nature of the state" made it impossible for them to attend such a combined religious-secular service. "The possible confusion of symbolic languages leaves us rather perplexed," the letter continued.

The action received wide-spread coverage by the Italian press, most of it sympathetic toward the Protestant position regarding the separation of church and state. □

## UC Canada delegates issue apology to native peoples

SUDBURY, Ontario

In solemn ceremonies here punctuated by pounding drums and wailing chants, the United Church of Canada issued a formal apology to native peoples.

The 370 commissioners to the church's General Council, meeting on the campus of Laurentian University, said they were sorry for failing to "recognize, learn from and share in native spirituality, and for the resulting destruction of dignity, culture and spirituality."

The apology was officially voiced by the Rev. Robert Smith, church moderator, who was led by torchlight into a teepee where native elders sat in a circle around a fire.

When the elders came out of the teepee, they announced they would take the apology back to their congregations and prepare a response within three months. Native spokesmen expressed joy that the apology had been issued by the church decision-makers. □

## 'Contras' abduct and kill Baptist health worker, kin

WASHINGTON

Nestor Antonio Castiblanco, his two brothers and a brother-in-law were abducted from their home in Cerro San Jose de Mula on July 31 by Nicaraguan rebel forces and then tortured and killed by the guerrillas.

According to Proবাদenic — the health service of the Baptist Convention of Nicaragua — and from the Evangelical Committee for Aid and Development (CEPAD), the four men were taken from their homes by a group of about 100 armed and uniformed men, who shouted as they left, "Long live the National Guard" (a reference to the army of deposed dictator, Anastasio Somoza).

Each of the men was severely mutilated, according to Francisco Juarez, director of Proবাদenic. All of the homes were ransacked and one was burned to the ground.

Church World Service has asked the U.S. State Department to investigate the murders. J. Richard Butler, executive director of CWS, who wrote Secretary of State George Schultz asking if the incident was being investigated, recalled President Reagan's assertion that "As a condition of our aid (to the contras), I will insist...that no human rights abuses be tolerated."

Douglas Sullivan, spent a year-long assignment teaching in the Baptist Seminary in Managua, and confirmed the story for the Baptist Peace Fellowship.

He warned, "there is a growing frustration among the Nicaraguan Baptists that many Baptists and other North American Christians have little concern about the suffering, death and destruction affecting their country." □

## Baptist food warehouse raided

PORT-AU-PRINCE

Bandits raided the offices of a Baptist food warehouse in Port-Au-Prince, Haiti, early September 2, beating several workers and escaping with at least \$300.

Baptist missionary Jack Hancox reported that nobody was seriously hurt, just "scared and bruised." Hancox worked with Haitian Baptists to coordinate a variety of development ministries. □



## NEWS-SCAN

### CWS launches funds appeal for U.S. drought victims

NEW YORK Church World Service has issued an appeal for \$3 million in cash and commodities to assist drought-stricken farmers in the southeastern United States.

The response was issued following a visit Aug. 11-12 by a National Council of Churches/Church World Service assessment team to five of the worst drought-stricken counties in North and South Carolina.

"In meetings with farmers the team found that the magnitude of the immediate need is so great that the farmers, their families and their animals are surviving on a day-to-day, hand-to-mouth basis with more cattle and hogs being sold off every day and foreclosure a closer reality," said J. Richard Butler, executive director of Church World Service.

"Row crop farmers, having lost all their crops, need funds to buy groceries," stated Dr. Robert Marshall of Columbia, S.C., who chairs the Church World Service regional committee. "If the drought is over in time for planting in October, they will need seed, fertilizer and fuel in order to plant their fall and winter crops. They are struggling to survive until harvest time next summer. Dairy and beef farmers need help now." □

### Poll shows Israeli youth know little of holocaust

TEL AVIV

Some Israeli students apparently know little of the Holocaust, a poll says.

In a poll in the daily Hadashot, about 15 per cent of 320 high school students in Haifa did not know when the Holocaust took place. Nearly 4 per cent of the respondents did not know who Adolph Hitler was.

The study was released on Holocaust Remembrance Day, the national day to mark the Nazi extermination of six million Jews during World War II.

Some of the students questioned could not distinguish between former UN Secretary-General Kurt Waldheim and accused war criminal John Demjanjuk, who was extradited to Israel. One student responded that Mr. Demjanjuk "recently emigrated to Israel."

Anti-Nazi partisans were described as "those who live at the expense of others." The Holocaust memorial and museum, Yad Vashem, was described as "a neighborhood in Jerusalem where Martyrs' and Heroes' Day is marked every year."

Some Holocaust educators say that among some youths of North African origin, the Holocaust is thought to have only affected Jews of East Europe. □

### Cameroon Baptists among victims of volcanic gases

SOUBOUM

Eighty or more members of a Souboum Baptist church, related to the North American Baptist Conference, were among the 1,500 persons who died when volcanic lethal gases from Lake Nios spread over this small village in northwest Cameroon.

The church is one of the country's 525 Baptist churches which relate to the Baptist World Alliance. The North American Conference, which also supports two hospitals within 30 miles of the disaster site, is based in Oak Brook Terrace, Ill. It is issuing an appeal for relief offerings to its 375 churches in the U.S. and Canada.

### Chinese Christian Council seeks aid after typhoon

NEW YORK

A request for emergency aid for victims of typhoon Peggy, which hit the People's Republic of China in mid-July, has been issued by the Guangdong Christian Council.

Western ecumenical sources said it is the first time the Guangdong Council has requested aid from the larger Christian community.

Philip Lam, an executive secretary with the Hong Kong Christian Council, said the damage caused by the typhoon "is the worst of its kind in Guangdong since 1949, when the People's Republic was founded."

Church World Service has appealed for \$100,000 in emergency assistance from U.S. churches for typhoon victims. Lutheran World Relief has already allocated \$25,000 in relief aid. □

Attention is being focused on the upcoming Vienna Review Meeting of the Commission on Security and Cooperation in Europe (Helsinki Commission) where the 35 signatories to the Final Act will have a look at the records of the participating states. A primary concern is their (the Soviet Union, among them) implementation of the Final Act emphases: human rights, human contacts, security concerns, and economic, scientific, cultural and other forms of East-West cooperation. Vienna will also examine the outcome of the six post-Madrid subsidiary meetings . . . . October item: some 100 Italian magicians, fortune tellers, alleged witches and wizards, said their work must be distinguished from that of "those who act with the force of evil through satanic rituals." Gathered in St. Peter's Square during a weekly audience of Pope John II, the group brought him a golden plaque and a written request for his blessing. Theirs, they say, is a gift from God which "force is the respect for his laws on earth" . . . . Argentine and India-born evangelists, Luis Palau and Ravi Zacharias emphatically refute a prediction (by Stephen Olford) that the day of mass evangelistic crusades will end with Billy Graham. The pair also took issue over the criticism that evangelists are not as concerned with social injustice as they are with conversions: in Latin America, Palau cited, some of the changes in the economic, sociological and political structures are coming "in a great measure as the result of the proclamation of Jesus Christ." He said "a converted man will be a just man" . . . . Michael McCwire addressed a Kennan Institute gathering on the Soviet Union's arms control doctrine. He holds that the Soviets rejected the notion that in the event of an unavoidable conflict the socialist system could best be preserved through a preemptive nuclear strike; they realized by the late 60's that even a "successful" nuclear strike would lead to the destruction of the USSR. The strategy, instead, is to keep America from resorting to nuclear retaliation. To make deterrence work it is essential to have a reliable missile force with the capability of destroying targets at "the far end." The Anti-Ballistic Missile Treaty, which keeps American force levels as low as possible, is discerned to be the best way to limit damage to the Soviet Union. □

# 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.

... [T]hank you for the courageous and prophetic leadership that you provide Baptists across America, particularly in upholding our cherished doctrine of religious liberty with the resolute separation of church and state.

Flynn T. Harrell  
Columbia, SC

As a Christian citizen of the Seventh Day Baptist Church Fellowship of Bundaberg, Australia, I am writing to request the report of the Twentieth National Religious Liberty Conference.

I believe that the issues to be discussed would also apply to our church in Australia and would be of great interest to the brethren here. Issues between Church and State (secular) should be separate and the blessings of religious liberty held dearly by all committed Christian believers.

Basil W. Ford  
Queensland, Australia

I pray for you and the valuable service you render to (Southern) Baptists and to religious liberty.

Neal Knighton  
Waco, TX

I am thankful that Southern Baptists are working with other Baptists in our nation to insure the separation of church and state and to keep the bells of liberty ringing.

Martha Mullaney  
Charlotte, NC

Please continue your excellent work. Especially, continue to challenge those short sighted [persons] who see stars and stripes on the cross. Continue my subscription.

J. Kelly Brown  
Greensboro, NC

## Answers, September Quiz

1. Petros is involved in the court case of *Bender v. Williamsport Area School District*.
2. The person who appealed the ruling (John C. Youngman, Jr.) lacked legal standing to challenge the district court ruling.
3. Bread for the World has criticized the bill that would allow food funds to be diverted for military use.

• James Dunn (Reflections) shows us that the conversations about state involvement in religion in Colonial times are not any different than they are today. Dividing into two groups, have one support with examples that the Virginia Statute is good for the faith and the faithful. Have another group argue that it is harmful for the establishment of religion in the United States. What are your conclusions?

• Jeffrey Warren Scott warns Baptists to be consistent in practicing their faith. Did examples of Baptist inconsistencies in your area come to mind as you read his article? Draw up a list of inconsistencies and discuss what it would take to change them in your church; in your community; in your state or nation.

## Quiz

1. Who said that the church who marries a system of government soon becomes a widow?
2. Which two regions of the world is Church World Service responding to with emergency help?
3. Which controversial diplomatic post created by President Reagan is opposed by the Baptist Joint Committee on Public Affairs?

**CONSISTENT** from page 10  
tists in America and their struggle for freedom of religion. Seminary professors, teach your ministerial students the importance of separation of church and state from the theological, historical, biblical and practical perspectives. Church literature publishers, why not more Sunday School lessons and training courses on our Baptist heritage of the struggle for separation?

Baptist views, which did not develop overnight, can be lost in one generation through failure of doing the job of education in schools and churches. If the majority of the average Baptists continue in relative ignorance of the time-honored principles of religious liberty and the separation of church and state, can our inconsistencies do anything but get worse? Let's be consistent! □



• In "To Return or not to Return," the authors speak to many of the issues concerning children of the disappeared in Argentina. One issue not fully addressed is the choice of the child. Being forced from his or her natural family to an unnatural one, and then back to a more "natural" environment—where is the choice of the child? If a child wanted to stay even with those who might have had a hand in killing his parents, who has the right to counsel the child otherwise?

• Attorney Oliver Thomas (VIEWS) says the church interested in stewardship of its resources had best protect itself legally. Why would churches hesitate to implement legal protection for themselves? How does the author answer them? Tell why you see Mr. Thomas' views as helpful or not helpful to the church interested in effective ministry.

**What is the  
BJCPA\*  
really doing  
for you?**

**Find out!**

Subscribe for one year to  
**REPORT from the CAPITAL**

\$6.00

check enclosed  bill me

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

\* Baptist Joint Committee on Public Affairs  
200 Maryland Ave., N.E. Washington, D. C. 20002

"Experience has informed us that the fondness of magistrates to foster Christianity has done it more harm than all the persecutions ever did."

## REFLECTIONS

"**A**lmighty God hath created the mind free." Those opening words of the Virginia Statute for Religious Freedom have been on the books in the commonwealth for exactly 200 years yet are still as timely as ever.

Virginians take special pride in this history making law. One of the distinctive achievements of the American Revolution was this guarantee of religious liberty. Bernard Bailyn, Harvard historian, calls it "the most important document in American history."

We almost did not get it. Thomas Jefferson referred to its passage as "the severest contest in which I have ever been engaged." Patrick Henry opposed it, so did George Washington and James Monroe, formidable foes. Then Jefferson went off to France leaving James Madison to battle for its passage.

Patrick Henry who had been so eloquent in fighting taxation without representation was willing to settle for a law that would establish a general assessment for Christian worship. George Washington was content to have all Christian churches equally established—there was no preference for one Christian church over others in their scheme, but all would have to pay taxes to support the churches. Jefferson and Madison couldn't stand it.

Jefferson asked, "Has the state a right to adopt an opinion in matters of religion?" Madison asked rhetorically, "Who does not see that the same authority which can establish Christianity, in exclusion of all other Religions, may establish with the same ease any particular sect of Christians in exclusion of all other Sects?"

But it seemed that the cause was lost to the popular Patrick Henry and the powerful Washington.

Madison wrote Jefferson in Paris, desperate. "What could be done?" "What should we do with Mr. Henry?" Jefferson answered, "What we have to do, I think, is devotedly pray for his death." They may have done that, but while they were praying Madison cleverly supported Mr. Henry for Governor, got him elected, took him out of the action. The Governor had no veto power.

Then, Madison wrote "A Memorial and Remonstrance Against Religious Assessments." George Mason became a part of the lobbying team. Madison and Mason, heirs of the Enlightenment, supplied the brain power, but the religion of the revivals furnished the troops. The role of Baptists in this story is one of the proudest moments in Baptist history. Everyone knew Baptist preachers who had been jailed or beaten for nothing more than preaching the gospel. The Presbyterians came around. Momentum built. Letters poured in.

The bill had been drafted in 1777. Finally, on January 16, 1786 it was agreed upon and three days later became law. The relationship of church and state has never been the same.

Madison would be shocked to hear Attorney General Ed Meese calling the Supreme Court's church-state rulings "bizarre" and the Secretary of Education, William Bennett, arguing that the founding fathers simply wanted no government favoritism among religions. That is exactly what Mr. Henry wanted and *he lost*.

One of those early Baptists that played a major part in bringing religious liberty to this country was a big red haired preacher, John Leland. He was stumping southwestern Virginia denouncing state support for religion. On one occasion an Anglican clergyman challenged him saying "the minis-

ter should get tax support so he will not have such a hard time preparing his sermons." Leland said, "I can expound the scriptures without any special preparation." "Let's see if you can," replied the clergyman. "What . . . would you do with Numbers 22:21, 'And Balaam . . . saddled his ass?'"

Leland gave the setting and proceeded, "(1) Balaam, as a false prophet, represents a state hired clergy. (2) The saddle represents the enormous tax burden of their salaries. (3) The dumb ass represents the people who bear such a tax burden." Leland's humor and logic prevailed. Leland argued effectively, "Experience has informed us that the fondness of magistrates to foster Christianity has done it more harm than all the persecutions ever did."

What did the Virginia Statute do?

*It protected even freedom from religion.* Jefferson wrote in his "Autobiography" that when the words "Jesus Christ" were deleted from the statute "they meant to comprehend, within the mantle of [the statute's] protection, the Jew and the Gentile, the Christian and the Mahometan, the Hindoo, and infidel of every denomination."

*It denied tax support to churches* because "to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves, is sinful and tyrannical. . . ." State sponsored religion is no better now than it was then.

*It set out the separation of church and state.* Mr. Jefferson opposed using government's power even on behalf of a religion the citizen believes in. Coercion is the state's prerogative but force has no place in religion. The best thing government can do for religion is leave it alone. Religion must be voluntary.

*It guaranteed the free exercise of religion.* "No man shall be compelled to frequent or support any religious worship, place, or ministry whatsoever, nor shall be enforced, restrained, molested, or burthened in his body or goods, nor shall otherwise suffer on account of his religious opinions or belief."

More important than all of that it *became the foundation for the First Amendment* which brings those same freedoms to us today. Though some would like to give us a "Christian Nation" by law and put "God back in the schools" as if any power were great enough to kick him out, the First Amendment, rooted in this Virginia Statute, prevents the state support of any religions and protects our religious liberty.

But for Jefferson religious liberty was a part of a larger liberty, freedom of the mind . . . a freedom that makes the whole educational venture possible. Jefferson, you remember founded the University of Virginia, defended freedom of the press and the right of the people to know, supported the study of science. He did all of this because of a profound faith in the power of truth. He said in the Virginia Statute "Truth is great and will prevail if left to herself; . . . she is the proper and sufficient antagonist to error."

A favorite place at twilight for visitors to the nation's capital is the Jefferson Memorial. Reflections on the tidal basin . . . the lights of the city coming on . . . the Washington and Lincoln Memorials spotlighted . . . the White House bright across the water. Enter the Grecian dome dedicated to Mr. Jefferson, stand beneath his feet, look up into that resolute face and then read his words, his great pledge that encircles the Memorial: "I have sworn upon the altar of God eternal hostility against every form of tyranny over the mind of man." "Almighty God hath created the mind free." Praise be to God! □

James M. Dunn  
Executive Director



# REVIEWS



## THE HEALING POWER OF PEACE AND NONVIOLENCE

By Bernard Haring, Paulist Press: New York

Haring explains the objective of his book, one in a flood of recent ones on the subject of peace and war, as the expansion of the horizon for broader underlying questions. He sees his book as appearing at a time when peace is the number one topic in Europe in the face of the threat of self-destruction of the human race by nuclear weapons. At the same time he considers the focus in the United States as being on nuclear deterrence. In dealing with underlying questions, Haring's interest is in placing a greater emphasis on a therapeutic approach to human international conflicts than he has seen in any other book.

It may be that among the many groups struggling with the world peace problem today there are attempts to deal with elements recognized by Haring. A basic question raised as one proceeds through this book is, assuming his scriptural applications are appropriate, how can they be carried to a predominantly non-Christian world. The author deals with this when he stresses the need to present concrete proposals for peace and disarmament that are reasonable and convincing.

Today in many circles the ambiguity of the deterrence philosophy is recognized. The failure of such a policy to produce a level of stability results in rising tensions among nations and increasing danger of conflicts. Proponents of conflict resolution by non-violent means don't anticipate ease in making international agreements but do see the possibilities of reaching win-win accords.

Probably in the minds of Christians the nonviolent approach to international conflicts in the end may require a passive approach which raises questions as to its practicality. Consequently in much of the Christian world, with a few notable exceptions, the result has been in the event of war to deplore such a course of action but to cooperate in the support of hostilities. So it may come as a surprise when Haring thinks in terms of civilian nonviolent defense, not to be confused with civil defense, with active roles to play. But aggressive nonviolence is not a contradiction.

The thought of civilian nonviolent defense (CND) may be rejected by some on

the grounds of risk. Haring has no thought of surrendering our cherished human rights and values. Of course, CND involves an element of risk even including human lives. However, in view of the nuclear threat to our existence, there is apparently a growing belief that a drastically different approach to settling international conflicts is necessary. Under such circumstances there may be a greater willingness to consider what have been in the past treated as ideas too idealistic but as ways toward which Christians should strive for implementation in the future.

This book points out that Mahatma Gandhi used the Sermon on the Mount as the basis for his massive resistance method. Martin Luther King, Jr. ascribed to many of the same principles. General Omar Bradley, a prominent figure in World War II, in 1948 spoke in terms of our rejecting the Sermon on the Mount as we embraced the atom for defensive purposes. The author also alludes to interest in the Sermon outside Christian circles. While an element of this interest takes the form of criticism over the lack of use of principles from the Sermon by Christians, there may be a willingness by non-Christians, under present world antagonisms, to take seriously efforts toward world peace that draw on these teachings of Jesus. In fact, there may be a desire here by these "outsiders" for a more aggressive role on the part of the churches in promoting the application of these principles.

Haring's book sees our illnesses in terms of fear, insecurity, hatred, greed, prejudices, etc., with these being the underlying causes of interpersonal conflicts and of war. The disarmament approach or the Strategic Defense Initiative (Stars Wars) offers little or no help here while war exacerbates these illnesses.

### Reviewer

Dr. Ammerman is Professor Emeritus (international economics) at Montgomery College, Rockville, MD. A member of Calvary Baptist Church, Washington, D.C., he is active with peace groups, and has particular interest in the U.S. Institute of Peace.

To make the personal nonviolent approach a collective one would of course be a major step requiring much education and persuasion. But if such a carryover can be achieved, Haring sees communications as a protection to the nonviolent nation as it faces a hostile party. Knowledge of his pacific approach may weaken the resolve of the opposing military force and draw sympathetic and perhaps influential attention from other nations. The current revolution in communications technology could become a way in which physical science can contribute to an easing of these deep-seated problems in human behavior. Gandhi did not defeat the British army but he said to have built a bridge to the British people.

At a time when "conventional" thinking about war and peace seems hopelessly inadequate, Haring has pushed into an area previously recognized but deemed one for which we were not yet ready. The present precarious state of humankind demands a leap forward in our thinking and doing. Many, including peace researchers and high ranking military professionals, see a conversion to nonviolence with a systematic and competent application through civilian defense as not only of vital worth but as an "epochal opportunity."

Howard K. Ammerman

Q: Where could you go to find Brooks Hays' oral history, or the collection of papers of Joseph Martin Dawson, including five notebooks concerning the Baptist Joint Committee on Public Affairs?

A: The four miles of shelving in the Southern Baptist Historical Library & Archives houses more than 19,000 books and 70,000 Baptist annuals; Baptist newspapers; periodicals and pamphlets; audio and video recordings; photographs; denominational archival records; and 15,000 reels of microfilm.

All of this, in the SBC Building, 901 Commerce Street, Nashville, TN. 37203 (615) 244-0344. Stop in!

19980 MAYL7J K  
DR. LYNN E. MAY JR.  
HISTORICAL COMMISSION  
127 NINTH AVE. • N  
NASHVILLE • TN

37234

Nonprofit Org.  
U.S. Postage  
PAID  
Riverdale, MD  
Permit No. 5061