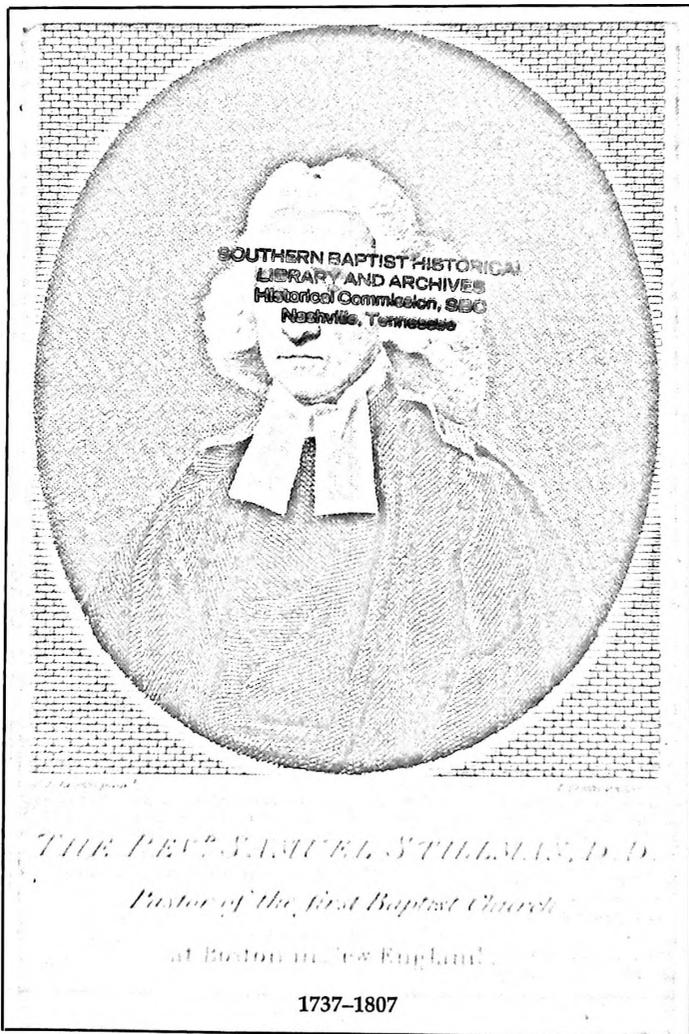


# REPORT from the CAPITAL



# REPORT from the CAPITAL

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

Vol. 42, No. 3

March, 1987

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**Cover:** Dr. Samuel Stillman, pastor of the First Baptist Church of Boston, was one of the outstanding advocates for church-state separation during the Revolutionary period, though he may not have used that language. Photo is used by courtesy of the American Baptist Historical Society.

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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.

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## Law that Liberates

Bill Moyers offers fresh thoughts on citizenship in terms of embracing a new ideal. In this instance it suggests reaching out beyond the exclusivity of a tribal allegiance and choosing a new identity grounded in democratic pluralism. We even provided a new identity for the article: "The Embrace of a Saving Idea," (originally titled the "Spirit of Liberty"). We did this to draw attention to the notion of citizenship as a reconciling experience, evidencing a new sense of community and committed to freedom for all citizens. Here is an identity that transcends prior cultural, ethnic, religious or political commitments. Moyers believes citizenship to be the "tie that binds" our nation in its pursuit of equality and justice.

"A reverence for a Supreme Being and a semblance of piety." That's hardly enough religion necessary to gain the endorsement of religious bodies from the far right, and in terms of the Bill of Rights not necessary at all as a qualification for the U.S. presidency. But those words fairly well summarize the amount of religion resident in most of the past U.S. presidents, Abraham Lincoln and Jimmy Carter among the few exceptions. Neva Peters runs through the whole list of 40, starting with Washington who knelt often to pray but seldom in the pews of his Episcopal Church on through the current occupant of the White House who views faith largely through the example of his devoutly religious mother. Three presidents were sons of ministers, but no minister has ever been elected president.

The name of Samuel Stillman looms large in Baptist history, though perhaps not as familiar to most of us as that of Roger Williams or John Leland. In his REFLECTIONS, James Dunn calls attention to this Boston pastor, said by one observer to be "probably the most eloquent and universally beloved clergyman that Boston has ever seen." Active during the American Revolutionary period, Stillman denounced the Stamp Act from his pulpit, fought for repeal of the unjust laws, particularly state taxation for the support of the clergy, that penalized Baptists, and stayed at his post "till the British troops occupied Boston, in 1775."

Religious Liberty Day 1987, highlights one of the reknown biblical passages from the Epistle of James (1:25): "But one who looks intently at the perfect law, the law of liberty and abides by it, ... this man shall be blessed in what he does." The theme appears above in bold therefore. We invite churches now to order materials (planning sheet, suggested worship service, poster, etc.) which will be in the mail by mid-April. Use the small box found on page 16 of this issue. The observance is scheduled as always on the first day of worship in June, although churches are free to change that to accommodate their own calendars. □

Victor Tupitza



**The Supreme Court has ruled states may not deny unemployment compensation benefits to employees fired from their jobs for refusing to work on the Sabbath.**

The high court ruled 8-1 that Paula Hobbie — a Seventh-day Adventist fired by a Florida jeweler after she converted and refused to work Friday evenings and Saturdays — is entitled to the benefits under the free exercise clause of the First Amendment.

Hobbie's case rallied a wide range of religious groups, including the Baptist Joint Committee on Public Affairs, to support her contention that the free exercise clause extends protection to workers whose religious conversion may require adjustments in work schedules.

Addressing Florida's refusal to confer benefits because of Hobbie's conversion after accepting employment, Justice William J. Brennan Jr. wrote that the court rejected the state's argument that religious converts could be singled out "for different, less favorable treatment" than that enjoyed by other workers. "The First Amendment protects the free exercise rights of employees who adopt religious beliefs or convert from one faith to another after they are hired," he added.

Brennan noted the majority also rejected the state's argument that awarding benefits to Hobbie would violate the First Amendment's ban on an establishment of religion, noting the high court "has long recognized that the government may (and sometimes must) accommodate religious practices." ●

**A Silver Spring, Md., synagogue asked the Supreme Court to apply a federal civil rights law designed to protect racial minorities to other groups victimized by racially motivated acts.**

Patricia A. Brannan, attorney for the Shaare Tefila Congregation, argued while Jews are not a distinct racial group, the federal statute should be interpreted so as to provide relief from discriminatory acts that are based on the belief that Jews are a separate and inferior race. Brannan contended the actions of eight men charged with spray-painting anti-Semitic slogans and pro-Nazi symbols on the synagogue in 1982 were so motivated. The 4th Circuit Court of Appeals ruled the congregation could not bring a civil suit against the men on the basis of the federal race discrimination law.

Deborah T. Garren, a Baltimore attorney representing one of the men charged with defacing the synagogue, said the high court should not "stretch" the 120-year-old race discrimination statute to cover other forms of discrimination, including religious discrimination. ●

**Oliver S. Thomas, general counsel of the Baptist Joint Committee on Public Affairs, has been admitted to the bar of the U.S. Supreme Court.** Thomas, who joined the Washington-based agency's staff in October 1985, now may argue cases at the high court, as well as file legal briefs. ●

**Representatives of five churches and several other organizations told a House subcommittee that numerous break-ins at churches and other facilities across the country have a "striking similarity" and may point to involvement by federal agencies.**

The approximately 50 reported break-ins at churches, offices and homes of opponents of U.S. policy in Central America followed a pattern in which burglars searched files for letters, records and membership lists, but left cash, office equipment and other items of value untouched, according to testimony given before the Subcommittee on Civil and Constitutional Rights.

An FBI representative, who also offered testimony, denied any involvement in the incidents by his agency. ●

## The Embrace of a Saving Idea

***Genuine civic friendship grows from the conviction that 'there is no refuge outside of a political community that cares for one as it cares for all.' This is political virtue that transcends self-interest.***

**W**e celebrate tonight the Spirit of Liberty. But Hannah Arendt said there is no safety in liberty without a sense of citizenship. Without a sense of citizenship we are simply free to abandon people to avoidable suffering and unnecessary injustice — strangers beyond our reach or obligation. Because neither religious doctrine nor secular faction can be the basis of a pluralistic democracy, we must have a tie that binds. For me, it is the notion of the citizen agent.

Citizenship is the embrace of a saving idea, the idea of our common life. When the young George Washington spoke of his country, he meant Virginia. Events enlarged his vision to a greater idea of nation — the United States of America. But less than a century later his descendant by marriage was still tethered to the original notion. In the family mansion overlooking the nation's capital, Robert E. Lee paced back and forth as he weighed the offer of Abraham Lincoln to take command of the Union army on the eve of civil war. Lee turned the offer down and took the train to Richmond. His country, you see, will still Virginia. His patriotism was a noble sentiment but it served a limited vision.

Each of us begins in some tribal Virginia. We are bound to it by religion, kinship, ethnicity, or race. It bestows certain benefits upon us. But for all the blessings of membership we

are stuck there, wrapped in our first swaddling clothes, until we assume an identity superior to whatever divides us. It is an act of choice. This is why immigrants who actually take the oath of citizenship often feel so acutely their allegiance transformed. Patriotism is for them not just a readiness for exceptional sacrifice and action. Nor is it blind loyalty. They have chosen a new identity. The community is now their substantive groundwork and end. They belong to a new whole. So the Founders said, "We hold these truths . . ." Not I. Not "My kin and I." Not "My co-believers and I." Not "My fellow Virginians and I." But we. As that other charter begins, whose bicentennial we celebrate this year, "We, the people of the United States."

The folks in the pews of the evangelical churches know something of the tribal "we." I know these people. I was born and reared among them. They are my kin. Although I made passage to another place and culture, to another way of seeing, I still hear at certain times echoes of their prayers and hymns. I recognize deeply imprinted within me the inherited yearning for order and authority that cause them in menacing times to cleave more tenaciously to their faith.

I was not surprised that they would fight back against those discoveries of science, decrees of government, and dilemmas of democracy that intrude upon that

fixed notion of things.

Nor is it unprecedented for people of a religious persuasion to want to affect the system, to matter politically, to try to elect to office agents of their anger who will attempt to supply the leadership for which they ache. There are precedents aplenty. I once wrote a speech for Lyndon Johnson asking Southern Baptists to rally behind the Voting Rights Act of 1965. Catholic bishops urge their parishioners to vote for candidates who oppose abortion. Jesse Jackson prowls the black churches as if they were precincts of the Democratic Party. William Sloan Coffin marshals his congregation to march on the Pentagon. And Jews are urged in synagogue to lobby Washington to support Israeli government decisions based on the interpretation of ancient scriptures.

Precedents all.

No, I am not bothered that the evangelicals are taking politics seriously, that they would bring to the public square their own moral concerns. If you listen carefully, you will hear them affirming the importance of shared ideals crucial to our survival: loyalty to family and love for community and country. I understand this hunger for some intense emotional connection that lends meaning to individual lives otherwise isolated in our alienating modern world.

The yearning is distorted by their leaders, including political demagogues,

who flatter them into thinking they can achieve politically the certitude they have embraced theologically. They are told you can have heaven on earth, that our democracy can agree to a moral majority that makes religious doctrine the test of political opinion. This ambition leads to savage controversies about matters of final resolution where there is no good evidence either way. The vision stops short of recognizing the whole. It breeds conformity, intolerance, and censorship. Resist it we must. But the yearning to connect, to belong, to share is the beginning of a usable public philosophy. We have it in common with those people, no matter how vigorously we oppose making any faith the official view of reality. Genuine civic friendship grows from the conviction that "there is no refuge outside of a political community that cares for one as it cares for all." This is political virtue that transcends self-interest.

Politicians like Mario Cuomo and Ronald Reagan have tapped this idea with fruitful result. Cuomo talks about the nation as a family, and Reagan the idea of America as a city on a hill. Think of the implications: if you belong to a family, you are saved from the toxic absorption of self-love. If your city is set on a hill, you can never wholly lose sight of that higher good which stretches far into the future and assures a certain immortality of the political community of which you are temporarily a member.

Each idea begins with the individual and moves out toward a higher affection. The social contract becomes a moral transaction, the currency of our behavior toward one another now and toward generations past and future. Society becomes more than a vast market, and individuals more than producers, consumers, entrepreneurs, lenders and debtors. We become a community of citizens bound by mutual commitment and not by chance, caprice, or circumstance.

This sense of a common good — "a well-being of society that cannot be measured by summing up the achievements and faults of all the individuals in it" — is crucial to the moral health of the Republic. Its bond is trust. This makes it wrong for government to feed false information to the press intending to mislead the public; for government secretly to carry out policies that could not survive a public debate; for a clandestine executive agency to engage in covert military activity that thwarts the official will of Congress; for government through subterfuge, bribes and mercenaries to encourage what if done by others we brand terrorism; for government to accuse dissidents of unpatriotic behavior; for government to fear and prevent the entry of journalists, playwrights, and artists bearing unorthodox ideas. Such deeds violate the fundamental creed of America, that no one is an outsider here and no idea is alien to the marketplace of opinion.



Bill Moyers is back on public television where, he says, "I am making the Constitution my beat this year." He is planning six projects, ranging from a 10-part series and nightly spots on the Constitution to another series focusing on great ideas.

The creed makes for a rough journey. It creates a cauldron of opinions, values and beliefs, of transactions and transgressions. When DeTocqueville stepped off the boat, he was greeted by what he called a "tumult." He should see it now. America was up for grabs then. It is up for grabs now. It is always up for grabs. That is our destiny. America is on the block — for sale, but never wholly owned; vulnerable, but never finished; sinking, but always afloat. Everybody on board believes themselves captain of the ship — a Puritan looking for the new England, or a pirate plotting to scuttle the ship and make off with the booty. Like Alcibiades of Greece, "the true lover of his country is not he who consents to lose it unjustly rather than attack it, but he who longs for it so much that he will go to all lengths to recover it."

This makes of the First Amendment an arbiter against anyone's having the last word. It enshrines Sam Johnson's conviction that "every man has a right to utter what he thinks truth, and every man has a right

to knock him down for it." So when it comes to the First Amendment I am myself a fundamentalist: freedom of press even for those who do not own the paper; freedom of speech even for those with no microphone; freedom of religion even for those whose God is not mine; and freedom of assembly even for the party of one.

We are a far cry from this America. Our parties seem often two megaphones for one note. The range of opinion in our public debates runs from A to B. Officials want the people to be heard only if they endorse what the leaders already know to be the right course. And the bounds of thinkable thought are unworthily close for a great Republic whose foundations were radical ideas about human nature and society.

So fight on, all of you. The First Amendment means what it says. And Learned Hand was right: "Liberty lies in the hearts of men and women; when it dies there, no Constitution, no law, no court can save it." □

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

## VIEWS OF THE WALL

Oliver S. Thomas  
General Counsel



*The only thing that's certain in life is death and taxes.*

Evoking innumerable chuckles over the years, this famous quotation is closer to the essence of life in these United States than most of us would like to admit. While Christians need not fear death, the subject of taxes is an altogether different matter. Fortunately, there are some bright spots in the current tax law, especially as it relates to ministers. In fact, some of us might argue that the tax code goes too far in catering to the clergy.

Regardless of your feelings about the propriety of these tax benefits, ministers should be made aware of their presence in the code and should not be made to feel guilty about taking advantage of the few tax breaks that exist under current law. The following is a summary of some provisions that have special significance for ministers.

### Social Security

A "duly ordained, commissioned, or licensed minister of a church" has an irrevocable decision to make concerning whether or not to be covered by social security.\* Ministers may decline coverage, but only if they can certify that their religious beliefs forbid participation in this type of insurance program. Otherwise, they must accept coverage.

For social security purposes, ministers are considered self-employed, whether they are serving in a local church or a denominational agency. This means that ministers must pay self-employment taxes which are considerably higher than the normal employee contribution. Being a minister may have its upside, but it has its downside as well.

### Automobile

As a minister you are able to deduct applicable automobile expenses when figuring income tax liability if you have to absorb these costs yourself. The mileage deduction is 21 cents per mile for the first 15,000 miles and 11 cents for each mile thereafter. However, if your car has been fully depreciated or is over five years old the deduction is only 11 cents per mile even for the first 15,000 miles. Accurate records must be kept if the optimum deduction is to be taken.

Rather than using the standard mileage deduction, you may choose to itemize your total business-related automobile expenses. To do so, you must make a justifiable determination of the percentage

of the use of the car, i.e. of mileage traveled in the tax year, for ministry purposes. This is the same tax advantage enjoyed by laypersons who use their cars for business purposes. The distance traveled to and from the church office, vacations, trips to the store, etc., cannot be counted. Visitation, hospital calls, and use of the car for other church purposes can be counted.

Suppose you can show that 50% of a car's usage has been for ministry rather than personal use. Then, one-half of the depreciation, gas, oil, repairs, insurance, license tags, auto club dues, etc., can be deducted as a business expense on Form 2106. On that form you must subtract any amount that your church or agency pays you for automobile expenses. If they pay more than you can legally claim, the excess should be declared as income and taxes paid on it.

### Housing Allowance

If your church or denominational agency does not provide housing for you, you are legally entitled to a tax-deductible housing allowance. This would include rent for mortgage payments, furnishing expenditures, insurance, repairs, upkeep, and utilities paid during the tax year. The church or agency must authorize *in advance* the specific amount of your salary designated for housing. That amount is not included as income either on your income tax return or in the calculation of taxes to be withheld from your salary. However, it is included on your self-employment tax form (Schedule SE).

There are a few words of caution. The amount spent on providing a home must be *reasonable*. The purchase of a mansion probably would not be reasonable.

Even if your spouse works at a job that pays well, you cannot declare more than *your* salary for housing. A rule of thumb is that if more than 49% of your income is designated as housing allowance, the I.R.S. is likely to consider the expenditure unreasonable and conduct an investigation. Again, you must keep accurate records of all housing expenditures. If your church or agency authorizes \$10,000 per year as housing allowance and you can only show that you have spent \$8,000, you must declare the additional \$2,000 as income and pay taxes on it. Remember, the burden of proof is on the taxpayer and failure to substantiate claimed housing expenses may constitute tax eva-

sion. Tax evasion is a felony, and a conviction can easily destroy a career.

### Mortgage Interest

In addition to not having to pay income taxes on their housing allowance, ministers are entitled to deduct mortgage interest and real estate taxes if they own their own home. This two-fold benefit is sometimes referred to as "double dipping." "Double dipping," outlawed by the I.R.S. in 1983, was reinstated by the Tax Reform Act of 1986. Because the 1986 Act makes this provision retroactive, ministers who have been unable to claim these deductions since 1983 are eligible to file amended tax returns seeking a refund of taxes overpaid.

Ministers seeking refunds should act quickly. Amended returns must be filed within three years after the date the original return was due. Therefore, claims arising in 1983 must be filed by April 15, 1987. Persons filing amended returns should use Form 1040X and attach an amended Schedule A. Because most state income tax laws follow the federal rules, ministers also may want to file an amended state return.

For more detailed information concerning these and other provisions in the tax code, consult your church pension board. If you still have questions, you should contact the I.R.S., the appropriate state agency, or a qualified tax accountant. □

\* The Tax Reform Act of 1986 provides a limited period during which a minister who previously opted out of the social security system may elect to opt back in. This "open window" will close April 15, 1988.

# The Presidents and their Religion

**R**eligion has always played a role in American politics, but its specific influence on actions of presidents is difficult to ascertain. A reverence for a Supreme Being and a semblance of piety appear to be unwritten qualifications for the office of president; however, sectarian bias is patently missing in presidential conduct until very recently. President Dwight Eisenhower observed, "Our government makes no sense unless it is founded in a deeply religious faith — and I don't care what it is."

God is mentioned or referred to in all inaugural addresses except Washington's second (which is only two paragraphs). Early presidents did not use the word God, but rather such euphemisms as Almighty Being, Great Author, Invisible Hand and Infinite Power. References to God appear in presidential addresses on solemn occasions yet rarely in messages sent to Congress on concrete issues. Though presidents freely invoke God's help and guidance, it is a non-sectarian God, and Christ or Jesus is conspicuously absent. Thus, past presidents have scrupulously adhered to the First Amendment admonition to avoid the "establishment of any religion."

But a belief in a Supreme Being and affiliation with a church seem to be requisites for the office. Of our presidents, 10 have been Episcopalian, 7 Presbyterian, 4 Unitarian, 3 Methodist, 3 Disciples of Christ, 3 Baptist, 2 Quaker, 1 Roman Catholic, 1 Congregationalist, and 3 claimed no specific denomination. Of the last three, Jefferson was a Deist — he believed in an impersonal Supreme Being; Lincoln was probably the most pious in the traditional definition of devout, reverent and high-minded; Andrew Johnson attended the Presbyterian Church — his wife was a member. Three presidents, Chester Arthur, Grover Cleveland and Woodrow Wilson, were sons of ministers. Five — John Adams, Millard Fillmore, Franklin Pierce, Benjamin Harrison, and Wilson, married minister's daughters. No minister has been elected President.

In the attempt to ascertain the influence of religion on presidential conduct, presidents have been divided into six categories: The Founding Fathers, the Nationalists, the Conservators, the Internationalists, the Isolationists, and the Interventionists.

## The Founding Fathers

Washington believed in a guiding Providence rather than a personal God. Although he set up family worship at Mt. Vernon, his contemporaries say they never saw him kneel in church. While president, his own Episcopalian pastor condemned him for not taking communion and for showing a disregard for the outward amenities of religion. John Adams seriously considered becoming a Unitarian Minister. He chose law as a career, but studied the Bible every morning. He had a humane concept of public service and was unimpeachably honest in all his policies and statements.

Jefferson never joined any church and made no public statements on his religious convictions. In a letter to a friend, he stated that he thought religion was a concern between God and our own consciences and not a matter for public scrutiny. When he ran for president, he was attacked as an infidel. He wrote his own epitaph in which he asked to be remembered as the author of the Virginia Statute of Religious Freedom. Madison considered the ministry as a vocation and studied Episcopal theology under John Witherspoon. He wrote the Bill of Rights ensuring freedom of religion. James Monroe attended his Episcopal church, but made no public or private religious pronouncements.

## The Nationalists

John Quincy Adams read the Bible every morning and attended the Unitarian Church. His own public stance on moral issues was his constant opposition to slavery when that was a very unpopular stance. Martin Van Buren was a member of the Dutch Reformed Church. While president, he attended the Episcopal Church because there was no Dutch Reformed church in Washington, D.C. William Henry Harrison was a member of an Episcopal congregation but, since he died after only a month in office, we cannot assess the impact of religion on his presidency.

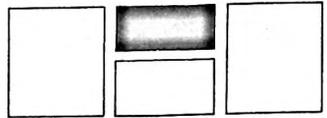
John Tyler was the first vice president to assume the presidency on the death of a president. His political beliefs conflicted with those of the other leaders of his party and he accomplished little as president. He was an Episcopalian and his religious beliefs caused him to oppose slavery, even though he owned slaves. James

Continued on page 10

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Neva Peters is an assistant professor in the History and Government Department of Tarrant County Junior College, South Campus at Fort Worth, Texas. This address was delivered at the seminar, "Breaking the Taboo? Mixing Religion and Politics," on the college campus. It has been edited for use in REPORT.

# News in Brief



## BJCPA joins in protesting INS church infiltration

WASHINGTON

The Baptist Joint Committee on Public Affairs has joined a broad coalition of religious bodies in a legal protest to the infiltration of four Arizona churches by agents of the Immigration and Naturalization Service during 1984.

In a friend-of-the-court brief, the religious bodies asked the 9th Circuit Court of Appeals to review a federal district judge's finding that they had no legal standing to bring the case. The religious groups had asked Judge Charles L. Hardy to rule the INS and its agents violated the constitutional rights of a Lutheran church and three Presbyterian congregations involved in the sanctuary movement.

In their brief, the religious bodies — led by the National Council of the Churches of Christ — insisted they were entering the case not because they approve of the sanctuary movement but out of concern for the free exercise of religion and other constitutional rights. Those rights were abridged, the brief stated, when INS agents posing as worshippers repeatedly entered the four churches to tape-record worship services and Bible classes through the use of "body-bugs." The agents also took down license plate numbers in the churches' parking lots, the brief charged.

Oliver S. Thomas, BJCPA general counsel, underscored his agency is involved in the suit seeking judicial review of the INS agents' tactics but was not a party in the criminal case brought against sanctuary workers in the four churches that followed the infiltration.

"Our case has nothing to do with the sanctuary movement," Thomas said. "It has everything to do with how government investigates churches. The free exercise clause requires that government utilize the least intrusive means of investigation. The INS didn't do that. This powerful government agency leapedfrogged over all of the traditional methods of fact-gathering, such as the examination of witnesses and the use of subpoenas and search warrants. Instead, it infiltrated the churches with undercover agents and paid informants.

"It's the sort of thing you might expect in the Soviet Union but certainly not in the United States."

At stake in the case, Thomas said, is a

legal and constitutional issue of importance to all churches in the country, conservative or liberal.

"No one is contending that churches should be above the law," he said. "But there is a right way and a wrong way to investigate churches accused of illegal activity. You don't kick down doors and drag people out of prayer meetings as was done in Louisville, Neb., and you don't send undercover agents to Bible studies and worship services as was done in this case."

Thomas noted the Baptist Joint Committee formally addressed the issue of church infiltration nearly a year ago, when the agency's trustees adopted a statement condemning "the use of paid informants, undercover agents, and surreptitious tactics by any government agency investigating religious organizations as improper and illegal when less intrusive means of investigation or fact gathering are available."

While addressing the chilling effect the Arizona investigations had throughout the religious community, most of the brief focused on the issue of standing. The religious bodies seek to convince the 9th Circuit that churches should be allowed to bring such cases.

"At the core of this dispute," the brief stated, "is a simple question: whether churches are entitled to the same constitutional dignity as adult bookstores and movie theaters, newspapers and commercial corporations. We think they are."

## Schoolteacher withdraws job dismissal complaint

WASHINGTON

A Southern Baptist schoolteacher whose firing led to a Supreme Court ruling has withdrawn her complaint against her former employer.

Linda Hoskinson, who lost her job with Dayton Christian Schools in 1979, recently informed the school board and attorneys for the Ohio Civil Rights Commission of her decision not to pursue litigation against the school system.

Last year, the Supreme Court unanimously ruled Hoskinson could challenge her dismissal from the school before a state civil rights panel without violating the school's First Amendment rights.

Hoskinson, a member of Far Hills Baptist Church in Dayton, Ohio, taught for five years in one of the schools operated by the independent Dayton Christian Schools. In early 1979, the school system

refused to renew Hoskinson's teaching contract after learning she was pregnant and then dismissed her for consulting an attorney for legal advice.

After Hoskinson filed a complaint with the Ohio Civil Rights Commission, Dayton Christian Schools filed a federal lawsuit challenging the civil rights panel's jurisdiction on church-state grounds. A U.S. district court ruled in Hoskinson's favor, but the 6th Circuit Court of Appeals reversed that decision. Ohio's attorney general then appealed the case to the Supreme Court.

While not ruling on the case's merits, the high court held the elimination of prohibited sex discrimination was a sufficiently important state interest to allow the civil rights commission to consider Hoskinson's complaint.

In a six-page letter, Hoskinson detailed her experiences during the past eight years and the reasons leading her to withdraw her complaint.

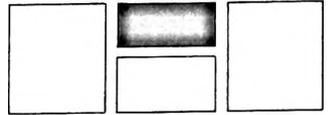
The schools' refusal to renew her teaching contract surprised Hoskinson since she was never informed the school had a policy denying employment to women with preschool-age children, she said in the letter.

Hoskinson attempted to appeal the decision within the school system, she wrote, but was informed no means to do so were available. She added she was unaware the school system would consider her consulting an attorney a violation of her contract, in which she had agreed to abide by the doctrine of the "biblical chain of command." The doctrine required teachers to take grievances only to their immediate supervisors and to acquiesce in the final authority of the school board.

"I was simply exercising what I thought was the privilege of any citizen, Christian or otherwise," she wrote. "I needed to know if the School was acting arbitrarily, or worse, illegally in its refusal to renew my teaching contract."

Hoskinson said her intention was to seek advice and counsel from the attorney, not to file suit against the school system. The school system, however, immediately suspended Hoskinson and two weeks later terminated her employment without pay, according to the letter.

Hoskinson then filed a complaint with the Ohio Civil Rights Commission. She stated she never wanted to cause "undue interference by the state in the doctrinal positions or religious practices" of the school, but believed she had no other



means to appeal her dismissal.

"The School has contended for some time that by filing a complaint with the OCR I was opening the door to state control of a religious institution," she wrote. "The fact is the School had been receiving state funds for several years at the time I was fired.... It seems inconsistent to open one's mouth in protest against state control while opening one's hand to state support."

Hoskinson wrote she had hoped for a quick settlement following the Supreme Court's ruling, but found the school system continuing to adopt a "rigid position" that the only acceptable solution was for her "to repent ... and to yield to the Board's authority."

Since her next step would have been either to file legal action against the school or to allow the civil rights panel to proceed with a formal hearing, Hoskinson made the decision to withdraw her complaint, the letter stated.

"I always intended for my actions to exert the pressure of moral persuasion only," she concluded. "I do not desire that the government legally coerce a Christian school to act in a Christian manner."

Upon receiving Hoskinson's letter, the Dayton Christian School Board issued a statement expressing its approval of Hoskinson's decision and its hope the Ohio Civil Rights Commission will drop the case.

## Bush asks evangelicals to beware of intolerance

WASHINGTON

Vice President George Bush, who plans a bid to succeed Ronald Reagan in the White House, warned the nation's religious broadcasters their political activism should be characterized by tolerance of differing views.

In an address at the annual gathering of the National Religious Broadcasters, Bush first commended evangelicals for their political activism during the Reagan era. Then he added: "But a dilemma is at hand. And I raise this as a friend who believes deeply in your involvement. Initially, you sought freedom. In the process, you gained power. And with power, a small minority now want control. There are those who would seek to impose their will and dictate their interpretation of morality on the rest of society."

The vice president singled out "those who would forget the need for tolerance"

in demanding removal of literary classics such as *Huckleberry Finn* and *The Diary of Anne Frank* from public schools. "Closing our children off from the outside world will not protect them," he said, adding, "To that small minority, I say, 'Please, don't take away generally accepted books now that you have greater influence. Remember what it was like.'"

Although elsewhere in his address Bush again endorsed the practice of prayer in public schools, he also asserted he accepts separation of church and state. "Always respect that we are one nation under God, but at the same time, we believe in the separation of church and state," he said. "Be out front in your views, but respect those for whom religion is so personal they find public witnessing difficult. We must be vigilant, but not overzealous."

Although Bush lamented what he described as a 100-year absence from the political arena on the part of evangelicals — from the end of the 19th century until recently — he observed that pastors of black churches "to their credit ... took another route. They saw that political involvement could be of enormous importance in bettering the moral and spiritual life of their parishioners. They led the struggle for full civil rights for black Americans."

Among values that should be taught to all American schoolchildren, he elaborated, is that racial hatred "has no place in American life," adding, "the Ku Klux Klan is an embarrassment to Christ, whose gospel is love, and an embarrassment to our nation, whose gospel is freedom."

In references to recent incidents of racial violence in the borough of Queens in New York City and Forsyth County, Ga., Bush declared: "There's no county, no borough, no area of this country that is off limits to any American. Any American should be able to walk anywhere in this land in dignity and freedom."

## Court rejects challenge to groups in airport

WASHINGTON

The Supreme Court has refused to review two lower court rulings that San Francisco officials were wrong when they refused to rent space to a religious group at the city's international airport.

The high court let stand the lower panels' holding that the presence of re-

ligious groups in a public forum such as an airport does not violate the First Amendment's ban on an establishment of religion. On the contrary, the lower courts held, to deny such presence to a particular class of tenants amounts to a denial of the equal protection of the law guaranteed in the 14th Amendment to the Constitution.

The case against the San Francisco airport authority — the official body that controls the West Coast city's international airport — was brought by the Christian Science Church after the authority refused during the years 1981-84 to continue leasing space to the religious body for a Christian Science reading room. □

## Warns against confusion

WASHINGTON

Members of the 100th Congress represent a variety of religious backgrounds, according to a survey conducted by Americans United for Separation of Church and State.

Religious bodies with the highest number of congressional members are: Roman Catholic, 141; Methodist, 74; Episcopalian, 60; Presbyterian, 57; Baptist, 54; Jewish, 37; and Lutheran, 23.

Baptists added the most new members to Congress, with five.

## Members of 100th Congress of diverse religions

WASHINGTON

Emphasizing the need for godly leadership, Southern Baptist Convention President Adrian Rogers recently warned against confusing the power of the government with that of the church.

Rogers told the annual meeting of the National Religious Broadcasters, "the church must never attempt to use the power of the government for spiritual goals." While the government may protect the church, it should never be expected to improve the church spiritually, Rogers said, adding that both must be free to do their own tasks. □

Polk was raised a Presbyterian and attended that church, but wrote in his diary that the Methodist Church better suited his religious beliefs. In the last week of his life, he was baptized in the Methodist Church. As president, he served no liquor and permitted no dancing at state dinners and receptions. He conducted no state business and received no visitors on Sunday. Zachary Taylor attended the Episcopal Church, but he was only president for a little over a year before his death, and there is no indication of the influence of his beliefs on his official actions.

Fillmore was a Unitarian, but after his presidency that church reprimanded him for compromising with the existence of slavery. From that time on, he attended a Baptist church. Franklin Pierce was an Episcopalian, but his religious ardor was dimmed by the death of his son on the eve of his inauguration. He believed the death was an act of a wrathful God.

James Buchanan attended the Presbyterian Church, but did not become a member until after his presidency. His administration was a failure because he did not possess the courage to face the slavery crisis. Lincoln never joined any church, but attended the Presbyterian Church while president. He read the Bible as often as the duties of state allowed and his speeches offer proof of his knowledge of biblical phraseology. He truly practiced "malice toward none and charity for all." Andrew Johnson had no specific religious affiliation, although he attended the Methodist church because his wife was a member. He supported religious freedom and loudly opposed those who sought to restrict the free exercise thereof.

#### The Conservators

Ulysses S. Grant attended the Methodist Church with his wife, but battled alcoholism and presided over one of the most corrupt administrations in our history. To his credit, he did not personally partake of this Era of Good Stealing. Rutherford Hayes attended the Methodist Church, read the Bible during breakfast, and held hymn sings in the White House on Sunday evenings. His wife was known as Lemonade Lucy, because she banned alcoholic beverages at state occasions. James Garfield was a lay preacher for the Disciples of Christ. He had no opportunity to exhibit his religion in office, as he was shot two months after taking office and died four months later.

Arthur, the vice president who succeeded Garfield, was an Episcopalian. His one notable accomplishment as president was civil service reform. Grover Cleveland, the son of a Congregational minister, was a Presbyterian. He was a model of honesty and morality in public office, although allegations of impropriety in his youth dogged his career. Accused of fathering an illegitimate child, he admitted paying child support but never admitted paternity. Benjamin Harrison was a Presbyterian whose administration was not particularly distinguished.

#### The Internationalists

William McKinley described himself as a devout Methodist, yet compromised regularly with his principles. He explained to a group of Methodist churchmen that he had asked God whether the U.S. should acquire the Philippines, which was a controversial issue at the time. McKinley maintained that divine inspiration had told him it was America's duty to take the island and Christianize them; the population was already largely Roman Catholic.

Certainly,  
personal convictions  
have dictated standards  
of moral behavior, but  
past presidents have  
separated their  
private religious beliefs  
from their public policies.

Theodore Roosevelt, a member of the Dutch Reformed Church, often quoted the Bible. In launching his third party in 1912, he affirmed, "We stand at Armageddon and we battle for the Lord." As president, his religious pronouncements were often contradictory. He declared, "Any discrimination for or against a man because of his creed...strikes me as infamy," while he wrote to a friend, "the Catholic Church is in no way suited to this country." Taft was a Unitarian. He wrote, "I believe in God. I do not believe in the divinity of Christ. The spirit of Christianity is pure democracy. It is the equality of man before the law, which is...the most God-like manifestation that

man has been able to make." When the matter of his religion was raised as a campaign issue, he said, "If the American electorate is so narrow as not to elect a Unitarian, well and Good. I can stand it." His religion did not seem to affect the election of 1908 or his presidency.

Wilson was the son of a Presbyterian minister. All his life, he prayed on his knees morning and evening, read the Bible each day, and said grace before every meal. He saw all political decisions in moralistic terms. He advanced his domestic progressive reforms as the will of God. He led the U.S. into WWI on moral grounds and sought to forge a peace on America's righteous imperative to mold the world in our image. Some historians have accused him of having a messianic complex.

#### The Isolationists

Warren G. Harding was nominally a Baptist. It seems he joined the church to further his political career as he was basically amoral. He kept a mistress, gambled, drank (during Prohibition) and presided over a scandal-ridden administration. Coolidge was a Congregationalist, but joined the church only after becoming president. He believed that man had a duty to give service to God, but there was no reason why service could not be profitable. He did not think that government should promote justice and equality, but that moral power would produce success for the individual business, and the country.

Herbert Hoover was Quaker and certainly his world with starving WWI refugees exemplified this religious heritage. Part of his creed was an obligation to serve mankind and he viewed government office in that light; he never accepted a penny while a Cabinet member or president. Franklin Roosevelt was an Episcopalian, but his belief was of a very private nature. His religious convictions taught him the innate dignity of every human being. He believed in the Fatherhood of God and the Brotherhood of Man. In his appointments, he seemed not to know or care who was a Protestant, a Catholic or a Jew. When asked about his social philosophy, he replied, "I am a Democrat and a Christian."

Harry Truman, a Baptist, used religious rhetoric in his speeches, especially against Godless communism. He worked hard for civil rights, to little avail, and was one of few presidents who did not make a fortune out of being president.

Everett Carl Ladd  
Christian Science Monitor

Eisenhower was fervent about vague religion. It was he who called for a national day of prayer; then, on the same day, he went fishing in the morning, played golf in the afternoon, and enjoyed a game of bridge that night. "Under God" was added to the pledge of allegiance during his tenure. He projected the way Americans wanted the country to be, not the way it was.

John Kennedy was the first Roman Catholic to be elected president. His religion was a major issue in the campaign of 1960; many raised the old specter of the Pope in the White House. When questioned about how his allegiance to Rome might influence presidential action, he replied: "I believe in an America where the separation of church and state is absolute — where no Catholic prelate would tell the president, should he be a Catholic, how to act and no Protestant minister would tell his parishioner how to vote — where no church or church school is granted any public funds or political preference and where no man is denied public office because his religion differs from the president who might appoint him or the people who might elect him. . . . I do not speak for my church on public matters and the church does not speak for me."

Lyndon Johnson was a member of the Disciples of Christ Church and quoted the Bible frequently. He declared that social problems are moral problems, and pushed through Congress an avalanche of social legislation to help the poor, the elderly and racial minorities. Richard Nixon was raised a Quaker; he cited the Bible but evidenced little human compassion. As president, he believed that all his policies should be regarded as virtuous just because he was president. He believed the ends justified the means, and could not comprehend those who questioned his methods. Gerald Ford, an Episcopalian and basically a decent man, never understood why the public was skeptical of his pardon of Nixon.

Jimmy Carter exploited the public's distrust of Washington officials in the next election. The first authentic born-again Christian, he openly talked about his conversion experience and taught Sunday School in a Baptist church while in office. He stressed human rights in his foreign policy and won lasting praise for the Camp David accord between Egypt and Israel. His boycott of the Moscow Olym-

pic games after the Soviet invasion of Afghanistan was an act of moral outrage, but it was not very popular with the American people. Carter's failure to effect the release of American hostages in Iran caused his defeat in 1980.

Ronald Reagan reversed the traditional role of religion in the White House. His tenure has seen a curious blending of the religious and political right. Reagan consistently speaks of moral issues, yet he rarely attends church and few people seem to know his religious affiliation [Disciples of Christ]. Reagan has used his office to condemn abortion, "humanism," liberalism, evolution, homosexuality and pornography. That he opposes these issues is not surprising, but rather that he has sought to make his opposition national policy. As we have seen, earlier presidents avoided using the office to further specific sectarian beliefs.

In summation, until recently there has been little influence of religion on presidential conduct. Certainly, personal convictions have dictated standards of moral behavior, but past presidents have separated their private religious beliefs from their public policies. Thus, in reversing tradition, the Reagan presidency is a dramatic departure from the past. The question now facing us is whether this is a temporary variation or the beginning of a new tradition. □

My own view is that the Constitution is a brilliant piece of governmental engineering, based on generally sound first premises. For example, separation of powers isn't simply a prudent defense against the danger of tyrannical government; it is a sensible precaution against insufficiently competent and knowledgeable governmental officials. Barriers to precipitate action and the requirement of inter-branch compromise are sound responses to the fact that politicians often really don't know what to do. This said, I would not argue that the Constitution has lasted simply because it works well. It has remained constant as our basic law because the values and picture of the world on which it is based square with our own. . . .

I have no quarrel generally with the argument that constitutions should be seen as attempts at governmental engineering. It follows that, if an existing system can be better designed to meet current conditions, it is prudent to do so. This perspective doesn't help us much, however, in assessing the U.S. Constitution on its 200th anniversary. Far more than a piece of governmental engineering, the Constitution is the expression of a nation-defining consensus on political values. In the Constitution's anniversary, we celebrate the persistence of that consensus and the founders' near "perfect pitch" in expressing it. □

Charles Krauthammer  
Washington Post

What does Miranda do? "Miranda's purpose was to eliminate the inherently coercive and inquisitorial atmosphere of the interrogation room," writes constitutional lawyer Leonard W. Levy. "That purpose was, historically, the heart of the Fifth [Amendment]." Advising a suspect of his rights is meant to counteract the inherent coerciveness of "incommunicado interrogation of individuals in a police-dominated atmosphere," as Earl Warren put it in his original opinion.

The Justice study repeatedly calls this "the fiction of inherent coerciveness" and asks us to believe that coercion means getting hit with a nightstick. But what about a situation in which you are confronted by uniformed men who only carry nightsticks — and who pack guns, trail dogs, slap cuffs on your hands, lock your cell, keep the keys and now want only to ask you a few questions? Is this a situation of free choice? Do you remember what it was like being interrogated in the principal's office? He did not beat the story out of you. But he got it anyway. □

# INTERNATIONAL DATELINE



## Apartheid foes disrupt planning for Kirchentag

WEST BERLIN

Protests by anti-apartheid activists and a complaint over the design of a promotions poster have disrupted preparations for the mass meeting of German Protestants, known as the Kirchentag, held every two years.

Although this year's meeting is still months away — it will be held June 17-21 in Frankfurt/Main — a major confrontation has broken out between influential liberal groups and meeting organizers over the continuing association between the Kirchentag and the Deutsche Bank.

The financial institution, one of the largest of West Germany's commercial banks, reportedly is the country's leading investor in South Africa. The bank has helped finance the Kirchentag since its inception in 1943.

During the last gathering in 1985, members of the presidium were asked during a press conference where the Kirchentag had its bank accounts. After revealing that the accounts were with the Deutsche Bank, presidium leaders said they would talk about it and make a decision on the investments. In November, the leaders announced that a checking account and several investments would remain in the Deutsche Bank, but that Kirchentag funds would be transferred to another bank.

The decision angered anti-apartheid activists who then called a meeting at which 120 groups were represented. The apartheid foes demanded a total break with the Deutsche Bank.

Since then, one protest leader has suggested that the coalition opposing the association with Deutsche Bank raise the approximately \$140,000 the groups estimate the bank donates to the Kirchentag. □

## Church's vacillation threatens its credibility

JOHANNESBURG

The pope's representative in South Africa has warned Catholic clergy that they are forbidden from taking an active part in politics.

Archbishop J. Mees, the Vatican's apostolic delegate to the country, was in Pretoria to address the opening plenary session of the Southern African Catholic Bishops' Conference.

The papal warning delivered by Archbishop Mees amounts to a repudiation of leading Southern African Catholic bishops and priests. They include men such as Archbishop Denis Hurley and the Rev. Smangalis Mkhathshwa, the president and secretary general respectively, of the bishops' conference. Both are prominent patrons of the non-racial United Democratic Front, the largest anti-government alliance in the country. Mkhathshwa has been in detention for more than seven months.

The Catholic church, like the other multiracial, anti-apartheid churches, has over the past decade been increasingly challenged by its black members, especially the youth.

These critics have warned that unless the church and its leaders take a clear stand on political and economic issues, the credibility of Christianity itself is at stake at the grass-roots level. □

## Canadian forms party to enhance Christian values

EDMONTON

The founder of a new political party based on "traditional Christian" values says Canada is in danger of losing its Christian heritage.

"We want to give people security for their children," says Ed Vanwoudenberg of Surrey, B.C., the party's interim leader.

The party was officially registered last June and now has about 1,000 paid-up members. Its policies include: the sanctity of life from conception; compassion for the underprivileged; free enterprise "under God," which means free enterprise which is "accountable to its neighbor"; a national day of rest; a strong national identity and defense, including membership in the NATO and NORAD military alliances; and Christian, moral leadership among politicians.

To ensure the last, the party asks all candidates to take an "integrity analysis," which examines the candidates' views on party policies and asks them about any past criminal and tax liabilities.

Candidates are not required to be members of churches, but most members of the party probably do attend church regularly, Vanwoudenberg said.

Asked why Christians could not work within existing parties, he said there are Christians in those parties, but "Christians are always on the defensive in the present system, and the parties do not enhance Christian values." □

## Soviet Jewish emigration remains 'a stagnant low'

NEW YORK

Soviet Jewish emigration declined to a total of 914 last year, down from 1,140 for 1985, according to the National Conference on Soviet Jewry.

The agency said the new figure indicated that despite the widespread publicity given to such 1986 emigrations as Anatoly Shcharansky and David Goldfarb, "Jewish emigration remains at a stagnant low."

The conference reported that there are 11,000 known refuseniks (Jews who have been refused permission to leave) and 14 prisoners of conscience. It estimated that there are now 380,000 Jews who have indicated a desire to leave but who have not been processed.

The National Jewish Community Relations Advisory Council recalled an address by Martin Luther King, Jr. in which he declared that "while Jews in Russia may not be physically murdered as they were in Nazi Germany, they are facing every day a kind of spiritual and cultural genocide." □

## Funding of Italian clerics changes under new system

ROME

Beginning in January, some 3,000 Italian priests and bishops will be earning more money. Even more significant, for the first time their salaries will be distributed by the Italian Episcopal Conference instead of by the Italian government.

The change in pay and the way it is distributed are the first steps in a major financial overhaul, outlined in the 1984 revised concordat between Italy and the Holy See, which could greatly increase the power of the local bishops' conference.

Although the state this year will continue to be the major contributor to the salaries of Catholic clergy, by 1990 the system will be entirely revised. At that time, the Italian church is due to become self-supporting through a system of private contributions and a complicated income tax mechanism that is expected to favor the Roman Catholic Church over Italy's other religions.

The switch to a new system means the practical abolition of the "congrua," the direct subsidy that for decades has been



paid by the state to a majority of Italy's bishops and priests. The original system dates back to Italian unification, completed in 1870, when the new liberal and anti-clerical government confiscated most church properties and, in exchange, agreed to use government revenues to pay the salaries of priests without any income.

Although the revenue will be distributed proportionately, the Catholic Church in Italy will benefit first from the large number of Catholics in the country and, second, from a provision stating that monies coming from taxpayers who do not declare a preference will be distributed in the same proportion as funds earmarked for specific religious or charitable organizations. □

## USSR Baptist leader sees improvement for witness

HEERENVEEN

The Rev. Anatoly Sokolov, Director of the Press Service of the All-Union Council of Evangelical Christians-Baptists (AUCECB) in the Soviet Union, reported recently on a gradual improvement over the past ten years in the possibilities for Baptist work in his country.

Sokolov was in Heerenveen, The Netherlands attending the annual European Baptist Federation Conference for Youth Secretaries, Children's and Scout Workers.

While pointing out that "we do not have organized youth work in our country," and that youth activities must be undertaken within the framework of regular church work, he explained: "But you know we are trained to find out the new ways, within our limits."

One possibility is through the Moscow Baptist Church Youth Choir. This 80-member group meets twice a week for rehearsals, but in addition to practicing music, the sessions include the reading and study of the Bible, and times of sharing and prayer.

Said Sokolov, "These sorts of things help people feel they belong to one family, to feel more free to share, to do something, and to share their faith with others."

He reported that the method of person-to-person evangelism is the most effective in the Soviet Union. Baptists share with people at their places of employment and with their neighbors, as this emerges easily out of these natural con-

tacts and relationships. Young people are especially enthusiastic and active in this type of witness. □

## Last white Anglican bishop resigns in Zimbabwe

NEW YORK

The last white bishop in Zimbabwe's Anglican hierarchy has announced his resignation, according to church sources in the southern African nation.

Bishop Robert W. S. Mercer, a doctrinal conservative, told clergy and laity of the Southern Zimbabwe Diocese of Matabeleland that he had "run out of ideas" for church growth and would step down on May 1, the tenth anniversary of his consecration to the episcopate.

Bishop Mercer, an Anglo-Catholic, is one of the few Anglican bishops who belongs to a monastic order. He has been one of the most outspoken opponents of women's ordination to the priesthood in the 65-million-member worldwide Anglican Communion.

Matabeleland is the political stronghold for opposition leader Joshua Nkomo, as well as home of the minority Ndebele tribe. In early 1983, Bishop Mercer said he felt compelled to call publicly for an impartial investigation by outsiders into the killings of hundreds of civilians in Matabeleland during a crackdown by the Zimbabwe army on anti-government dissidents. □

## Bible Reading in Sweden

STOCKHOLM

Two-thirds of the Swedish people never read the Bible and only eight percent read it with regularity, according to a research project of the Institute for Religious and Sociological Studies in Sweden.

How is it regarded? One-third of the population has a "religious" view of it; one-third have an "atheistic" view, placing it among other good books of wisdom; and the remaining third hold various other interpretations. □

**JOIN  
in the STRUGGLE  
TO ABOLISH  
TORTURE**

The Executive Committee of the Italian Baptist Union has nominated Nelson Mandela for the Nobel Peace Prize for 1987. The nomination was promoted on the basis of Mandela's having become "the symbol of the struggle against apartheid." He has been imprisoned in South Africa for more than 24 years for voicing his "will to reconcile blacks and whites." . . . Guenter Wagner is the unanimous choice of the board of the International Baptist Seminary at Rueschlikon to become interim president. He joined the faculty as New Testament professor in 1958. The fact that the seminary has had seven presidents over the past ten years suggests "possible structural changes," says Wagner. . . . Cheb, Czechoslovakia was the site of the Czech Baptist Youth assembly, the first held in 17 years. Some 250 youth, representing 25 churches, attended the Baptist Union-sponsored event. Czech Baptists number approximately 4,000, with 650 young people among them. . . . Delegates to the annual meeting of the Association of Baptist Churches in Israel voted to apply for membership in the European Baptist Federation (EBF). Knud Wuempelmann, EBF's general secretary, explained that the application will be presented to the next meeting of the EBF; its approval would bring to 27 the number of member-unions which participate. . . . Romanian Orthodox Archbishop Valerian Trifa, an accused war criminal who was deported from the U.S. in 1984, died in Cascais, Portugal. It was charged that Trifa was a member of the fascist Iron Guard in Romania and that he personally was responsible for the massacre of Jews. . . . Lutheran clergyman T. Simon Farisani was released by authorities after detention in a nominally independent South African homeland since November. Speculation holds that Dean Farisani's release came because of pressure exerted from a number of directions, including Amnesty International, German church leaders, and Lutherans around the world. . . . "Deep concern and utmost disapproval" has been expressed by Lebanese Baptist leaders over the U.S. government's order that Americans leave their country. Baptist Press (SBC) reported that Ghassan Khalaf, a former president of the Lebanese Baptist Convention, cautioned Americans not to "feel that you are forsaking us." □

# 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.

The chapter, "Religion and the Republic: James Madison and the First Amendment," by Donald L. Drakeman

REFLECTIONS in January, 1987 was again delightful. Your writing is refreshing, deep and profound, but the vocabulary and illustrations are where I live. I read you with the same delight and expectancy with which I turn to a C.S. Lewis.

Betty J. Merrell  
Birmingham, AL

Thank the Committee for me in relieving my mind of the burden of responsibility of urging "textbook selection committees and school boards to approve only textbooks that honestly and accurately deal with religion's role in our society," and also for encouraging all Baptists to get involved in the situation.

Thank you for taking the time to assure me that all things are being done about the historical role of religion in our textbooks.

Lois M. Tyree  
Brilliant, AL

Please be assured that Laidlaw Educational Publishers is currently working on the textbooks we will be publishing with the intention

of putting the proper emphasis on religion, especially in our social studies textbooks for elementary and secondary-school students.

You have my personal promise that there will be significant changes in the way Laidlaw covers the religious aspect of American life.

You should know that I agree with those who have proclaimed that religion has been virtually left out of recent school books. We will change that.

I think it is important for a bona fide representative of your organization to have some input that would prevent us from oversight and error.

Herbert R. Adams  
Laidlaw Educational Publishers  
River Forest, IL

I wish to state that the treatment of religion in the textbooks published by the Educational Group of *Simon and Schuster* reflects the rich cultural diversity of religious life in the contemporary world. Our objective is to educate students about many religions, not to indoctrinate them in the tenets of any faith.

We aim to deal clearly, objectively, and dispassionately with the issues in ways that are appropriate to the subject matter and the student's level of understanding. We subscribe to the principles expressed by the American Association of School Administrators in their recommendations and guidelines attached.

James J. Peoples, President  
Simon & Schuster  
Englewood Cliffs, NJ



• Bill Moyers seeks to enlarge the concept and to raise the level of democratic debate over the concept of citizenship. What biblical support can you find which supports journeying from the "I" and the local to the "we" and the universal? How is "We the People" connected with the opening of the Lord's Prayer, "Our Father . . ." for the citizen who is a Christian?

• Professor Peters writes that while religion has been some sort of prerequisite for holding the office of president, today's president seems to have embarked on a new course, one of religious activism. Do you think such activism helps or hinders the cause of religion and faith; does it sharpen or fuzz the proper role of religion in American life? Is it a good idea for a minister to become president? Discuss possible scenarios if one were to be elected.

• Oliver Thomas (VIEWS) explains the tax code applicable to ministers, pointing out the benefits for which ministers as a group are sometimes uniquely qualified. Dividing into two groups, discuss the merits and problems with giving ministers "double-dipping" and other tax benefits. Has the I.R.S. gone too far in making ministers a special class of taxpayers? Cite the justification for such special treatment. What other group enjoys such benefits?

• Quoting James Dunn's REFLECTIONS on Dr. Samuel Stillman, we read: "[Stillman] held that the sacred rights of conscience cannot 'be parted with' despite the fact that 'attempts have been repeatedly made by an ambitious clergy, assisted by rulers of despotic principles.'" springboard, exploring the current state of "sacred rights" vis-a-vis "ambitious clergy." Would such clergy be likely or unlikely to enhance the idea of "faith freely chosen"?

[Ed. From the Guidelines: Recommendations for Teaching about Religions — The study of religions in public schools is permitted by the Constitution as long as the subject matter is presented objectively as part of a secular program of education; The First Amendment does not forbid all mention of religion. . . it does prohibit the advancement or inhibition of religion; The decision to include — or exclude — material from the curriculum must be based on secular, not religious, reasons. Guidelines for Teaching about Religions — The school may sponsor the study of religion, but may not sponsor the practice of religion; The school's approach to religion is one of instruction, not one of indoctrination; the School should strive for student awareness of all religions, but should not press for student acceptance of any one religion.]

## NEW REGISTER CITIZEN OPINION

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1/87

Bill Me

"The more we trust in the hands of any man, the more we try his virtue, which at some fatal hour may yield to a temptation; and the people discover their error, when it is too late to prevent mischief."

## REFLECTIONS

James M. Dunn  
Executive Director



It was one of life's embarrassing moments. At the time Samuel Stillman probably assumed that subsequent generations would remember him primarily in his humiliation.

Apparently it was the custom in some Baptist churches for the officiating minister to carry the female candidates for immersion from the shore into the river and out again. This was the occasion for his downfall. William Bentley reported that, "Last Sunday Dr. Stillman [a small, frail man] carrying a corpulent woman into the water was thrown down by her and was obliged to receive help from the bystanders."

One can assume that Samuel Stillman was especially chagrined by the event since he was known as a man of eloquence, culture and courtly breeding. Stillman's protege, Elias Smith, described Stillman's bent for natty attire: "He was dressed in black, wore a large white wig and three-cornered hat. He looked as neat as it is easy to be in a dirty world." Hezekiah Smith wrote of Dr. Stillman's habit of wearing Geneva robes, saying he "was as fond of such foppery as a little girl is of fine baby rags."

Imagine, if you can, this courtly little pastor of the First Baptist Church of Boston being buried in involuntary baptism by an oversized candidate and rescued dripping and muddy from the baptismal site.

Samuel Stillman made his mark in history for matters of far greater consequence. He became the pastor of the First Baptist Church of Boston September 9, 1764 with the church agreeing to give him "ten dollars a week and to find him his fire wood," and he continued in that office more than forty-two years until his death, March 12, 1807.

He was a good foot soldier in Baptist and civic causes with "his name among the first" in the Humane Society, "a useful officer" in the Massachusetts Charitable Fire Society, "a member from its beginning" of the Boston Dispensary and a founding board member of the Boston Female Asylum and of the Rhode Island College which became Brown University. Later Baptists are indebted to him for his role in forming the Massachusetts Baptist Missionary Society at a meeting in his church on May 26, 1802. This event is seen by some as the "meeting which marked the entrance by our denomination in this country upon a missionary career."

"Foot soldier" is a good label for Stillman because he was known as a patriot. On June 4, 1770 he preached "An Artillery Sermon" to "The Ancient and Honorable Artillery Company in Boston New-England Being the Anniversary of their Election of Officers." He argued "if life, liberty and property are important blessings, and in continual danger from the rampant lusts of men, it follows that that art by which we are enabled to secure them, is itself important." He praised the good soldier as "useful member of the community" and pled for the members of this militia to pursue a "competent knowledge of the art of war" and to consider giving more than four days a year to training. He praised the volunteer soldiers for defense against "tribes of barbarous Indians whose tender mercies were cruelly."

His patriot status remained unchallenged from an early

sermon, May 17, 1766, "On Repeal of the Stamp Act: Good News from a Far Country," through his religio-political commentary in a thanksgiving sermon, November 20, 1794, "Thoughts on the French Revolution." In the latter he said, "Permit me to declare, my brethren, that I bless God he ordered me into existence at a period which gave me an opportunity of observing the origin, progress and glorious issue of my country's contest with her oppressors. She is free, happy and independent."

In 1779 the preacher-patriot was appointed by the Legislature to preach the annual election sermon. There was some opposition to him on the ground that he was a Baptist, and one member was so intensely opposed that by restless agitation he obtained a reconsideration of the invitation. Stillman's popularity was such that the vote for his appointment was larger the second time than it had been the first. It was the first time that a Baptist had been asked to preach an election sermon.

He took advantage of the occasion to outline the Baptist ideal — "The Sacred Rights of Conscience" — and attempted to draw the line "between the things that belong to Caesar and those that belong to God." Locke was drawn upon for the argument that the foundation of civil society is the consent of the governed and the equality of men.

Stillman pled for a Bill of Rights in the Constitution. He held that the sacred rights of conscience cannot "be parted with" despite the fact that "attempts have been repeatedly made by an ambitious clergy, assisted by rulers of despotic principles," to do so. His argument against taking a man's property without his consent was in accord with the philosophy of the Revolution. It was also a good argument against an established church. This famous sermon preached on May 26, 1779 was published and widely circulated. It seems to represent a watershed in the fight for religious liberty so long engaged in by Stillman and his more aggressive ally, Isaac Backus.

The Boston pastor told the Massachusetts lawmakers that the "authority of the civil magistrate is, under God, derived from the people." From this view, he continued, "arises the indispensable necessity of a Bill of Rights, drawn up in the most explicit language."

The need for a Bill of Rights was illustrated to Stillman by the rule of a corrupt majority. He insisted that Great Britain "hath been brought into her present deplorable situation by a venal majority."

In those days the Constitution was being formed and Stillman preached to many of those who would shape it. He lifted up a theology for a rule of law, a document for governance and a theory of church-state relations which has merit today. We should "guard as much as possible," he said, "in our beginning, against the corruption of human nature. We should leave nothing to human virtue that can be provided for by law or the constitution. The more we trust in the hands of any man, the more we try his virtue, which at some fatal hour may yield to a temptation; and the people discover their error, when it is too late to prevent the mischief."

The wisdom of The Rev. Dr. Samuel Stillman is needed yet in 1987. □

# REVIEWS



## Memorial and Remonstrance

The *Memorial and Remonstrance* is the centerpiece of Madison's works on the separation of church and state. Leo Pfeffer has extolled it as "one of the great documents in the history of human liberty. . . ." Justice Rutledge called it "at once the most concise and the most accurate statement of the views of the First Amendment's author concerning what is an 'establishment of Religion.'" The *Memorial and Remonstrance* was drafted by Madison in 1784 in response to a proposal of the Virginia legislature (of which Madison was a member) to levy a tax to support "Teachers of the Christian Religion." The bill was proposed by Patrick Henry and had the support of many leading Virginians, including George Washington, John Marshall, and Richard Henry Lee. In early debates on the bill, Madison fought a potentially losing battle, finally succeeding in having the vote on the bill postponed for several months by agreeing to support a bill incorporating the Protestant Episcopal Church.

The *Memorial and Remonstrance* was circulated as a petition, and did not bear Madison's name as author. The precise amount of its influence is debatable, but Madison's work was certainly an important component of the effort to defeat the bill. Ultimately, not only was the bill voted down, but the surge of anti-establishment thought caused the enactment of Jefferson's "Act for Establishing Religious Freedom," which had lain dormant since 1779.

Madison began the *Memorial* by saying that it is a "fundamental and undeniable truth, that religion . . . can be directed only by reason and conviction, not by force or violence." Religion, which Madison described as "the duty which we owe to our Creator," is precedent to "the claims of Civil Society." Thus, "in matters of Religion, no man's right is abridged by the institution of civil society and . . . Religion is, wholly exempt from

the cognizance." This precedence of religion extends even to unorthodox religions and, arguably, to the irreligious. Madison noted: "Whilst we assert for ourselves a freedom to embrace . . . the Religion which we believe to be of divine origin, we cannot deny an equal freedom to those whose minds have not yet yielded to the evidence which has convinced us." Having established that each person has an individual duty to his creator, Madison asserted that this duty will not necessarily be protected in a democracy because "the majority may trespass on the rights of the minority." Madison warned: "The same authority which can force a citizen to contribute three pence only of his property for the support of any one establishment may force him to conform to any other establishment in all cases whatsoever[.]" Thus, Madison argued, religious groups should fear the power of establishment because it would grant the right to the government to infringe on individual liberties and would give the majority the power to select any religion in vogue.

Likewise, the people should not allow government to align itself with religious groups for the benefit of the government. Madison referred to the historical evils wrought by established churches that, in some cases, "have been seen to erect a spiritual tyranny on the ruins of Civil authority; in many instances they have been seen upholding the thrones of political tyranny; in no instance have they been seen the guardians of the liberties of the people." For Madison, a proper government does not need the support of an established church.

Two key themes can be distilled from the *Memorial and Remonstrance*. First, all individuals are free, by the nature of religion itself, to choose a religion; and it is a violation of this basic human liberty for the law to require them to support any religious institution. Thus, Madison's commitment to religious freedom for all individuals provides the basis for his arguments against religious establishments. Second, as institutions, church and state must maintain totally separate spheres of influence, with neither supporting the other. □

Used by permission of *A Journal of Church and State*, Vol. 25, No. 3, the J.M. Dawson Institute of Church-State Studies, Baylor. This excerpt later appeared in the volume edited by Robert S. Alley, *James Madison on Religious Liberty* (Prometheus Books: Buffalo, NY, 1985), including the chapter, "Religion and the Republic: James Madison and the First Amendment," by Donald L. Drakeman.

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