
REPORT from the **CAPITAL**

**THE TRUTH OF GOD IS
SUFFICIENTLY COMPELLING
WITHIN ITSELF, NOT
REQUIRING LEGAL
RECOGNITION OR
COMPULSION IN ORDER TO
COMMEND IT TO THE MINDS
OF MEN. THE GOSPEL
MESSAGE NEEDS NO
GOVERNMENTAL SANCTION IN
ORDER TO SURVIVE, AND
REQUIRES NO TAXATION TO
GUARANTEE ITS SUPPORT.**

Edward Hughes Pruden

SOUTHERN BAPTIST HISTORICAL
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Nashville, Tennessee

REPORT from the CAPITAL

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

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Cover: Edward Hughes Pruden, who died on April 4 at his home in Richmond, Virginia, was known as the "presidents' pastor." During the critical war and post-war years, 1941-1954, Dr. Pruden served on the Board of the Baptist Joint Committee. He was pastor of First Baptist Church in the nation's capital for thirty-two years.

Executive Director: James M. Dunn
Editor: Victor Tupitza

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

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200 Maryland Avenue, N.E. Washington, D.C. 20002

Conscience and Constitution

In less than a year's time, the Baptist family has suffered the loss of four renowned advocates of religious liberty and church-state separation. They came from among the laity and the clergy, each a person of deep Christian conviction: Louis Newton, instrumental in founding Americans United; Edward Pruden, who preached truth to power, on one occasion to the distress of parishioner, President Harry Truman; Owen Cooper, selfless in pursuit of racial justice; and Edwin Dahlberg, widely identified as a Christian peacemaker (Dahlberg Peace Prize). Their passing extends to us the challenge to witness to conscience and to our U.S. Constitution.

Baptist historian Robert Handy underscores that urgency, cautioning that "the greatest danger to religious freedom today might just come from those who have it and do not use it." Protected by the Constitution, religious freedom enabled churches to flourish. Equally as important, it freed persons to respond to the divine call as it comes to them and allows them to "reach out to others without hindrance in witness and service."

Martin Marty, in his address to the most recent BJCPA National Religious Liberty Conference, evaluates "establishment or legal privileging" as alternate possibilities, and rejects both. Religion enjoys the same rights and privileges with all groups and associations. Marty thus concludes on this high note: "Trust in the voluntary system implies a tense, conflictual, ever-changing scene — but in the end a most creative one." Establishment and special privilege offer illusory preeminence while diminishing the essential nature of freedom.

In the Soviet Union, human rights and religious liberty are inseparable. Its constitution is clear (avoiding the ambiguity of the First Amendment), but it provides no discernible idea of Jefferson's "inalienable rights of the individual, or limited government." To account for a difference between our two nations, U.S. State Department Assistant Secretary Richard Schifter suggests, "It is . . . above all, our religious tradition . . ." He undertakes to answer some of the questions posed by the reform movement set in motion by Mikhail Gorbachev. Avoiding hardline scepticism, Schifter concedes that some reconstruction and openness are evident. When measured by the liberties due under the Helsinki Accords, however, freedom for Soviet citizens lags abysmally, and religion in particular is given limited rights to "witness and service."

James Dunn reminds us that those who give also are those who take away. He calls them "spiritual sentries," self-appointed censors who stand at the "sacred precincts of personal religion." One finds them today gracing the hustings as well as the airwaves and pulpits. Their message is one of conformity — "sameness" in the language of Marty — via the interpretation, the explanation, the theological definition. The most serious charge is that "they come between the believer's conscience and God. Throughout REPORT this month you see the accent on the "ultimacy of personal conviction": spiritual giants have lighted our path. □

Victor Tupitza

The Supreme Court has left standing a lower court ruling that a state law requiring all teachers — parochial as well as public — to hold teaching certificates does not violate constitutional protections of religious freedom.

The high court refused to review a divided opinion of the Michigan Supreme Court upholding a 1921 law requiring teacher certification in all elementary and secondary schools in the state. The statute specifically mentions "private, denominational and parochial" schools. It further authorizes the state superintendent of public instruction to close down schools that refuse to comply with the teacher certification requirement.

Two church-operated schools in Michigan ran afoul of the law when they refused eight years ago to submit forms required by the state to demonstrate they met the certification provision. In July 1980, the Michigan attorney general began administrative proceedings to suspend the schools' operation.

The two independent Baptist churches filed suit in a state court on grounds the First Amendment protected their schools and the Ninth Amendment gave parents the right to send their children to schools of their choice.

The Ingham County Circuit Court ruled in 1982 the teacher certification law did not insure teacher competency and violated both religion clauses of the First Amendment. That ruling was reversed two years later when the Michigan Court of Appeals held the state had proved a "compelling state interest" for the law. The Michigan Supreme Court affirmed that decision in 1986 on an equally divided, 3-3 vote. ●

Rejecting an appeal by a fired Presbyterian minister, the Supreme Court has reiterated its longstanding position that secular courts have no jurisdiction to intervene in disputes between churches and their ministers.

The high court dismissed the appeal of the former part-time pastor "for want of jurisdiction." Although it did not elaborate, the order made plain the court's reluctance to become involved in reviewing such issues already decided by church authorities. ●

The Senate Labor and Human Resources Committee voted 12-4 in favor of the proposed Civil Rights Restoration Act, which now goes to the full Senate.

The legislation would have the effect of overturning the Supreme Court's 1984 Grove City College decision that narrowed application of four federal civil rights laws. The court held an education anti-discrimination ban applied only to the "program or activity" receiving federal funds, not the entire institution. Although the ruling directly applied to Title IX of the 1972 Education Amendments, it also affected three other civil rights statutes that contain the same "program or activity" language. ●

The Supreme Court has ruled that Jews and Arabs qualify as racial minorities under a 19th century federal law banning discrimination.

A unanimous high court held that because members of Congress who enacted the 1870 law intended to include a wide variety of ethnic and religious groups considered at the time to be racial minorities, such groups are protected from discrimination today despite the fact that many of their members now are considered Caucasians. ●

Robert Hingson, inventor of the "peace gun" jet inoculator and an American Baptist layman, is among the winners of the 1987 President's Volunteer Action Awards. He has spent more than 25 years in volunteer efforts including the immunization of children and adults, providing seeds and tools to poor countries, and supplying textbooks to health practitioners. ●

A Plea for

Voluntary Religion

One church-state issue more than any other creates tension within and between churches and in the larger society as we approach the Constitution's bicentennial on September 17, 1987. Some government leaders, intellectuals, and populists have raised the tensions from without, and some church leaders have heightened them from within. This issue having to do with "religious liberty" comes not from the "free exercise" of religion side of the First Amendment. Of course, citizens have specific grievances over such exercise. The larger, more general issue, however, has to do with the "establishment" clause. If mishandled by voters or courts, it could threaten the religious liberties we have known.

This issue has to do with the effort by one set of citizens to privilege by law and in custom one religious outlook or tradition. They promote what one nineteenth century figure called "*sameness*" in religion and world view, arguing that only then can there be a strong and godly America and only then can citizens produce and transmit good values. Over against these are threatened citizens who have been forced on the defensive as they continue to express faith that a *pluralist* society that trusts the "voluntary" approach to religion best assures freedom and is capable of generating positive values for the society.

Dr. Marty is the Fairfax M. Cone Distinguished Service Professor of History of Modern Christianity at the University of Chicago Divinity School. The above article is adapted from his presentation at the BJCPA Religious Liberty Conference last October.

The "sameness" people may not seek a full and formal establishment of religion. Americans made up their mind against such explicit notions two centuries ago. But their attempt to privilege a "majority" religious tradition as they conceive it can work the same effect. They seek to promote one set of symbols, practices, and expressions as being the truly American and godly combination. Others who do not have religious faith, or who do not favor the favored one, would be and are coming to be regarded as second-class citizens, not quite fully American, certainly religious inferiors, to be tolerated at best and downgraded or pursued at worst.

The key words, then, are "voluntary" versus "privileged." Voluntaryism has been the great strength of the Republic, an approach learned through two centuries of tension, struggle, trial, and error. Within it religion has prospered as almost nowhere else, for, as the Founders of the nation envisioned, its integrity is most evident when it has nothing but the belief and energy of its members and not the coercive power of the state on which to rely. And the nation prospers when people are not turned into "hypocrites" or "knaves" or "fools" — the eighteenth century Madisonian terms still speak — because they or their civil leaders grant favor and privilege to one faith or tradition.

The cast of characters on both sides of these tense issues changes from time to time. For much of two centuries, most non-Catholics thought Catholics would seek and might gain a fifty-one percent majority and then impose their faith. As recently as a third of a century ago much of mainstream Protestantism wanted civil society, through its schools and courts

and public institutions, to assimilate all non-mainstream groups into a WASP-based "sameness." In 1951 *The Christian Century*, for instance, still bannered on its cover an editorial theme: "Pluralism: A National Menace." And for liberal democrats, John Dewey a half century ago in *A Common Faith* wanted to privilege a generalized religion of democracy, to make it "explicit and militant" as the shaper, bearer, and transmitter of values.

While these three traditions have been coming to terms with and learning to promote voluntaryism and pluralism, a different set of churches or church leaders, coalescences, and public philosophers — to say nothing of politicians — have come on the scene to press the anti-pluralist scheme. They have perceptively diagnosed that there is a "crisis of values" in America today. They have experienced the confusions that can come with pluralism. They have exploited the fears of people who waver in support of the very voluntary pattern that gave them freedom and made room for the free propagation of the faiths they themselves claim to cherish.

The "sameness" people share a growing, massive, compulsive world-wide spirit of tribalism that sometimes follows national or religious lines and that in other cases divides nations and religions into warring tribes. Prime Minister Nakasone by gesture and word seeks to shore up Japan as an island- or family-nation over against the pluralism that he sees weakening others. The Islamic world, one-fifth of the human race, is torn by pressures from those who want Islam, and even one brand of it, established or privileged or even granted a monopoly. This movement agitates nations as far apart as Malaysia, Nigeria, Egypt, and most notoriously Iran.

The Middle East has seen some of the most threatening versions of "sameness"-tribalism, and Lebanon best illustrates what happens when people reject a pluralist polity in a time of easily available weaponry and easily exploitable resentments. Each religion seeks monopoly. On the scale of these efforts to privilege or to claim that God favors one faith, American tensions, conflicts, and disputes are quite

bloodless and relatively mild. But they partake of the same impulse, and, as the national Founders reminded us, they create dangers to "the first liberty" and thus to all.

The efforts in America revolve around the notion that all who would not give civil privilege to something as broad as "the Judeo-Christian tradition," something coded as "Christian America," or something as specific as "Born Again" America are second-class citizens, or, if their faith does not meet certain tests, that they are "secular humanists" and thus anti-god and un-American.

The signals promoting such "sameness" and wavering in faith behind voluntarism come with different strength from different quarters. President Ronald Reagan often celebrates one tradition and implies that others are at best to be tolerated. Attorney General Edwin W. Meese III in his celebrations of the Judeo-Christian theme, his critique of the Supreme Court's use of "incorporation" that assures First Amendment Religious Liberty guarantees on the federal level, and Senators like Orrin Hatch, who smuggles what he defines as anti-secular humanist measures into education bills exploit the current anxieties.

The record is not yet clear on Chief Justice William Rehnquist. His explicit rejection of the Jeffersonian metaphor of the "wall of separation" of church and state does not necessarily mean a legal privileging of "the Judeo-Christian tradition," but he sends out signals that bear watching. Most ambiguous and capable of sending out both jostling and reassuring signals is Secretary of Education William Bennett. In certain political contexts he seems to be on the side of privilege, but at the last moment he has stepped back and supported voluntarism in several crucial encounters.

In the religious sphere the call for homogeneity, sameness, and symbolic privilege comes from many neoconservative publicists and columnists. It appears from among people in theocratic traditions, people whose names are not well known to the public at large but who have churchly followings: Rushdoony, Singer, La Haye, Whitehead, and Scheaffer are not household words but they are churchhold names. The "Creationists" want a particular theological vision taught as science in the public schools. New Christian Right leaders, especially heads of television evangelism empires [active] in politics, have become most prominent. When evangelist Jimmy Swaggart came to support evangelist Pat Robertson in a presidential bid, he typically arrogated to one tradition a monopoly on godly and civil virtue: for "the first time in human history," if elected, Mr. Robertson would as he took the oath of

office own a heart that was right with God in Jesus Christ.

Make no mistake: my critique of those who seek legal privilege is not a would-be limitation on evangelization, proselytism, or efforts to persuade. Assuring freedom for persuasion is what the whole pluralist defense is about. There are only the most remote needs for intervention by civil law against the freedom to evangelize as when, for instance, a bullhorned intervention on someone else's worship might be disruptive of others' freedoms. Otherwise, let anyone persuade anyone else of the value of a particular faith or tradition.

Everything that I have here said was well anticipated by James Madison in the Tenth Federalist Paper, which sounds like current events: "The influence of factious leaders may kindle a flame within their particular States [I would say 'spheres'], but will be unable to spread a

There are virtually no limits to which citizens cannot go to promote their views in the public forum, the marketplace of ideas, the world of media, foundations, corporate life, the advertising world. . . .

general conflagration. . . . A religious sect may degenerate into a political faction in a part of the Confederacy; but the variety of sects dispersed over the entire face of it must secure the national councils from any danger from that source." The Fifty-First Federalist Paper enlarged on this: "In a free government the security for civil rights must be the same as that for religious rights. It consists in the one case in the multiplicity of interests, and in the other in the multiplicity of sects." This did not mean that there dare be no cooperation, no "ecumenism," no coalescence of religious interests. It did mean that minorities had to be protected against majorities and that diversities of interests also within the majorities had to speak up and seek effects.

Today, then, the way to treat those who would privilege a tradition and stigmatize the non-religious or the other-religious is not to howl "violation of the separation of church and state" theme, though that may on some occasions be at stake. Instead, others should counter-

organize and speak up. American diversity lives on. It is a cruel and ignorant move, for instance, to lump together all fundamentalists, evangelicals, and pentecostals, and here I would add Southern Baptists, as being supportive of the anti-voluntarist cause. These camps include millions of people who by word and deed show that they do not take explicit signals from people with whose broad civil outlook they might happen to agree.

The polls are consistent: about four-fifths of the American people like to have political conscience generally shaped by religion and religious expression broadly influential in the civil order. Flip that over: four-fifths also reject clergy who endorse civil candidates and four-fifths despise political candidates who seek explicit religious endorsement. If the other one-fifth prevails, the four-fifths, on Madisonian grounds, have only themselves to blame.

How, then, should we think about all this? I urge that we celebrate the survival after two centuries of pluralist polity and the religious freedoms it has assured. We must regard that continued survival as being precarious, given world trends and some American impulses. The voluntary system deserves applause and must constantly be put to work. There are virtually no limits to which citizens cannot go to promote their views in the public forum, the marketplace of ideas, the world of media, foundations, corporate life, the advertising world, and the like. Believers who fail there because of competition and pluralism want to do their imposing through School Prayer amendments, anti-secular humanism bills, "Creationism," and the Ten Commandments on the classroom wall, in one of the few tense sectors where they can be at least mildly coercive, the public elementary and high schools.

One could enlarge my set of pleas to hope that churches will develop theologies that continue to see God active in civil society among groups and leaders that do not know God, or who revere God in ways other than one's own. Classic Christianity, for instance, has developed any number of such approaches, but they are threatened among monopoly-minded Christian citizens today. And just as we resist establishment or legal privileging of a tradition, we do well to celebrate the bicentennial by reminding each other of a grand Madisonian theme. As Paul J. Weber has put it, "Madison's principle was that religious individuals and groups had the same rights and privileges — and no other — as any other individuals and associations." There dare be no disability against individuals or groups who act on religious impulses.

Continued on page 14

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

VIEWS OF THE WALL

Oliver S. Thomas
General Counsel



If there is anything that is quintessentially American, it is our commitment to freedom of expression. Americans, at least on paper, think people should be able to speak, write, and publicize their ideas freely and without governmental interference.

One reason for this commitment to freedom of expression is our understanding of the nature of democracy. We believe that an uninhibited, unencumbered, free, and robust exchange of ideas is essential to the democratic process. Only if the issues of the day are openly and publicly debated can we have an informed citizenry.

People of faith are especially concerned about the free expression of religious ideas. We believe that our religious ethics and morality are not only relevant to a healthy civil state, they are requisite. Without a concern for justice, compassion, and human dignity a nation cannot long survive. For that reason, the Baptist Joint Committee is opposed to any state action that would stifle or discourage the free flow of religiously motivated speech.

Currently, there are at least three cases pending that involve governmental policies that discourage religious speech. These cases will have a significant impact on the future ability of churches and religious organizations to engage in evangelism and to influence public policy.

1. **Shrinking the Public Square** — *The Board of Airport Commissioners of the City of Los Angeles v. Jews for Jesus, Inc.* addresses the question of whether First Amendment activities can be prohibited in a public transportation terminal. The airport's blanket prohibition in this case applies to "all First Amendment activities," which would include evangelistic activities such as personal witnessing and distributing religious literature. Although the prohibition seems patently overbroad and unconstitutional on its face (it apparently forbids urging your traveling companion to vote Republican), there is a likelihood that the Supreme Court will uphold the airport's regulation.

Fortunately, the impact of this case will be limited to nontraditional public forums as opposed to traditional public forums such as parks, sidewalks, streets, libraries, and universities. Only governmental facilities that are set aside for a specific purpose such as public transportation

will be affected. Buses, prisons, and military bases are already subject to such substantial restrictions on free speech.

Because they rely primarily upon door-to-door visitation and the media for their evangelism, most Baptist churches will not be affected directly by this decision. Nevertheless, it will affect all of us indirectly and should concern any person who believes in free speech and the free exercise of religion.

2. **Manipulating Religious Organizations through Their Tax-Exempt Status** — Ever since the *Bob Jones University* decision in 1983, the door has been open for the state to manipulate religious organizations by threatening their tax-exempt status. By making an organization's exemption contingent upon its compliance with "federal public policy" as was done in *Bob Jones*, the Court has transformed a basic constitutional right into a carrot stick that can be used by the state to influence the actions of churches.

A case in the United States Court of Appeals for the Second Circuit represents an equally ominous variation on this theme by allowing a private individual or organization to question the tax-exempt status of churches on the basis of their political activity. Plaintiffs in the case are pro-choice activists who are challenging the Roman Catholic Church's tax-exempt status because of its political activity against abortion.

While the Baptist Joint Committee does not think it proper for churches to endorse candidates for public office, we zealously defend the right of churches to speak out and to engage in political activity on the important moral issues of the day. If the plaintiffs are successful in their case against the Roman Catholic Church, all religious organizations will be vulnerable to attacks by those who disagree with the organizations' positions on controversial moral and political issues.

3. **Application of Election Laws to Churches** — One of the most interesting

cases involving the free expression of religious ideas concerns the application of election laws that were created for political action committees (PACs) to churches. The case arose when several churches in western Tennessee put an ad in the newspaper opposing a local liquor referendum and subsequently were declared to be political action committees by the state's attorney general. As a result, the churches were subjected to intrusive and burdensome regulations that require them to disclose the names and addresses of all their contributors and the amount of each person's contributions.

The churches argue that application of financial disclosure laws to public referenda as opposed to campaigns for public office is a violation of every citizen's right to free speech. In addition, they assert that the application of PAC laws to churches has a chilling effect on the free exercise of religion and discourages churches from speaking out on important moral issues. The pastor of a church in one nearby county testified that his church had refrained from speaking out on a similar referendum in its county for fear that the financial disclosure laws would be invoked by the state.

The case, *Bemis Pentecostal Church v. State of Tennessee*, is pending before the Tennessee Supreme Court and may well reach the U.S. Supreme Court sometime next year.

Arguably, none of these three cases standing alone poses a serious threat to religious liberty. Jews for Jesus, Inc., doesn't have to pass out tracts in airports, the Catholic Church need not be tax-exempt to continue its ministry, and Tennessee Baptists and Pentecostals can disclose confidential financial information without risking bankruptcy. (Some might even argue that publicizing a church's financial records would be a great way to encourage tithing.)

However, these cases are evidence of an increasing willingness on the part of the state to try to control, limit, or at the very least influence religiously motivated speech and conduct. This is particularly evident when the church expresses itself in the public square.

Perhaps, as James Madison warned, we should take alarm at this first experiment with our liberties. □

The Reality about Human Rights in the U.S.S.R.

Change, but not freedom

Of all the questions that can be posed about human rights conditions throughout the world, none has, in recent days, been asked more often or is more intriguing than the question: "What's going on in the Soviet Union?"

There is no doubt that interesting events relating to the state of human rights in the U.S.S.R. have been happening recently. The release and deportation of Shcharansky and Orlov can be written off as parts of arrangements under which our side releases spies. But there was no clear *quid pro quo* from the West for the return of Andrei Sakharov to Moscow, the release of the poet Irina Ratushinskaya, the decision not to impose a prison term on the Crimean Tatar leader Mustafa Dzhemilev, and, most recently, the release of a significant number of political prisoners.

In Moscow, plays and films critical of certain aspects of past or present conditions in the Soviet Union are shown to limited audiences. Rumors abound that previously published books will now appear in print. There are serious students of Soviet affairs who believe that the events that I have just recited are harbingers of the far-reaching and most significant changes that Mikhail Gorbachev will institute in the Soviet system. There are others who hold a more jaundiced view.

Trying to determine what motivates the leadership of the Soviet Union in effecting changes in policy is by no means an easy task. The decisions are clearly

made at the highest level, in the Politburo. These meetings are not open to the general public, nor are transcripts or summaries of its deliberations ever made available to the outside world. And in Soviet society, they don't even have leaks. Therefore, we can try to fathom the thinking of the Soviet leaders only by reading their speeches, statements, and the reports of foreigners who have had conversations with them. For the rest of it, we must fall back on educated guesses. It is with that caveat clearly underlined that I would like to offer you my interpretation of recent developments in the Soviet Union as they relate to respect for human rights.

Democracy and the Revolution

What is it that makes us, both as a political entity and as individual [United States] citizens, respect the right to life, to liberty, and to personal dignity? It is, I submit to you, above all, our religious tradition — principles such as the Ten Commandments and the Golden Rule — that provides the framework within which most of us act most of the time, both in our private and, in the case of government officials, in our official capacities as well.

To this religious tradition we must add the fundamentals of our secular approach to government, an approach stemming from the philosophers of the Enlightenment, so magnificently summarized by Thomas Jefferson in the initial passage of our Declaration of Independence. What Jefferson stated there with the utmost clarity are our ideas of the inalienable rights of the individual, of limited government, and of government only with the consent of the governed.

Now let us examine where the Soviet Union stands on these propositions. The ideas of the Enlightenment did, indeed, penetrate into that country. The Empress Catherine II expressed an interest in them. And, in the 200 years since her reign, the ideals of Western civilization have, by no means, been unknown in Russia. Admittedly, though, the penetration has been shallow. Beyond that and, most importantly, as far as the outlook of the Soviet leadership is concerned, Lenin, the founder of the Soviet state, totally rejected the concepts of the rights of the individual.

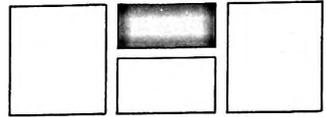
The Russian Social Democratic Party, it should be recalled, was united in its espousal of Marxism. But Lenin divided it precisely on the issue of the methods of seizing and maintaining power, repudiating any notion of the rights of the individual and of government by consent of the governed. The very reason for the existence of the Bolshevik Party and, ultimately, the communist international movement united in the Third International, was its complete rejection of the concepts of democracy as they had developed in Western civilization in the wake of the Enlightenment.

On the foundation laid by Lenin, Stalin then built the despotism uniquely associated with his name. The basic approach which justified repressive and amoral government had been well established by Lenin, and the mechanisms of repression had been put in place. But whereas Lenin was prepared to destroy and to kill for the cause, Stalin was prepared to use the existing apparatus to serve his personal ends, to destroy and kill out of vindictiveness, paranoia, and sometimes even on a whim.

Continued on page 16

Richard Schifter is Assistant Secretary for Human Rights and Humanitarian Affairs, the United States Department of State. This article has been edited for length.

News in Brief



Panel examines proposed rules for shelter funding

WASHINGTON

A constitutional snag in the fabric of legislation designed to fund emergency shelters for the homeless was examined during a recent congressional hearing.

Congress last year appropriated funds under the Emergency Shelter Grants Program to make more emergency shelters available for homeless people. In developing proposed regulations for implementing the program, the Department of Housing and Urban Development excluded "primarily religious" groups and organizations from applying for and receiving a large portion of those funds.

The proposed regulations would allow religious organizations to apply for funds for operating expenses of emergency shelters, but not for the renovation, rehabilitation, or conversion of property for use as shelters.

HUD said the regulations were drafted to avoid violating the First Amendment's Establishment Clause. But a number of religious groups claim the rules are unnecessarily exclusionary.

Two representatives from the religious community voiced their concerns about the proposed regulations during testimony before the House Employment and Housing Subcommittee.

William J. Wood, executive director of the California Catholic Conference, said the proposed rules defeat the intent of legislation intended to help the homeless and misinterpret relevant constitutional provisions separating church and state. "It appears as if HUD has gone out of its way to deny access to funds by sectarian organizations," he said.

Wood and John Steinbruck, pastor of Luther Place Church in Washington, stressed the vital role churches and religious organizations play in assisting the nation's homeless.

"Now told that they can no longer receive HUD funds because it is unconstitutional," Wood said, "generous, creative, hardworking people are being forced to sit back helpless and watch homelessness take its lethal toll on their fellow citizens."

Two women told the House panel about the time they and their families spent in emergency shelters operated by religious groups. Both recounted similar accounts of staff members and volunteers who offered various forms of assistance,

but never attempted to influence their religious views.

"We came to Christ House with only a few clothes, terrified of being in a place we knew nothing about," said Kathy Williams, a wife and mother of two. "We found out that Christ House was sponsored by Catholic Charities; no one asked if we were Catholic.

"I don't want to think of what would have become of us had it not been for Christ House as they were our last hope. We certainly would have had to give up our children."

A spokesman for HUD testified his agency recognizes the vital role religious organizations have played in meeting the social service needs of the poor — including the homeless — and has attempted to be sensitive to the concerns of those organizations.

But J. William Dorsey, HUD general counsel, said the agency is required to follow the First Amendment. He said the "tough constitutional questions" involve implementing grant programs that "neither advance nor inhibit religion" and do not "produce excessive government entanglement with religion."

Dorsey said one acceptable solution would be for a religious group to form an independent, secular, nonprofit organization to operate its homeless shelter. Dorsey said HUD would be able to grant funding to the independent organization without violating the Establishment Clause.

A constitutional law authority, however, argued against HUD's proposed regulations, calling them "internally incoherent."

"In my view, these regulations elevate form over substance in a manner inconsistent with the constitutional doctrine of separation of church and state," testified John Sexton, professor at New York University's School of Law. "Indeed, I believe that the regulatory scheme they create generates more constitutional problems than it solves."

Sexton said if HUD prohibits religious groups from receiving any federal aid —

such as for renovation — it should prohibit all aid — such as for operating expenses. He added the formation of independent organizations, suggested by Dorsey, is not a "magic" solution.

Instead, Sexton recommended two basic changes in the proposed regulations that would prohibit using a facility rehabilitated or converted with federal money for any religious purpose, whether now or in the future. Sexton's recommendations would allow religious groups to receive federal funds where secular activities, such as providing shelter for the homeless, could be separated out from their sectarian activities. □

Scientology loses round in battle over damages

WASHINGTON

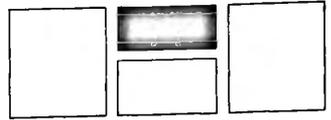
Lawyers representing the Church of Scientology have failed to convince the U.S. Supreme Court to review a key procedural question in their larger legal effort to overcome a California jury's award of \$30 million in damages against the church.

The high court declined without comment to hear the appeal — brought by the Church of Scientology of California — to review a state court requirement that the church post a cash bond of \$60 million or a surety bond of \$45 million while it appeals the \$30 million judgment for former Scientologist Larry Wollersheim. Last summer, a Los Angeles jury awarded Wollersheim \$5 million in compensatory damages and another \$25 million in punitive damages for what he called "emotional distress" resulting from his engagement in the Scientology practice of "auditing."

Auditing, the central religious practice of Scientology, involves private counseling of new devotees to the religion. Church ministers — or auditors — assist new adherents in reconstructing their spiritual pilgrimages and ridding them of what Scientology considers unhealthy religious experiences in this or earlier lives. According to legal papers filed in the case, the church considers auditing "the sole route to spiritual salvation."

Wollersheim convinced the jury in his case that auditing amounted to emotional distress and fraud.

Under California law, the church was required to post a cash bond of twice the amount of the judgment — \$60 million — or a \$45 million bond guaranteed by an



insurance company. Church attorneys claimed throughout their unsuccessful challenge the church did not have the funds to meet the bond requirements. The church's total assets amount to \$13 million, the lawyers argued, of which only \$5.1 million is "unpledged" — or available cash.

But attorneys for Wollersheim labeled that claim a "sham," arguing the Church of Scientology has millions of dollars in assets allocated to other church units. □

Couple takes settlement in suit against church

CARMEL, N.Y.

An unmarried couple who sued their church for \$1 million after the assistant pastor publicly accused them of "moral impurity" have accepted a \$75,000 settlement.

Robert Falk said he went to Robert De Sha, pastor of Mission Church here, February 1, 1983, to tell him he was having a love affair with Marilyn Neggersmith. At the time, both Falk and Neggersmith were living with their spouses, whom they have since divorced.

De Sha told assistant pastor David Stoughton, who told the church elders a week later. By that time, the couple had moved into a house near the church.

Stoughton told the Putnam County State Supreme Court there was a "scandal" because Falk and Neggersmith were both leaders in the 220-member congregation. Stoughton read a letter during church services March 1, 1983, announcing that "Bob Falk and Marilyn Neggersmith have left their families and are living together." He then quoted several Bible passages condemning adultery.

The couple, who said they plan to marry in September, charged the church and De Sha had violated clergy confidentiality by publicly censuring them. Attorneys on both sides said the couple settled for \$75,000 before the scheduled start of closing arguments in the case. □

Christian doctor loses anti-insurance battle

WASHINGTON

A Redmond, Washington, surgeon who refused on religious grounds to take out liability insurance in defiance of a hospital order has lost a legal battle that reached the U.S. Supreme Court chal-

lenging the order as a violation of the free exercise of religion.

William Backlund, an orthopedic surgeon in the suburban Seattle community, challenged a 1983 policy of a hospital board of commissioners requiring malpractice insurance for all area physicians with hospital privileges. Because he refused to insure himself, Backlund lost his privileges as a staff physician at Evergreen General Hospital in Kirkland.

Backlund, who described himself as a born-again Christian, said he defied the order because his study of the Bible had persuaded him having insurance of any kind is unbiblical. After losing an internal appeal, he took the commissioners to court.

Although Backlund won his case in the King County Superior Court, the Washington Supreme Court reversed the lower panel's decision. His unsuccessful appeal to the nation's high court leaves the state supreme court's decision in place.

Backlund's attorney, William R. Bishin of Seattle, asked the high court to take up the case, arguing the commissioners had no "compelling state interest" in denying his client's free exercise of religion. He argued further Backlund's patients have the constitutional rights of privacy and free association to choose their own physician without interference from hospital authorities.

But lawyers for the hospital commissioners countered by noting their clients had a compelling interest in avoiding "deep pocket" lawsuits against the hospital and its other physicians that might result from an uninsured doctor's performance. Backlund's convictions, they also argued, were reached as a result of a private reading of the Bible and not because the church to which he belongs advocates a doctrine against taking out insurance. □

Court agrees to hear Indian holy site case

WASHINGTON

The Supreme Court has decided to resolve a long-standing dispute between the federal government and three Indian tribes over construction of a highway on land considered sacred by the tribes.

In a one-line order issued May 4, the high court announced it will consider the case during its 1987-88 term, which begins next October. This is the second case involving religious freedom for American

Indians — the other deals with the use of the drug peyote in religious ceremonies — the court has agreed to hear next term.

The highway construction dispute centers around the proposed completion of a fifty-five-mile roadway located in Six Rivers National Forest in northern California. The U.S. Forest Service already has spent \$17 million building a forty-nine-mile stretch of the highway. But the remaining six-mile section — which would connect the towns of Gasquet and Orleans — remains unpaved as a result of legal challenges by the Northwest Indian Cemetery Protective Association and individual Indians, who have argued completion of the roadway would desecrate sites held sacred by the Yurok, Karok, and Tolowa tribes. The thus-far successful challenge has been supported by the state of California and various environmental organizations.

Both a federal district court and the Ninth Circuit Court of Appeals have agreed with the Indian group's basic claim that completion of the highway would violate the free exercise of religion. The latter panel held the disputed territory "is indispensable to a significant number of Indian healers and religious leaders as a place where they receive the 'power' that permits them to fill the religious roles that are central to the traditional religions."

U.S. Department of Justice attorneys asked the high court to review the lower decisions, noting similar battles in other federal courts have had an opposite result. They also disagreed with the lower panels' finding that completion of the roadway would violate free exercise rights.

A pair of attorneys for the California Indian Legal Services organization countered by noting that five years ago the national Advisory Council on Historic Preservation recommended against building the highway because of the "devastating effects" the construction would have "on a historic property of great cultural value to the native people of the area." □

The Principle of Religious Freedom

*From the past
to the future*

In the context of the ratification debate over the First Amendment, establishment was generally understood to mean the legal establishment of a church or churches, and Congress was forbidden to take any such step — or from prohibiting anyone or any group from the free exercise of their religion. No wonder Baptists, who not many years before had known the realities of persecution, soon came to be ardent supporters of the amendment.

The words "separation of church and state" were not in the amendment but soon were used to interpret it, especially after Jefferson's famous "wall of separation" letter to the Danbury Baptists in 1802. The national trend toward religious freedom was soon felt in the states where establishment continued for a time; the last one succumbed only in 1833, though it was not for more than a century later in the 1940 *Cantwell v. Connecticut* case that the Supreme Court explicitly applied the free exercise clause to the states through the Due Process Clause of the Fourteenth Amendment, and seven years later in *Everson v. Board of Education* did the same for the "no establishment" clause.

Robert T. Handy, Henry Sloane Coffin Professor of Church History, Emeritus, Union Theological Seminary (New York), is author and editor of at least ten books on American or Baptist religious history and life. The following is an excerpt from his contribution, "The Principle of Religious Freedom and the Dynamics of Baptist History," to *Perspectives in Churchmanship: Essays in Honor of Robert G. Torbet* (Mercer University Press, 1986), David Scholer, editor. Used by permission of the publisher.

Meanwhile the churches flourished in a remarkable way through the nineteenth and into the twentieth centuries; the voluntary approach worked well for them. Despite smoldering and bitter anti-Catholicism that occasionally erupted into violence, the Roman Catholic Church grew rapidly, primarily through immigration, to become the single largest denomination by mid-nineteenth century. And Baptists, now out of the wilderness of legal establishment that had so long plagued them, especially flourished, becoming eventually the largest of the Protestant denominational families in the land. They became zealous defenders of the religion clauses of the First Amendment, finding them to be a proper way to protect that principle of religious freedom that was so precious to them.

Some, however, too easily overlooked the biblical and theological bases of the principle of religious freedom that had long marked the Baptist perspective to draw on the rationalistic and individualistic emphases, in part an extension of Enlightenment motifs that became so important in nineteenth century popular thought. There was a tendency to emphasize the negative aspects of freedom to stress freedom as absence of any external control over the individual, thus minimizing the theological context out of which the principle of religious freedom among Baptists had been developed and sustained. As the late C. Emanuel Carlson, a professor of history who later served more than fifteen years as the executive director of the Baptist Joint Committee on Public Affairs, once put it to a Baptist audience:

It is precisely Jefferson's wall, and the undue attention we have paid to it, which has brought us to the place where all content has often been drained out of religious freedom as a positive force. We have been so pre-

From the point of view of Baptist history and thought, the basic principle at stake is religious freedom. . . .

occupied with our watch upon the wall, so paranoid about some supposed establishment of religion which somebody or other was trying to erect, that we have forgotten that the purpose of religion and the purpose of Christ for his church is that we should be free. But free for what? Free to do what?

While such a critical reflection and questioning as that is before us, we might mention also several other limitations of views of religious freedom that flow some pages of our history, such as the reluctance to extend it to native or black Americans in all too many cases. Some of the difficult chapters of history do make hard reading — but they can help us to examine our own views and practices in the realization that as we are critical of some of the limitations of our forebears so later our views and deeds may be scrutinized by those who come after us.

We are about to observe the 200th anniversary of the First Amendment, long such an important statement for Baptists. How different is the nation today from what it was nearly two centuries ago — it has increased some four times in geographical area and nearly sixty times in population, and the spectrum of religious bodies, then predominantly Protestant, has widened astonishingly in number and variety to include quite complex denominational families not even then in existence.

The character of our separation of church and state has changed; it was through most of the nineteenth century and into the twentieth predominantly a benevolent separation; it has become increasingly neutralist in the later twentieth century and some fear it may turn hostile. Persons of various religious perspectives point out that certain actions by local, state, and national bureaucracies may be based on increasingly narrow definitions of what religion is, thereby in fact infringing on the free exercise clause.

Confusions exist as to what separation of church and state is. Several years ago when the Roman Catholic Archbishop of Chicago died, I was startled to read a newspaper article of which the lead sentence read "John Cardinal Cody, who died April 25, never really bought the idea of the separation of church and state." The rest of the article spoke only of the late cardinal's forthright stands on moral and ethical issues, including his actions on behalf of racial integration. There was not another word after that first sentence about church-state issues; it was simply assumed, wrongly, that strong words and action on public issues by a church leader violated the separation of church and state.

Though I suspect historical precedent will prevent anything being done about it, the very phrase "separation of church and state" may no longer point to the current realities as much as some such clumsy phrase like the "separation of religious bodies and governmental agencies" might. Historian William McLoughlin found that the fight for religious liberty in the seventeenth and eighteenth centuries was primarily a neighborhood affair; the struggle in the late twentieth to maintain it may once again be carried on at a local level.

From the point of view of Baptist history and thought, the basic principle at stake is religious freedom, and what we have called the separation of church and state is a way to protect and extend the principle. When the one hundredth anniversary of the adoption of the American Constitution was celebrated almost a hundred years ago, the leading church historian in America, Philip Schaff, called the First Amendment "the Magna

Many . . . have consciously or unconsciously understood religious freedom as a way of keeping the gospel out of harm's way, sealed off from making annoying claims that might call for serious alignments in our various human systems.

Charta" of religious freedom in the United States," for it meant that the new nation had furnished "the first example in history of a government deliberately depriving itself of all legislative control over religion."

To be sure, religious freedom can mean freedom from religion, and those who insist on that are protected by it. More sub-

tle, however, it can be used by quite sincere believers to try to hide from the searching divine spirit when in our pride we claim our freedom to follow our own narrow self-interests without submitting them to the judgment of our brothers and

The greatest danger to religious freedom today might just come from those who have it and do not use it.

sisters in Christ or even seriously to our God in prayer. We may misuse our freedom as a screen behind which we pay attention primarily to our own private or institutional concerns and neglect some of the more important matters about which the gospel speaks.

If we turn some of our attention to seeking justice for those who have been treated unjustly or in working for a more equitable distribution of the rich resources of earth, then we may quickly find that many inside the church and outside do not want us to use our freedom in that way, for they have consciously or unconsciously understood religious freedom as a way of keeping the gospel out of harm's way, sealed off from making annoying claims that might call for serious alignments in our various human systems. The First Amendment still protects us on the human level to stand fast in the freedom with which Christ has set us free; if it were taken away we'd have to go to work with others to provide something like it all over again.

The greatest danger to religious freedom today might just come from those who have it and do not use it. If we believe that God is at work to free humanity from the burdens of sinfulness and oppression, then we are called to invest our freedom, even to risk it by doing the work the Lord has called us to do. But however precious it is, religious freedom is neither the first nor the second commandment, it is not the call to love God and the neighbor. It is a principle, central in the Baptist tradition, a principle invoked so that persons and groups can respond to the divine call as it comes to them, and can reach out to others without hindrance in witness and service. We invoke that principle for ourselves and others because we love and trust the loving God made known in Christ. □



Dispute over religious instruction in Italy

ROME

In 1985 a revised concordat between Italy and the Vatican was hailed for its liberality because it established that Roman Catholicism would no longer be Italy's state religion. But in the same treaty, the government recognized the cultural and historical importance of Catholicism to Italy and promised to provide for the teaching of the Catholic religion in primary and secondary schools. (These officially optional classes are held two hours a week in public nursery and elementary schools and one hour a week in junior high and high schools.)

Two years later, the classes increasingly trouble many non-Catholics, as well as that minority of Italian Catholics that feels the need for a clearer separation of church and state. They are also upset about an agreement on the issue reached by the Education Ministry and the bishops' conference in December 1985, which gives the bishops' conference veto power over the teachers, textbooks, and programs for the Catholicism courses.

Members of the National Committee for School and Constitution (CAPS) — which represents parents, teachers, labor union members, human rights activists, dissident Catholics, Italian Protestants, Jews, and Orthodox Christians — are particularly angry about the education ministry's failure to make sure the "hour of religion" does not have any discriminatory effects.

The concordat states: "Out of respect for freedom of thought and for parental responsibility in the field of education, the right to choose whether or not to take advantage of the . . . instruction is guaranteed to everyone." Starting in the spring of 1986, therefore, parents or secondary school students themselves were required to fill out a form stating whether in the coming school year students wanted to attend classes in Roman Catholicism or not. According to Ministry of Education figures, 92.2 percent of school children chose religious instruction, while 7.8 percent declined.

But according to Anna Maria Marengo, a spokeswoman for CAPS, the choice is often more fictitious than real. Aside from scattered examples of psychological pressure from teachers or school officials on undecided children or parents, a lack

of information about the issues involved has probably reduced the number of potential "no's." In addition, she says, only a minority of schools have yet complied with government promises to offer students not attending the religion classes a "viable educational alternative."

Many schools have failed to conform to another provision of the education ministry's directive, according to which the "hour of religion" ought to be scheduled as either the first or the last subject of the day, so that nonparticipating children could arrive later or leave earlier. Dr. Damian Ricevuto, deputy chief of the minister's office at the education ministry, says the lack of available teachers has not always made it possible to schedule the religion classes in those hours. A far bigger problem, he says, "has been that of setting up a real didactic alternative for nursery and elementary school children."

The long-term goal of most groups allied in the CAPS movement is to see Italy copy the French system, in which religious instruction is allowed outside the regular curriculum and is not at state expense. □

South African Council of Churches selects Chikane

JOHANNESBURG

The Rev. Frank Chikane has been appointed the new general secretary of the South African Council of Churches. He will succeed the Rev. C. F. Beyers Naude, who retires at the end of June. Selection of the black cleric is likely to have far-reaching consequences not only for the religious scene but also for the political situation in South Africa.

The son of a minister, Mr. Chikane is himself a minister of the small Apostolic Faith Mission, a church regarded by many whites in the mainline churches as a sect. Until recently he was director of the influential Institute of Contextual Theology, which eighteen months ago published the controversial Kairos Document criticizing the mainline churches for lack of vigor in their opposition to the government's apartheid policy.

Earlier this year in Stockholm, Mr. Chikane was awarded a peace prize by Diakonia, an aid organization of the Free

Swedish Churches, for his work for justice and peace. Past recipients were Mr. Naude and the late Archbishop Oscar Romero of El Salvador.

The South African government has detained Mr. Chikane several times in recent years, and during his detentions he was allegedly tortured severely.

His time in detention had a profound impact on his approach to politics and religion. "It was only when I was in my cell facing my torturers that I became painfully aware what contextual theology was all about," Mr. Chikane said recently. "I then realized that if I could not understand the man across from me, professing to be a fellow Christian, if I could not love him as myself, then I had no business trying to preach the gospel and explaining contextual theology to others. I realized that religion, contextual theology, and the biblical dictums were not something abstract, far away. It began in that cell with me and my interrogator." □

Christians in world population on increase

NEW YORK

The percent of Christians in the world population rose from 32.4 to 32.9 in the past year, indicating that the trend of continual decline in this century has been "dramatically halted and reversed," according to David Barrett, a noted religious statistician. An Anglican priest, Dr. Barrett is the editor of the authoritative "World Christian Encyclopedia," published by Oxford University Press in 1982. He is based in Richmond, Virginia, where he is a consultant to the Foreign Mission Board of the Southern Baptist Convention.

In his latest statistical summary, Dr. Barrett said the number of Christians around the world has grown from 1.57 billion to 1.64 billion in the past year. The "surprising" growth of Christianity in the People's Republic of China has made a major contribution to the worldwide growth. That country now has more than 52 million Christians and has become "the fastest expanding nation for church growth ever."

Within Christianity, Roman Catholicism is still the largest church with 907 million members. Dr. Barrett also reported 3.6 million Catholics not in communion with Rome, 322 million Protestants, 173 million Orthodox, and 51.6 million Anglicans.



NEWS-SCAN

Dr. Barrett also noted an increase in the numbers of professed atheists, from 213 million to 224 million. □

Montreal teachers win back pay

MONTREAL

Three teachers who lost a day's pay when they took time off to celebrate Yom Kippur in 1985 have won a discrimination suit against the Chambly Regional School Commission in suburban Montreal. In a twenty-six-page ruling, a labor arbitration board ordered the school board to pay the teachers their lost wages.

Claude Melancon, counsel for the teachers, said the ruling "opens the door to forcing other employers to try to accommodate religious practices"; it is important because most school boards make no effort to accommodate employees who want to observe non-Christian religious holidays. "Basically, what the ruling says is that you can't make it more difficult to be Jewish than Catholic."

A school board official said it is likely the ruling will be appealed to the Quebec Superior Court. □

Hindu group seeks missionary expulsions

NAGPUR

R.S.S., a powerful Hindu group, has urged expulsion of all foreign missionaries from India and an official ban on foreign funds received by churches. India's oldest Hindu organization, R.S.S. is devoted to restoring a Hindu society free from the influences of Christianity, Islam, and Communism.

The national group issued its demand at an all-India delegates conference. The two-day meeting of delegates representing thousands of R.S.S. branches warned that "one more terrorist front" would soon open up in an area of east central India, where tribalist Christian converts want a separate state set up for them.

Church leaders have said the proposed state, to be called Jharkhand, would continue to be part of India. Others say outright separation from India is envisioned. The territory is now part of three states — Bihar, Madhya Pradesh, and Orissa.

R.S.S. passed the anti-missionary resolution after criticizing terrorist activities by Sikhs who want a Sikh homeland, Khalistan, established in Punjab. The

Hindu group accused foreign missionaries and their agents of working for a similar homeland for Christian converts and of unleashing "violence, destruction, and unrest" in the area following a visit there last year by Pope John Paul II during his tour of India. □

Religious liberty will be important for dialogue

LOS ANGELES

The Vatican remains "very interested" in having the Soviet Union next year host the first formal dialogue between Catholic officials and Marxist philosophers on Russian soil, according to Bishop Mark Hurley, who serves on the church's Secretariat for Non-Believers. Bishop Hurley said in an interview that the Vatican is waiting for Soviet approval of the proposed meeting.

The secretariat "is very interested in advancing the dialogue which was begun in Budapest last fall with the Soviet philosophers. The hope is to meet in Leningrad in the spring or fall of 1988, perhaps concomitant with their observances of the 1,000th anniversary of Christianity coming to Russia." The last Christian-Marxist dialogue was held in October in Budapest.

The Secretariat for Non-Believers seeks dialogues on a theoretical basis, but Bishop Hurley noted that "theory becomes the power and motivation for practice."

Religious liberty in communist countries, or the lack of it, was a Vatican concern at Budapest and clearly would be again at the next meeting, Bishop Hurley said. Cardinal Paul Poupard, the head of the secretariat, said on the last day of the Budapest meeting that the credibility of the dialogue depends on "the full and effective realization of religious liberty."

The Vatican has had relations with East European officials before, but contacts with Soviet officials have been more difficult, and the dialogue's prospects might be tied to other negotiations. □

British Baptists have chosen the Rev. Margaret Jarman to be president of the Baptist Union. She is the first woman minister to hold that office and the second woman to serve in that capacity. Applauding her election, *The Baptist Times* commented: "She knows the strains and heartaches of the ministry, as well as the joys, satisfactions, and rewards of seeing the fruits of her faithful service Not all Muslims are Arabs, and not all Arabs are Muslims. But the press and media often confuse the two terms, according to Marston Speights, codirector of the National Council's Christian-Muslim Relations office. The distinction was made at a press briefing in the attempt to dispel damaging stereotypes European Baptist Press Service reports a gift of momentous proportions that will mark the millennium of Christianity in the Soviet Union. The Baptist World Alliance wants to provide 100,000 Bibles during 1988 as "a gift to our brothers and sisters in the All-Union Council of Evangelical-Christians Baptists." BWA's Gerhard Claas is awaiting approval of the request made in a letter to government officials The Hungarian Baptist Theological Seminary will award the Bachelor of Divinity degree to five students who completed the five-year course of study. It was the largest class to graduate. And at the Ruschlikon seminary, the degree was conferred on ten students from seven countries Current reformist thinkers in the Soviet Union can be divided into proponents of system change and advocates of gradual change who seek to improve but preserve the existing order. Rolf Theen, Professor of Political Science at Purdue University believes "the political future of Gorbachev is predicated on the continued balance between these two forces." Addressing the Kennan Institute for Advanced Russian Studies, Steen said the entire hope of the program for change lies in the "human factor" — mobilizing the work force. The system no longer employs coercive methods on a mass scale, as occurred under Stalin, and the ambivalent Gorbachev is presently trying to ingratiate himself with both reformists and conservatives, according to Steen The Italian Baptist Union has accused the Roman Catholic Church of violating the Bible in its teachings on the Virgin Mary, objecting to a resolution proclaiming 1987 as a "Year of Mary." The Union voiced its esteem for the figure of Mary as presented in the New Testament. □

Quoting

George Williamson Jr.
CALL TO PEACEMAKING

Baptist Peacemakers are called to be the beginning of reconciliation between the black justice community and the white peace community.

Most blacks are Baptist, yet most Baptists are white. The alienation between blacks and whites is borne most poignantly in the Baptist family. Our calling is first to heal this wound in the Body of Christ. Beyond that, somebody has got to teach the prophetic community that the movement for peace and the movement for justice are one and the same. Most effective activists for justice in North America are black. Most of them are Baptists. Most people working specifically for peace are white. If there are to be any Baptist peacemakers, we have to find the formula that has eluded everyone else.

As long as peace gatherings, protests, and projects are mostly all white, there is, as Jeremiah says, no peace! As long as the churches doing the hard, day-to-day work of social justice where the human cry is actually heard are black churches, there is no justice.

We Baptists are black and white. We worship in different churches for the most

part, but they are Baptist churches, with Baptist rituals and baptism pools. It was injustice that divided us from each other, and the call to justice that has begun our healing. Black Baptists do not typically hear the specific calling to peacemaking because the contemporary practice of peacemaking is to do it in the world instead of the streets.

Let us say that the Baptist church is a kernel, in which the two sides of hope are joined together. This kernel is the seed of the new age.

The patron saint of all modern peacemakers, and of all workers for justice, is Dr. Martin Luther King Jr. Dr. King is a Baptist. Dr. King's calling, peace and justice together, black and white together, is our calling.

It is our calling, who are mostly white peacemakers, to listen to our black sisters and brothers, until we can learn to say "peace" the way they cry "justice."

The white heritage in the Baptist tradition also has a striking contribution to make, both to our black sisters and brothers, and to the ecumenical peace community. It is our specific calling to be profoundly and authentically Baptist. □

Voluntary, from page 5

This is a message the public media often still have to learn.

Trust in the voluntary system implies a tense, conflictual, ever-changing scene — but in the end a most creative one. It is worth having a bicentennial to celebrate it in church and state alike. □

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• Richard Schifter claims U.S. religious tradition has given citizens a respect for freedom and liberty. How much have Russian historical traditions and religion been a factor in Russia's neglect of human rights? If the failure of the communist government to compete economically with the West has led to improvements in Soviet domestic policy, how can the U.S. use "failures" to improve its own social inequalities and ensure its own religious freedom?

• Martin Marty states that the key to religious freedom in America is not tolerance, but acceptance of minority views. If pluralism and voluntarism are so important, would the existence of atheism and non-Christian faiths strengthen or weaken America's religious foundations and beliefs? How might a Baptist re-

spond? Does being a Christian affect being a good American citizen? Or conversely, does being a good American affect being a Christian?

• Without wanting to downplay the importance of the "wall of separation" between church and state, Robert Handy says this phrase has often been used by persons to keep themselves at arm's length from religious involvement. Instead of the freedom *to*, some have been preoccupied with the freedom *from* religion. Can a strict separationist become too neutralist and lose the vision he or she has been trying to conserve? If so, what are some examples? What does the author suggest as corrective?

• James Dunn (*Reflections*) this month explores the implications of a free conscience. Drawing upon your experience and that of peers, try to analyze the source of the authoritarianism that seems to visit every culture and every time. Then, try to find the source of liberty, the emphasis on pluralism, and the inviolable sanctity of the conscience. What does your discussion add to your understanding of God?

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"The time is fulfilled, and the kingdom of God is at hand; repent and believe in the gospel."
Mark 1:15



James M. Dunn
Executive Director

REFLECTIONS

A Christian needs no priest in addition to Christ as mediator in the innermost center of the temple, with God himself. For in the last resort he has been given an immediate access to God which no ecclesiastical authority can disturb, still less take away from him. No one has any power to judge, control or order decisions which fall within the innermost sphere. . . .

(Hans Küng, *On Being a Christian*, p. 481)

Baptists and others with an emphasis on personal religion have clung tenaciously to a belief, like Küng's, in a free conscience before God. This trail of doctrine closely parallels Renaissance thought regarding individual freedom. The Enlightenment view is captured in Jefferson's words: "I have sworn on the altar of God eternal hostility to every form of tyranny over the mind of man." Together the revivalists who preached and practiced an experiential religion and the thinkers who subscribed to unhindered conscience did much to set the tone and define the church-state debate in this country's colonial period.

If that's so, since that's so, it's worth examining *A Free Church Perspective* as Stewart A. Newman does in a 1986 book by that title (Wake Forest: Stevens Press). Newman points out that "in medievalism mankind had been bound by ancient fetters of authoritarianism." He holds that the "Renaissance-Reformation may be said to have begun at that point when the church with its claims of absolute sovereignty was denied the unqualified exercise of that sovereignty." Further he points out that "the free churches were among the many by-products of this transformation."

As one tracks church history there is no doubt that the radical reformers fed the fires of revival and helped shape the beliefs of Congregationalists, Disciples of Christ, Baptists, and many other groups who may not be immediately aware of their influence. "The Anabaptists insisted on the freedom and responsibility of the individual as being central in all matters of faith, beginning with human participation in revelation and becoming articulate in the aware of their influence. "The Anabaptists insisted on the freedom and responsibility of the individual as being central in all matters of faith, beginning with human participation in revelation and becoming articulate in the voluntary aspects of association in church membership," Newman reminds.

Contemporary Christians of all stripes tend to insist upon the right of a free conscience under God. Believers of every label and no label sound like Anabaptists when they deny the right of any external element to come between themselves and God. Beyond that, belief in direct access to God has become an "article of faith" extended to all. One cannot understand much that is taking place in the Roman Catholic Church today without grasping this concept. Reactionary forces in both Islam and Judaism resist the centrifugal powers of personal religion. Virtually all major Christian denominations are beset with battles between those who insist upon conformity and those who persist in upholding the priesthood of all believers.

The scriptural idea alluded to by Küng is, indeed, a radical idea. "For there is one God, and one mediator between God and men, the man Christ Jesus" (I Timothy 2:5). One does not have to stretch the meaning to deny to any church or creed, and pastor or priest, any sacrament or ritual, formula or doctrinal system the place that belongs to Christ alone.

It is thoroughly un-Baptistic and un-free-church to allow any official explanations, however reasonable; any set theological definitions, however correct; or any interpretations by others, however sound, to come between the believer's conscience and God. According to Newman, "the essential character of the entire Protestant movement is identifiable as the change which occurred as the Bible was rescued from its relatively subservient position as the supporter of church authority to a place in the thinking of all Protestants as the citadel of authority in religion."

The scandal of Swedish Baptists was that they were *lazare*, "readers," daring to go directly to the Bible for themselves. Bunyan preached the Word as he understood it and spent three long terms in jail. Baptists have historically refused to allow *anyone* to tell them how they should see the scriptures.

It is scandalous at this late date that Baptists and other believers who claim a Spirit-led, Bible-based faith should permit preachers to "rule" over them, should vest some interpretive authority in "Godly men," so-called, and give them the prerogative of a heavenly intermediary rightfully belonging to the Son of God alone. Equally scandalous are those who would usurp the authority which God has secured in Jesus Christ.

It is shocking that the modern equivalent of rites and rituals, activities and programs necessary for success, have been so elevated that now they not only eclipse the sacred precincts of personal religion, but their arrogance towers above the humility of the cross. Winning at all costs has been seen and is often sought as more important than allowing the Holy Spirit to lead persons to an intimate, authentic belief freely accepted and sincerely held.

The real threat of secularism to the church today lies in the application of the quantitative standards of the marketplace to the church. Stewart Newman laments the "church measured by the level of its success in competing for the persons and the material resources of the community. It is not often examined," he suggests, "in terms of how extensively the spiritual verities of its value system have become infused, creatively, into the lives of the individuals and the private and public affairs of the neighborhood."

On one hand it is clear that Christianity without content is not the goal. Unbridled individualism is not acceptable. Anarchistic, undisciplined subjectivism does not go with genuine Christianity. Yet, thoughtless conformity, meek submission to a commanding pastoral figure, or mouthing the password demanded by the spiritual sentry are not marks of Christian discipleship.

Speaking of the ultimacy of personal conviction, Stewart Newman says it well: "When the 'moment of truth' arrives, . . . there is described a circle in which only two may stand, namely, God and the individual human being." □

The New Openness

Now to the question, "What is going on in the Soviet Union?" Andrei Sakharov has been allowed to return to Moscow, and in recent weeks dozens of emaciated women and men with close-cropped hair and wearing work-camp clothes have arrived at Moscow train stations: political prisoners released from incarceration without having to serve their full term. Gorbachev, the newspapers tell us, has released more political prisoners than anyone since 1953-1954, when Khrushchev freed the residents of Stalin's gulag. The reason why? A greater number of political prisoners had been collected in the gulag than at any time since 1954. Nevertheless, we have to ask why, after close to two years as General Secretary preceded by a year as heir apparent, Gorbachev has decided now on such steps as the release of significant numbers of political prisoners, the return of Sakharov, the policy of glasnost, and greater cultural freedom.

Let me offer a theory as to the reasons for recent developments in the Soviet Union. Three-quarters of a century [after the revolution] it is evident that the future promised by the Soviet state has not arrived, that the Soviet economic model is a failure. The fact that it is a failure, that the Soviet economy is not only not gaining on the West but is falling further and further behind, is evident even to the Soviet leadership. What that leadership seems to believe, however, is that this failure of performance is not due to deficiencies in the model prescribed by Marxist-Leninist theory but is the result of human frailty, of the inadequacies of Leonid Brezhnev and the people who were placed in office during his period of leadership. Brezhnev and the Brezhnevites are also faulted for their failure to inspire the Soviet people, to motivate them to work harder, to be more efficient and productive.

Starting with this assessment of the present difficulties, Gorbachev had pledged himself to turn matters around, to get the Soviet Union moving again. Here are some of the steps which he has decided to take:

• Through the entire Soviet system, officeholders who are corrupt, drunkards, inefficient, or inept must be removed and replaced.

• Though the Marxist-Leninist model must not be challenged, it is recognized that fallible men have, from time to time, instituted policies and practices which served the country ill. These, too, have to be identified.

• Local officials have often exercised their power arbitrarily, thereby unnecessarily antagonizing Soviet citizens. The exercise of administrative discretion, therefore, must be reduced.

• The country's future in an age characterized by technological advance lies with the group which the Soviet state identifies as the "intelligentsia." Something had to be done to inspire that group, get it excited about life, and, consequently, make it more productive. Gorbachev, perhaps on his wife's advice, appears to have focused on the area of culture as one that could provide stimulation. We thus have news that select audiences in Moscow and Leningrad may see plays and films that offer negative comment on current problems. Books that for years have not been allowed to be published, such as those of Nabokov and Pasternak, will soon appear. All of this may be enough to turn on a group that for quite some time has lived on a cultural diet of "socialist realism." But it is a far cry from cultural freedom.

Conclusion

Changes have taken place in recent months, changes significant and meaningful to every single person released from prison. They are meaningful to Andrei Sakharov and Yelena Bonner, to their family and their many friends. They are meaningful also to those Moscow scientists, writers, and artists who can see plays that they have not been able to see before. And they are meaningful to the average citizen of, let us say, Tashkent, who can denounce some local official whose arbitrary use of power he has resented for so long.

But it isn't freedom. It is not adherence to the provisions of the Helsinki Final Act, which Leonid Brezhnev signed on August 1, 1975. Not by a long shot. Are they, nevertheless, getting there? Can we count on seeing further movement toward an open society? I would say that they surely will not get there if we break out in hosannas about the events in the Soviet Union of recent months. We should note them, we should welcome them as modest steps forward, but we need to point out that compliance with

the international agreements signed by the Soviet Union concerning respect for human rights requires much more. Only then will there be at least a chance of continuing, and far more significant, progress. □

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