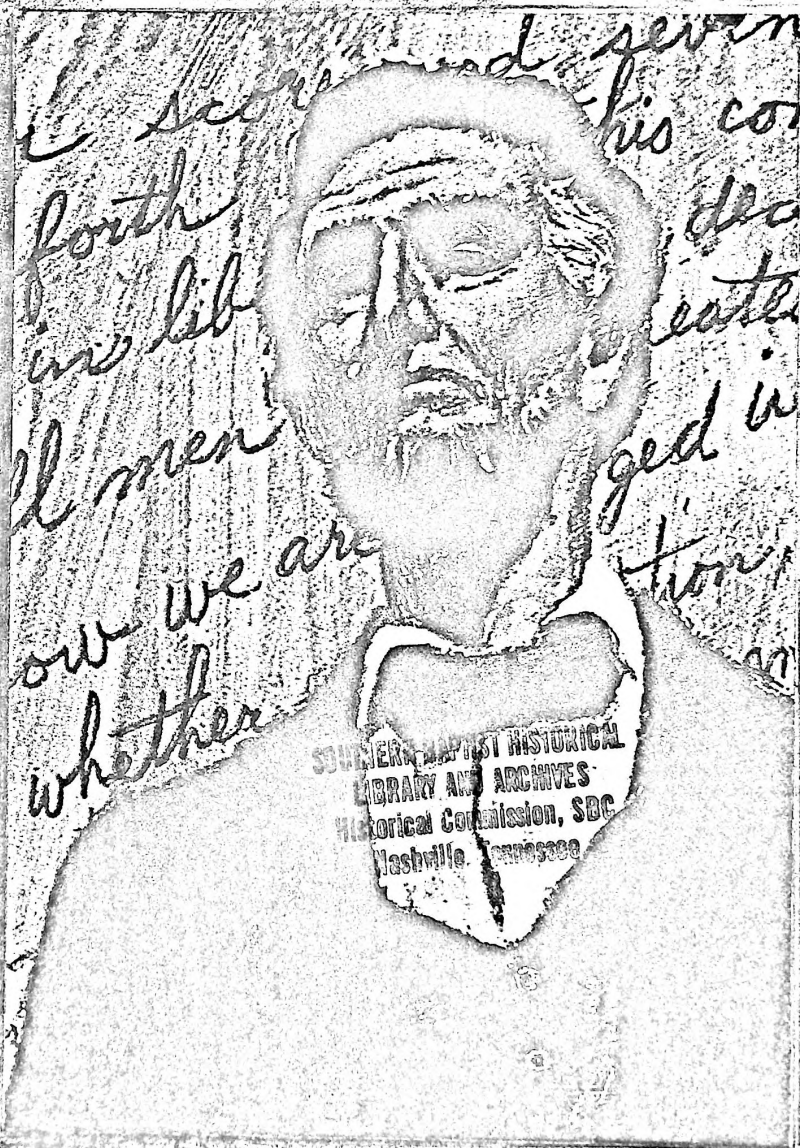


June 1988

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# REPORT from the CAPITAL



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

Vol. 43, No. 6

June 1988

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**Cover:** The painting of President Lincoln by New Jersey artist Charles McVicker was one of twenty-six pieces commissioned by the Republican Heritage Foundation for inclusion in the book by Fred Schwengel. The review of *The Republican Party*, and the book itself, are the work of Baptists prominent in national life.

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## No End to Liberty

**T.** B. Maston's influence, if not physical presence, will remain with advocates of the historic Baptist support for religious liberty for a long time. Many of his students — James Dunn, Bill Moyers, and Bill Tillman, among others — were deeply influenced by the long-time Southwestern Baptist Seminary professor and came to share his uncompromising commitment. They earned their degrees, took their places in various professions, and now by way of a "multiplier effect" carry on the witness of that stalwart proponent of church-state separation. REFLECTIONS on Dr. Maston's thought by James Dunn have been edited from an earlier published tribute to Dr. Maston, who died on May 2 at the age of ninety.



Coincidentally, but most appropriately, an article in this issue by Eric Fox, "Growing Up Free," gives room for concern but also for optimism. Fox is a college student who spent last summer as an intern at the Baptist Joint Committee. Writing from the perspective of a young Southern Baptist committed to church-state separation, he raises the question of flagging interest in religious liberty issues among Americans of his generation. Some of his own most gainful experience came in the nation's capital as a result of his first prolonged interaction with the diversity within American culture and religion.

Thomas Nuckols in "The Constitution, Religion, and Public Life" traces the contributions of a number of prominent personal, philosophical, and religious influences in the development of the nation in its progress toward becoming a stronghold of social and religious pluralism. He traces in particular the impact of Enlightenment civil republicanism and Puritan Reformed Christianity, believing that in an analysis of them one can discover the contribution of religion to the formation of the Constitution.

Religious Liberty Day 1988 focuses on two relationships of American Christians: their constitutional obligations to the nation as citizens and their covenantal commitments to God as Christians. That's the context in which we attempt to perceive the limits of each institution in our practice of religious liberty in America. Materials for that day of observance are still available without charge from our office. We'll be glad to handle such requests. The suggested day in June may have already passed, but no matter — acknowledging religious liberty with gratitude in a service of worship is always appropriate because its inception is found in God, who through Jesus Christ has liberated us from all bondage. □

Victor Tupitza

● **A FEDERAL APPEALS** panel has removed an injunction issued by a district judge barring a company from conducting weekly mandatory religious services for its employees.

The appeals court ruling in San Francisco overturned an April 21 order by U.S. District Judge Earl Carroll of Phoenix extending a May 1987 injunction against the Townley Engineering and Manufacturing Company's plant in Eloy, Arizona, to all of the firm's five operations across the country. The court overturned the injunction pending an appeal.

The rulings were based on a complaint brought in October 1984 on behalf of Louis M. Pervas, who was a machine shop supervisor at Townley's Eloy plant until he objected to the mandatory religious services. Three days after investigators from the Equal Employment Opportunity Commission attended the services in response to his complaint, Pervas was told his job had been relocated to Florida and he could move there or be laid off.

Pervas declined both alternatives, saying he would have the same problem if he took the Townley job in Florida.

● **A LONG ISLAND** school district may hold a high school graduation ceremony on a Saturday despite an objection raised by a Jewish student and his father, a federal appeals court has ruled.

In overturning a decision made last August by U.S. District Court Judge Jacob Mishler, a three-judge appeals panel stated that "in a pluralistic society such as ours, it is impossible for government to accommodate every need of every religious group."

The case was brought by the American Jewish Congress on behalf of David Smith and his father, Conservative Rabbi Richard Smith.

Rabbi Smith first approached school board officials when his son entered North Babylon High School four years ago. He said he did not want to be accused of waiting until the last minute to try to have the traditional Saturday graduation day changed.

The school district said it would inconvenience other participants to have the ceremony on a day other than Saturday. It cited an informal poll of the community that found that

406 residents opposed the change and 346 approved.

In ruling on behalf of the Smiths last August, Judge Mishler ruled the privilege of attending one's graduation ceremony is an "important benefit." But the appeals panel said the "important benefit" is the diploma, which David Smith will receive whether or not he attends the ceremony.

● **A WOMAN WHO** was questioned about her religious beliefs and marital status during a job interview at a sports and health club run by fundamentalist Christians has been awarded \$2,400 by a Minnesota administrative law judge.

Judge Janice K. Frankman found the Sports & Health Club in Shakopee, Minnesota, violated the state's Human Rights Act by questions that were asked of Laurel McNee during a 1984 employment interview.

The ruling on behalf of McNee, who received payment for lost wages, emotional damages, and punitive damages, was the fourth award granted this year during individual hearings in a 140-member class action suit against the club.

The largest award made so far was \$43,026 in damages granted to former employee Renae Urista, who was found to have been fired for not sharing her superior's fundamentalist Christian viewpoints.

● **THREE YEARS AFTER** a federal judge told public school teachers in Allendale, Michigan, to stop reading the Bible, telling Bible stories, and praying in class, the Michigan Department of Education is investigating complaints that religious indoctrination still is taking place.

Four couples have filed a complaint charging that the Allendale elementary school includes Bible teaching in its curriculum and that the teaching is designed to indoctrinate students in Protestant Christianity.

School officials said they were notified of the state investigation in March and that the principal had halted all Bible-related teaching.

The complaints charge that the curriculum was adopted after the 1985 court ruling. School officials said the curriculum treats the Bible as literature.

# The Constitution, Religion, and Public Life

In his classic analysis of American society in the first part of the nineteenth century, Alexis de Tocqueville wrote, "On my arrival in the United States, the religious aspect of the country was the first thing that struck my attention; and the longer I stayed there, the more I perceived the great political consequences resulting from this new state of things." In this new pattern he noted a paradox: "Religion in America takes no direct part in the government of society, but it must be regarded as the first of their political institutions." The paradox as de Tocqueville saw it was that "the real authority of religion was increased by a state of things which diminished its apparent force." This pattern, where the state is secular but religion has a pervasive influence, continues to be recognized as the most distinctive element of the American experiment.

This "state of things which diminished its apparent force" is expressed in the Constitution. A study of the intellectual and social developments that produced the Constitution and the consequent shape of American society, however, will show the other side of the paradox, the decisive role of religion in American public life.

The American republic was created at the time of the confluence of Enlightenment civil republicanism and Puritan Reformed Christianity. An analysis of these two traditions can indicate the role of religion in molding the Constitution. Developments in Virginia were particularly significant in shaping the pattern of religion and public life codified in the Constitution.

Until 1775, the Anglican church was the established church of Virginia. Allied against the Anglican establishment were representatives of the Enlightenment tradition, especially Thomas Jefferson and James Madison, and their "strange al-

lies," the Baptist and New Light and Scotch-Irish Presbyterian heirs of Puritan Reformed Christianity. Closer examination reveals the nuances of their positions and suggests how this alliance was possible and, more important, how a diminished apparent force for religion actually invigorated both church and state, religion and politics, as the basis for a society both religious and free.

Carl Becker in his classic *The Heavenly City of the Eighteenth Century Philosophers* has shown that the Enlightenment was not atheistic. Quite the contrary, God played a foundational role in this system. There were anti-Christian Deists, however. Elihu Palmer and Thomas Paine were the most significant representatives of this position. Most English and American Enlightenment thinkers were Christian Deists or at least did not attack the churches, either because they believed them useful in teaching morality to the masses or to avoid controversy.

Thomas Jefferson, perhaps because of the many clerical attacks he endured, had a trace of anticlericalism, particularly toward the Presbyterian clergy. But he believed that a republic must be based on civic virtue and that religion is essential to virtue and morality.

The politics of American Enlightenment figures was republicanism. Their favorite models were those of republican Greece and Rome. Their language was that of natural rights and liberty. Recognizing the role of God as a basis for natural rights and natural law, however, they called their Deism "republican religion." The Enlightenment strategy toward religious diversity was indifference toward sectarian theological issues and a state policy of broad toleration. John Locke, as in many matters, provided the model in his *A Letter Concerning Toleration*.

The American Puritan tradition had its principal sources in England as it was shaped in the seventeenth century Puritan revolution. The left-wing Puritans enunciated for the first time the fundamental concepts that have dominated Anglo-American society to this day: con-

stitutional government, natural rights, government by consent, and determination of policy by discussion. Left-wing Puritans proposed to separate church and state, exclude the state from religious matters, and affirm full religious liberty, not mere toleration.

The Baptists and Quakers in Virginia were heirs of this tradition. Presbyterians by tradition were heirs of the right-wing Puritans who would achieve the Holy Community in society at large, not just in the voluntary gathered church, and would establish the church and give the magistrate a role in religion, as in Calvinist and Boston Puritanism. But Scotch-Irish Presbyterians and, even more decisively, the New Side Presbyterians had moved toward disestablishment and religious liberty in Virginia.

In Virginia, Jefferson and Madison, Enlightenment nominal Anglicans, were allied with the Baptist John Leland and the New Side Hanover Presbytery. The figure who illustrates how this alliance was formed and why it was so effective is Madison. From witnessing the persecution of dissenters in Virginia, Madison "was first moved to revolutionary ardor by the issue of religious liberty." Thus, although he and Jefferson were nominal Anglicans, their Enlightenment principles and personal experiences united them with the Baptists and other dissenters in the common interest to disestablish state churches and secure religious liberty. Common enemies often make strange allies. Beyond this, however, the alliance was not so strange after all; the two traditions in America shared many common perspectives and values, especially republican sentiments. The republicanism that was in the air in America came not just through the Enlightenment from republican Greece and Rome. It came more recently from the commonwealth men of the Puritan revolution and their American descendants. If Puritan Christianity was "republicanized," the American Enlightenment had also been "Christianized" by Puritan influences.

John Locke, at the beginning of the Anglo-American Enlightenment, secu-

Dr. Nuckols is a member of the faculty at Austin College, Sherman, Texas. His paper was presented before the Baptist Professors of Religion at their annual meeting in Ft. Worth, Texas. It has been adapted for inclusion in *REPORT*.

larized Puritanism. There were contrasts between the Enlightenment optimism and Puritan pessimism regarding human nature. But Puritans in America had hopeful expectations, while Madison's views were closer to Calvin's than to a French philosopher's. Madison had probably been influenced here by his studies with Presbyterian John Witherspoon, who himself combined Calvinism and the Scotch Enlightenment. Thus the two traditions were not radically divided. Although there were significant differences between John Leland and Witherspoon, and Jefferson and Madison, sharing so much in common made their alliance effective because it was based on shared purpose, not just animosity toward other competing interest groups.

William Lee Miller in *The First Liberty* describes Madison's role in the events that followed as Virginia wrestled with the question of the shape of the new social order:

So now here he was in Williamsburg in June of 1776, only twenty-five years old. Here was a formidable draft of a Declaration of Rights, admirably rooted in the sound republican language of liberty — which when one read through to the article on religion asserted not "liberty," but only "toleration." We might say that the events that were to culminate almost exactly ten years later (1776-86) with the most unusual of all the accomplishments of the American Revolution had their beginning at this moment in Williamsburg.

For Madison drafted an amendment to the offending portion of Mason's draft of Article Sixteen, eliminating "toleration" and putting in its place that "all men are equally entitled to the full and free exercise of religion, according to the dictates of conscience." That word *equally* was important, and survived into the final result.

Thus did Madison establish the precedent of the language of the Free Exercise Clause of the First Amendment.

Madison also shows how an alliance between the two traditions led American society to separate church and state, the position codified in the Establishment Clause of the First Amendment. After the Revolution, the state of religion in America declined. In Virginia it was argued that the disestablishment of the Anglican church and dependence on the "voluntary way" in religion had not only weakened the church but also was morally impoverishing civil society. There was general agreement that morality and even civic virtue depended on religion.

The question was how to promote religion as a basis for civic virtue and morality.

Most states had established or supported churches. Therefore, in 1785 a bill was introduced in Virginia for a general assessment to support teachers of the Christian religion in a nondiscriminatory fashion. Perhaps no other event was so decisive in shaping the American pattern. The Baptists as expected denounced this as "opening the door to religious tyranny." The Presbyterians were divided and wavered from one side to the other. But New Side laymen shifted the Presbyterians against a general tax. In this shift, Madison sensed a "jealousy" and "mutual hatred" between the Anglicans and the Presbyterians.

Madison waded into the fray with his great "Memorial and Remonstrance." The position he took was for full religious liberty and a separation of the civil and religious spheres on a religious and not merely civil basis. He argued that separation is essential to religious liberty. Moreover, the argument is theistic. Rights are based on duty. Religion, the duty we owe to our Creator, is our highest duty, taking precedence to civil duties. The state cannot intrude into religion, for it is prior to and outside civil society. Religious liberty is therefore the first liberty, the basis of all liberties in restraining and limiting the state. It extends not just to religious believers but also to atheists, for there is to be equal freedom for all. Moreover, separation extends beyond no establishment of religion — in the sense of no preferential aid to a particular religion — to no aid to religion, not even on a nonpreferential basis.

There is a large step, however, between the role of religion in the Revolutionary and constitutional period and the role of religion in American society that de Tocqueville noted. Religion in the earlier period decisively shaped America's leaders. Its influence on the masses, however, was not nearly so pronounced. As related above, religion declined toward the end of the eighteenth century. Distraction, division, and social unrest produced apathy toward religion. Its future was clouded. Thomas Jefferson thought that rational Christianity, particularly Unitarianism, would triumph. Distressed by the decline of "establishment" churches, traditionalists in Virginia and New England called for state support of religion. The emerging dominant pattern, however, was neither of these.

As the Great Awakening in the 1730s and 1740s had been the first "national" experience that molded a national rather than merely colonial character, the Sec-

ond Great Awakening gave religion in America the role that de Tocqueville noted. Thrown into an open, competitive market to sink or swim, even establishment churches adapted to voluntarism. It was the Methodists and Baptists, however, who adapted most successfully to the new conditions of separation of church and state, religious liberty, and the expanding frontier. Revivalism brought the masses into the church and molded their ethos and character. This role in shaping the national ethos and character de Tocqueville saw in describing religion "as the foremost of the political institutions of that country" and observing that Americans "hold it to be indispensable to the maintenance of republican institutions."

Far from this role being a contradiction of the Constitution, religious liberty and the institutional separation of church and state historically fostered an activist religion. The open multiple access of American government facilitates a religious influence by providing incentives and opportunities for participation that churches and religious groups have resources to use. In the American system, although the state is restrained from participating in religion, such restraints are not placed on religion, thus providing freedom to influence and even engage in politics. This is the explanation for the paradox of the American pattern, a reduced formal role combined with profound religious influence.

One final development must be considered in analyzing the contemporary relationship between the Constitution, religion, and public life. Until the twentieth century, the First Amendment applied to the federal government and not to the states. There were state-established churches, tests for office, etc. Thus, a decisive break came when in 1940 the Supreme Court applied the Free Exercise Clause of the First Amendment to state government action through the Due Process Clause of the Fourteenth Amendment. Then in 1947 in a case in New Jersey, the Court found that the Fourteenth Amendment also incorporated the Establishment Clause of the First Amendment. Now all religious liberty and establishment issues are potentially federal court issues. It is startling to consider that this situation is such a new development in American history.

Moreover, this occurred at the very time that the pan-Protestant cultural establishment collapsed and America became a genuinely pluralistic society. This new situation provided the means and the incentive to open the floodgate to the

Continued on p. 14

## VIEWS OF THE WALL

Oliver S. Thomas  
General Counsel



The battle over student-sponsored religious activities in public secondary schools has been joined. U.S. district courts in Nebraska, Texas, and Washington have denied student religious groups the right to meet on an equal footing with other extracurricular, non-academic groups. Appeals already have been docketed in two of the cases, and it's likely that at least one of them eventually will find its way to the U.S. Supreme Court. Less than a year ago, the nation's high court dodged the issue of student-sponsored religious exercises by deciding a similar case on procedural grounds.

The three decisions arose under the highly publicized Equal Access Act of 1984. Viewed by many as the ideal compromise of the school prayer debate, the act provides:

It shall be unlawful for any public secondary school which receives Federal financial assistance and which has a limited open forum to deny equal access or a fair opportunity to, or discriminate against, any students who wish to conduct a meeting within that limited open forum on the basis of the religious, political, philosophical, or other content of the speech at such meetings.

A "limited open forum" is defined as "whenever such school grants an offering to or opportunity for one or more noncurriculum related student groups to meet on school premises during noninstructional time." The act further provides that (1) such meetings be "voluntary and student-initiated"; (2) teachers or other school personnel be present "only in a nonparticipatory capacity"; (3) there be "no sponsorship of the meeting by the school, the government, or its agents or employees"; and (4) religious leaders from outside the school "may not direct, conduct, control, or regularly attend" the meetings.

The act does not require schools to create a limited open forum. It does provide that if such a forum is created, no group can be denied access on the basis of the religious, political, or philosophical content of its speech.

To aid schools in implementing the new law in a manner consistent with the constitutional ban against state-sponsored religion, a remarkably diverse

coalition of religious, educational, and civil liberties organizations developed a set of guidelines that were printed in the *Congressional Record*. The Department of Education, in deference to the group's expertise, declined to issue separate guidelines. Convened by the Baptist Joint Committee on Public Affairs, the drafters included the American Association of School Administrators, American Civil Liberties Union, Christian Legal Society, Americans for Democratic Action, General Conference of Seventh-day Adventists, National Association of Evangelicals, and National Education Association. Numerous other groups, ranging from Pat Robertson's Freedom Council to Norman Lear's People For The American Way, also endorsed the guidelines.

*By creating a forum a state "does not necessarily endorse any activity that might occur during the period."*

Justice Sandra Day O'Connor

Despite widespread support, reaction to equal access has been mixed. Some school districts have implemented the law with success. Some have not. In fact, some schools simply have closed down their existing public forums altogether in order to avoid the potential problems associated with student-sponsored religious activities. Other schools continue to allow student clubs to meet during noninstructional time but have managed to circumvent the act by claiming that all of the nonreligious clubs are curriculum related. This seems to be what happened in the Nebraska and Washington lawsuits.

At Westside High School in Omaha, Nebraska, there were service clubs, a chess club, a Subsurfers Club, and a Welcome to Westside Club. At Lindburgh High School in Renton, Washington, there were fifteen student clubs, including those for bowlers, dancers, minority students, and skiers, as well as a Girls Club and a special Kiwanis Youth Club. Yet, the court in each case found that no limited open forum had been created. The Washington court went on to hold that even if such a forum existed at Lindburgh High, the application of the Equal Access Act would violate the Washington constitution's provision

which states that "all schools maintained or supported wholly or in part by the public funds shall be forever free from sectarian control or influence."

The Texas court went even further, striking down the Equal Access Act as a violation of the First Amendment to the U.S. Constitution. Specifically, the court found that equal access violates the constitutional prohibition against laws "respecting an establishment of religion." No doubt the Texas court was influenced by that particular club leader's penchant for disobeying school authorities and disrupting the academic environment by preaching through a bullhorn.

Occasional zealots notwithstanding, there is no reason why an orderly, reasonably quiet meeting of students to discuss religious or political issues should not be allowed in the public schools. When authorities deny students the right to meet solely because they wish to discuss a particular book (i.e., the Bible) or to engage in a particular type of speech (i.e., prayer), we should call it what it is.

Censorship.

Clothed in the garb of enlightened civil libertarianism, it is censorship nonetheless.

While advocates of free speech for all citizens (including evangelicals) bemoan the recent equal access decisions, they need not despair. The U.S. Supreme Court is almost certain to vindicate their cause.

Justices Rehnquist and White expressly stated in *Bender v. Williamsport* that they would vote to uphold equal access. Justice Scalia has also indicated as much. Justice O'Connor in her concurring opinion in *Wallace v. Jaffree* stated that by creating a forum a state "does not necessarily endorse any activity that might occur during the period." Presumably, Justice Kennedy would agree. Even members of the court who have consistently opposed state-sponsored religion in the public schools would be likely to uphold equal access. It would be difficult for such an avid defender of free speech as Justice Brennan to discriminate against any form of speech that truly was student sponsored.

Careful supervision by competent teachers and administrators is necessary to prevent one person's freedom from becoming another person's bondage.

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# Quoting

Michael Bourdeaux  
Keston College

"A thousand years in thy sight are but as yesterday": these words of the Psalmist will undoubtedly toll a bell of consolation and hope for millions of believers in the Soviet Union over the next few months, as they celebrate their millennium.

Russian or Ukrainian Christians, sitting on the high bank of the River Dnepr in Kiev and looking down on the scene of the baptism of Prince Vladimir, will have a kaleidoscope of evocation passing through their minds, reflections upon times glorious and times tragic, hopes fulfilled and opportunities lost.

Though the events surrounding the baptism itself are wreathed in obscurity, the subsequent golden centuries of civilization which it inaugurated are not. Some of that heritage, when medieval Rus' (the word "Russia" did not come into usage until centuries later) was part of the core of Europe, is still there laid out before their eyes.

Some of the resplendent domes of Kiev's medieval churches have escaped the ravages both of the early years of communist atheism and of Hitler's invasion. Others, as history discloses, have suffered catastrophically, and now even the river itself is a forbidden zone since its pollution from the Chernobyl disaster.

In God's long perspective, our thinkers reflect, the last seventy years are a very short period. There are some still alive who have lived through it all. The ravages of the Mongol invasion lasted two centuries and shattered the bonds between Kiev and Western Europe, an alienation the effects of which carry over into today's East-West divide. Nevertheless, upon rumination, there is a challenge to humanity of a very special sort when a government for the first time in history specifically declares all religion, the whole of metaphysical experience, to be illegitimate.

The trauma of the last seventy years has driven some believers toward eschatology, where they see signs of the last times in the deeds of every successive ruler of the Kremlin. Others, like their Polish neighbors, seek refuge behind the bastion of the most traditional expression of the faith. The triumph of communist atheism, however, seems more distant as the millennium dawns than at any time during the last seventy years.

When future historians look back on this century, they are bound to conclude that the communist attempt to impose atheism on a huge swathe of humanity

failed, and in doing so proved that any future systematic attempt to drive God out of the human psyche was likely to fail also. It is improbable that any historian will ever be able to catalogue the full toll of suffering that this misbegotten effort cost the human race.

Our thinkers, perhaps, entertain the hope that Mr. Gorbachov, in his realism, is more likely to acknowledge the ongoing presence of religious belief in his great empire than any of his predecessors. □

Brian A. Nelson  
From a Sermon on II Chron. 36:14-21

Civil religion is not new. Government leaders have known for centuries that religion can be used to unify a nation. The Caesars of ancient Rome used religion to strengthen their control of people.

We have civil religion in the United States today. That is, we have an American civil religion in which religious and social values are used to benefit the unity and purpose of our nation.

Four years ago, Tom Eggebeen, pastor of the First Presbyterian Church of Sapulpa, Oklahoma, was sitting in a local restaurant waiting for a friend on the day President Reagan announced he would run for a second term. He overheard three waitresses talking. One of them commented about Reagan's interest in "bringing religion back into the schools." Another of the waitresses responded: "I didn't know they took religion out of the schools. They still say the Pledge of Allegiance, don't they?" I believe this is an excellent example of civil religion.

The American civil religion includes the Pledge of Allegiance and patriotism, a general belief there is a god who is for America, civil holidays, and "family values." I have no objection to our society practicing a civil religion. I do object to the church following it. For the church to practice civil religion is to let the government define the values and standards of our faith.

It might seem like a good idea to have our government support Christian ideals and practices. It isn't. When the government becomes involved in religious values and practices, it assumes the right to define their meaning. The Law and Will of God must define our values and practices in the church and in our Christian lives.

It is true that government is ordained by God — but not for religious purposes. The church has that God-given role. □

Denton Lotz  
Eastern's World

Religious liberty is not an end in itself. The end, of course, for Christians is to communicate the gospel and in our own way preach the Kingdom and be signs of the Kingdom of God in all societies. Of course, whoever defines the term "religious freedom" then also defines how it is carried out. So, if you speak to the Soviet government, they will say, "Of course we have religious freedom, because it says so in Article 154 of our constitution: 'There shall be freedom of religion and freedom of anti-religious propaganda.'"

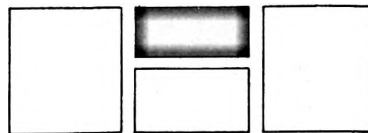
Then how do you define religious freedom? It's the same way in every constitution. Everyone would want to say they have religious freedom. In Israel you would say you have religious freedom, but mainly for the Jews. In Iran you have religious freedom, but mainly for the Muslims. How about the Baha'is and other groups? The question of religious freedom in Eastern Europe is very complicated. I like to distinguish between freedom of worship and freedom of religion. Now, in Eastern Europe we do have freedom of worship. In our buildings on Wednesdays and Sundays at certain times, we can have worship services. We can carry on our monthly newspaper and have our seminary, and so on. Religious freedom, as we have it in the United States, allows an institutional expression of our faith beyond the boundaries of the local church — radio, TV, printing presses, orphanages, colleges, all these external expressions of the faith.

So, perhaps we need to come to a definition of religious freedom that is broader than just the priestly function. I would say that there is a priestly function to the faith and a prophetic function. The priestly function is carrying on the ritual — worship services and all that goes along with pastoral care.

But what happens beyond the boundary of the local church? That which we would call the prophetic function of the church is influencing the laws, influencing society, changing society, interfering with the laws of the country that are against our religion. That is where a totalitarian society on the right or the left objects to religious freedom in the larger context that we Baptists have fought for all our lives. □

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# News in Brief



## Employee wins appeal over union membership

WASHINGTON

A Seattle, Washington, woman who refused to join a union on religious grounds won legal vindication when the U.S. Supreme Court let stand lower rulings upholding her right of refusal under a civil rights law.

Thomasine Nichols, an employee of the Boeing Company who attends a Pentecostalist church, refused to join the local branch of the International Association of Machinists and Aerospace Workers because of her interpretation of a passage in the Gospel of Matthew. The passage, Matt. 20:1-16, is the account of Jesus' parable of laborers in a vineyard who received equal compensation despite working unequal hours.

Nichols, the daughter of overseas missionary parents, said in papers filed in the case she arrived at her anti-union convictions "through extensive personal Bible study" at age fourteen.

Instead of joining the union, Nichols took advantage of a provision in the National Labor Relations Act permitting workers who object to union membership on grounds of religious conscience to make contributions equal to membership dues to a charity.

The union sued Nichols and Boeing two years ago after the company refused to fire Nichols over her refusal to join. In three separate courts — a federal district panel, the Ninth Circuit Court of Appeals, and the Supreme Court — the union argued unsuccessfully that a provision in Title VII of the Civil Rights Act of 1964 violated the constitutional ban on an establishment of religion.

That provision requires employers to accommodate the religious needs of workers unless "undue hardship" would result. □

## Board agrees to avoid taxes for military use

KITCHENER, ONTARIO

The largest Mennonite body in North America is following the lead of a smaller Mennonite denomination and several Quaker groups in taking steps to avoid payment of taxes that go for military use.

In a unanimous vote during a meeting here, the General Board of the Men-

nonite Church recommended that church agencies honor the requests of employees who wish to withhold payment of taxes used for military purposes.

The church estimates that about 50 percent of the taxes paid by American workers falls into that category.

If the 102,000-member denomination's General Assembly, which is scheduled to convene next year, goes along with the recommendation, it would put the church in a position of breaking laws requiring employers to withhold federal taxes.

Some board members expressed reservations about taking a position that would result in infractions of the law by the church.

But the executive secretary of the Mennonite Central Committee U.S. Peace Section delivered a "call for courage" based on the Book of Revelation.

The first denomination to vote formally to allow employees to withhold taxes for the military was the 65,000-member General Conference Mennonite Church, which took that step in 1983. Since then several Quaker groups have followed suit.

In the five years since the action was taken, the Internal Revenue Service has not challenged the General Conference Mennonite Church. □ RNS

## Scientists' charitable deductions to be decided

WASHINGTON

The U.S. Supreme Court has announced it will decide if members of the Church of Scientology may deduct payments made to the church for "auditing" and "training" sessions from their federal income tax forms.

In Church of Scientology doctrine and practice, "auditing" involves one-on-one counseling of a newer member by an experienced adherent of the faith. Described as "the essential religious experience" of Scientology, auditing includes use of an instrument invented by church founder L. Ron Hubbard known as an "E-Meter."

"Training" refers to the study of church doctrine, polity, and scriptures.

The case accepted for review, *Hernandez v. Commissioner of Internal Revenue*, is one of three identical disputes pitting Scientologists against the Internal Revenue Service now pending before the high court.

Altogether, four federal courts of

appeals have ruled in such cases over the past several months. Of them, only one has resulted in a decision favorable to Scientologists.

In the case accepted, the IRS disallowed Scientologist Robert L. Hernandez's claim of \$7,338 as a charitable deduction for what was described as a "fixed donation" to the church for auditing and training sessions. The U.S. Tax Court agreed and was upheld by the First Circuit Court of Appeals.

Both the tax court judge who first decided the case and the federal appeals panel that upheld him ruled Hernandez received services in exchange for his contribution, thereby forfeiting his right to claim a deduction. The tax court assessed Hernandez a tax deficiency of \$2,245.

Hernandez's attorney, Michael J. Graetz — who also represents the other Scientologists whose cases are pending — argued in a written appeal that for nearly seventy years the IRS has allowed deductions for payments made to churches and other religious organizations "to participate in the religious sacraments of their faith."

Accusing IRS officials of discriminating against Scientologists, the New Haven, Connecticut, lawyer wrote: "No principled basis exists for distinguishing the payments of Scientologists ... from a wide variety of other payments to other churches. ... The government has stated in effect that Scientology fails to satisfy the state's measure of orthodoxy."

For its part, the government cited the reasoning of the appellate court that "where contributions are made with the expectation of receiving a benefit, and such benefit is received, the transfer is not a charitable contribution, but rather a quid pro quo."

Oral arguments in the case will not be heard until sometime after the high court convenes next October for its 1988-89 term. □

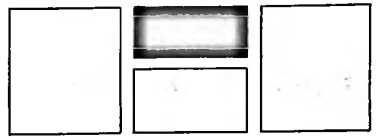
## Report encourages schools to teach moral education

WASHINGTON

American public schools should be more involved in moral education, according to a report released by a national organization that focuses on curriculum development, supervision, and instructional procedures.

In its report, the Association for Supervision and Curriculum Development called on educators to strengthen the





moral education presented to public school students.

The report notes mounting public concern about a substantial, long-term increase in adolescent emotional problems, including rising rates of teenage homicide, suicide, and out-of-wedlock births. Public opinion polls, according to the report, also indicate a vast majority of Americans favor the teaching of morals and moral behavior by public schools.

Describing moral education as "whatever schools do to influence how students think, feel, and act regarding issues of right and wrong," the report suggests such education will help students to become "morally mature." It defines a morally mature person as someone who respects human dignity; cares about the welfare of others; integrates individual interests and social responsibilities; demonstrates integrity; reflects on moral choices; and seeks peaceful resolution of conflict.

To help achieve the goal of educating students to become morally mature, the report offers the following recommendations:

- That moral education be made a unifying and energizing force in public school curriculum.

- That educators form partnerships with parents, the mass media, the business community, the courts, and civic, racial, ethnic, and religious groups to create a supportive social and cultural context.

- That schools define and teach a morality of justice, altruism, diligence, and respect for human dignity. While the report defines these moral values as standing on their own as secular values, it also encourages schools to teach students about different ultimate sources for morality, including religion.

- That moral education must go beyond simply knowing what is good to doing and prizing what is good.

- That schools establish and communicate clear expectations for teachers and administrators regarding their roles as moral educators.

- That those who educate teachers give major attention to moral education to ensure that teachers have the necessary knowledge, attitudes, and skills to fulfill their moral education responsibilities.

- That moral education include teaching appropriate patterns of conduct and skills for critical thinking and decision making.

- That educators ensure that a school's institutional climate and instructional

practices contribute to moral growth.

- That further research be done on ways to make moral education more effective.

- That educators regularly assess the moral climate of schools and the conduct of students and communicate the results of those assessments to their communities.

The report points to possible controversies surrounding moral education. It recognizes potential tensions over whether the religious bases of moral behavior can and should be taught in public schools; how and by whom moral education should be taught; whether a school's curriculum and programs should reflect, teach about, and encourage understanding of varied ethnic heritages or focus only on a set of core values on which there is apparent agreement; and whether the goal of moral education should be to socialize students into a set of central values or to develop morally autonomous individuals. □

## Court decides to allow road through Indian site

WASHINGTON

The U.S. Supreme Court has ruled the federal government may complete a stretch of roadway through a section of northwestern California held sacred by three American Indian tribes. Completion of the disputed six-mile, two-lane highway will enable private logging companies to harvest timber in the area.

Setting aside the claim of the Yurok, Karok, and Tolowa tribes that completion of the highway would destroy their religion, the high court held the constitutional guarantee of free exercise of religion did not apply in the case.

Expressing the views of the 5-3 majority, Justice Sandra Day O'Connor wrote, "The free exercise clause is written in terms of what the government cannot do to the individual, not in terms of what the individual can exact from the government."

Noting the Indian tribes' rights to use the land for religious practices "do not divest the government of its right to use what is, after all, its land," O'Connor said the court had no choice but to overturn two lower panels' rulings against the government.

"However much we might wish that it were otherwise, government simply could not operate if it were required to

satisfy every citizen's religious needs and desires," O'Connor wrote. "A broad range of government activities ... will always be considered essential to the spiritual well-being of some citizens, often on the basis of sincerely held religious beliefs. Others will find the very same activities deeply offensive and perhaps incompatible with their own search for spiritual fulfillment and with the tenets of their religion. The First Amendment must apply to all citizens alike, and it can give to none of them a veto over public programs that do not prohibit the free exercise of religion."

Writing for the dissenting minority, Justice William J. Brennan Jr. accused the majority of reaching "the cruelly surreal result [that] governmental action that will virtually destroy a religion is nevertheless deemed not to burden that religion."

The land dispute, Brennan wrote, "represents yet another stress point in the longstanding conflict between two disparate cultures — the dominant western culture, which views land in terms of ownership and use, and that of Native Americans, in which concepts of private property are not only alien, but contrary to a belief system that holds land sacred."

Central to the dispute is completion of a fifty-five-mile highway linking two California towns, Gasquet and Orleans. In order to complete the project, the government has sought to build a six-mile segment through the Chimney Rock section of Six Rivers National Forest.

But according to the three tribes, Native Americans have conducted spiritual activities in the mountainous "high country" for more than two hundred years. Those activities cannot be conducted elsewhere, they claimed. □

## Final decision in peyote case sidestepped by court

WASHINGTON

The U.S. Supreme Court has ruled it cannot decide whether the Constitution protects the religious use of the drug peyote by Native Americans in Oregon until that state's high court determines if the practice violates Oregon law.

At the same time, five of the justices on the nation's high court suggested the First Amendment guarantee of free exercise of religion does not apply generally in cases where criminal laws are violated. □

# Growing Up Free

**W**hat do young Americans know about religious liberty issues? Are they even aware of religious liberty issues? If they are, why do they seem so apathetic toward questions of religious liberty and church-state separation?

These are questions I have been asked. These are also questions to which I have no direct answer. As a young person who has grown up in the midst of the Bible Belt, surrounded by and entrenched in the Southern Baptist tradition, my own understanding of religious liberty issues and their complexity has been slow to develop. After some important and insightful experiences, such as an internship in Washington working with these issues, I have developed a better understanding of our country's pluralistic society, a broader perspective on religious liberty, and a stronger faith.

I grew up in a Baptist church in the Southwest. As a result, I was never fully aware of the pluralism and diversity in our society. Although I knew of other religions and denominations, I was exposed primarily to Southern Baptists. I do not regret my upbringing in the Southern Baptist denomination, but mention it as a factor in my naiveté toward religious liberty. I was taught as a child in school that America was a great and free nation founded partly as a result of brave men and women of faith who sought the freedom to worship as their consciences dictated; yet, I later learned that pluralism and religious freedom were not basic tenets of the Puritans' Massachusetts Bay Colony. If a man was a Puritan in Massachusetts, he was accepted; however, if he wanted to worship differently, he was an outcast to be shunned.

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Mr. Fox is a student at Oklahoma Baptist University in Shawnee. He spent last summer as an intern at the Baptist Joint Committee.

In some ways I think that was my first perception of the freedom of religion in this country. I believed that everyone had the right to worship the way I worshiped. If others believed the same things I did, I could accept them; however, if they did not, they were somehow different. As a child attending public schools where most of my classmates were also Baptist, it was usually easy to tell which of the children belonged to a denomination other than Baptist, and although I was taught in Sunday school that I should love everyone, somehow it was just understood that they were not the same.

As I grew older I realized that different was not always bad. I discovered some of my friends worshiped in a variety of ways and churches and still seemed sincere in their beliefs. I also began to realize that being a Christian was not defined as merely being a good and faithful member of the local Baptist church. What was on the inside was what really mattered. I came to these conclusions even though I still had not been exposed to much of the diversity of our nation. My freshman year of college at a small Baptist school in the Southwest began my education in diversity as I received my first glimpse of pluralism. I met students with a variety of backgrounds. My roommate came from a small Baptist church in southwest Colorado, where Mormonism is the dominant religion. His perspective on the Baptist denomination in the midst of other faiths was different from my view of a Baptist-dominated society. He could appreciate the dangers of allowing the majority to dictate the way students should pray in schools or what Bible should be read in the classroom. I began to understand the dangers of state support of religion. After my freshman year, I spent my first summer away from



home in Washington, D.C., and my perspective on society and how it operates was changed even more.

The life-style in Washington and its hectic pace were the first things that overwhelmed an eighteen-year-old student from a small Southwestern college that summer. It did not take me long to notice the difference in the culture. I felt like I could have empathized with Dorothy when she told Toto she didn't think they were in Kansas anymore. I knew I was in a totally new environment with different norms and values, but also that different was not necessarily equated with bad.

It was in Washington that I saw firsthand the plurality in religion and society. Although I had visited a Jewish synagogue in Bible school as a child one year, I had never come in much contact with those who practiced Judaism. I passed Jewish synagogues and even met some Jewish leaders in my work. I realized that just because I had not met many Jews in Oklahoma did not mean that there was not a substantial Jewish population back East, and that these people were protected by the same Constitution that protected my rights. I was also exposed to those of African descent who practiced their tribal religions and wore traditional African dress. I had not observed much of that in Oklahoma, yet I realized that these people were entitled to the same liberties in America to which I was entitled.

My new perspective on pluralism helped me understand more fully the necessity for religious freedom in our country. Through my work and individual study I discovered the rich heritage Baptists have in the area of religious liberty. We are proud of that heritage, and yet we sometimes forget why we were such strong advocates of concepts that we take little time to ponder now. In the

early days of America (and even in Europe), Baptists were definitely a minority. Today, Southern Baptists are the largest Protestant denomination in America, and so tend to forget the struggles of Baptists as a minority.

We live in a democracy in which the majority decides what is best. By definition the minority must lose. But the strength of our free nation lies in the protection of minority rights under the rule of the majority. Minorities are protected under the Constitution by its guarantee of certain rights, regardless of color, sex, or religion. By protecting minority rights in religion, we as Baptists are securing our claim in the belief of the individual as master of his or her conscience.

If we ask the state to support religion with state-written prayer in schools or daily Bible reading in the classroom, we are denying our heritage and our faith by saying our religion and our God are too weak for us to share and the state must be responsible for propping up a weak religion. What does it say about the church and its mission when we must rely on the government to be the tool of distribution for Christ's message? If that time came, as a Christian I would be saddened that the church forsook its responsibility.

As a young person who is in the midst of coming to grips with these issues of religious liberty, the main lesson I have learned is that there are no easy answers. The complexity of the issues may be one factor in the lack of strong involvement from young Americans in the fight for religious liberty. Our society has become dependent on quick remedies and easy solutions to problems. As a result, Americans young and old sometimes do not take the time to think about the complex issues but merely buy into some of the easy-solution rhetoric espoused by many today. This neglect by both old and young Americans threatens the many years of work by Baptists and other leaders in the area of religious liberty.

Religious liberty issues are seldom cut-and-dried, black-and-white. Those who do not recognize the gray areas and claim to have all the answers are the ones that I hope my peers will be wary of as they conscientiously progress through the confusing pilgrimage toward greater understanding of religious liberty. □

# G.O.P. — A Tradition of DIVERSITY

West Branch is the only town in Iowa with a population over a thousand that did not play host to any of the assorted candidates running this year for the Republican presidential nomination.

The reason not a single candidate visited reminds me just how much the image of my Grand Old Party has changed since I first became a member almost half a century ago. The reason is that Republican Herbert Hoover, the thirty-first president of the United States, called West Branch home.

Conventional political wisdom suggests that no one went to West Branch because no one wants to be associated with the economic collapse that coincided with Hoover's time in the White House. The association ultimately may be unavoidable for whomever reaches the White House next year: in much the same way as Hoover inherited the legacies of Calvin Coolidge's do-nothing economic policies, our next president will inherit the consequences of the largest national debt in the history of the world. In a campaign year, however, the association does not make for very good copy.

Of course no candidate would want to be associated with economic collapse, but I suggest that the real reason the Republicans all avoided West Branch has more to do with an image problem than with an economic problem. Herbert Hoover was a progressive, a moderate, even a liberal, and those words simply are not part of the party's image today.

The Republican tradition grew not out of conservatism but out of toleration, not out of liberalism but out of moderation. Republicans have not always believed the same things — diversity has been the strength of the party.

In *The Republican Party: Its Heritage and History*, Fred Schwengel, a former congressman and current president of the Republican Heritage Foundation, documents that tradition and the diversity that always has accompanied it. The story of the Republican party — founded in a Ripon, Wisconsin, schoolhouse in 1854 by a group of renegade Free Soilers, Whigs, and Democrats who had come together because they did not believe that slavery should be extended to the

western territories — comes alive through anecdotes and illustrations.

The book starts with the genesis of the name those renegades chose for their new party. "With a sense for public relations that would have made a twentieth century advertising specialist proud, Thomas Jefferson and James Madison called their party by the two words with which most Americans would have identified: Democratic-Republicans," writes Schwengel. "Soon, however, and for reasons not quite clear, the name 'republican' passed from the American political scene, and in its place the Whig party came into being." So it was that Republican, a word so much a part of our history already, seemed the logical name for the group in Ripon.

Mr. Schwengel goes on to trace the party's history from that meeting in Ripon through the appointment of Sandra Day O'Connor to the Supreme Court. Debates about the relative powers of the president and the Congress aside, the most visible political characters at any given time are presidents, and the author uses them for the framework of his history.

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[Dr. E. B. Smith, noted author and historian on the faculty of the University of Maryland, has accepted the challenge to do a comparable book on the Democratic party. REPORT will review that book on publication.]

Reading *The Republican Party*, I could not help wondering if some of the great Republicans of history would feel that the party had no room for them today. Would Abraham Lincoln, the great reconciler whose Emancipation Proclamation freed for all time those in the Confederacy who lived in the shackles of slavery? What about Herbert Hoover, who believed that the people of Nicaragua needed food instead of guns and ended the U.S. Marine occupation of that troubled country? Or Dwight Eisenhower, who spoke the words that have become a battle cry for arms controllers: "Every gun that is made, every warship launched, every rocket fired signifies in the final sense a theft from those who hunger and are not fed, those who are cold and are not clothed?"

Of course their stories are told in *The Republican Party*, but Mr. Schwengel also  
Continued on p. 14

# INTERNATIONAL DATELINE



## Religious intolerance cited in U.N. report

WASHINGTON

Incidents of religious intolerance persist throughout the world, according to a recent report presented to the United Nations Human Rights Commission.

The report, prepared by the U.N. special rapporteur on religious intolerance, focuses on examples of religious intolerance in seven countries. The examples represent a "broad geographical distribution" highlighting the "nearly universal nature of the problem" of religious intolerance and discrimination, said Angelo Vidal D'Almeida Ribeiro.

A longtime human rights advocate from Portugal, Ribeiro in 1986 was appointed special rapporteur to examine incidents of governmental actions throughout the world inconsistent with the provisions of the U.N. Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.

Ribeiro's report explores allegations of specific instances of religious intolerance, including restrictions on various faiths in the Soviet Union; harassment of Christian minorities in Turkey; persecution of Catholics and Protestants in Burundi; total abolition of religion in Albania; repression of ethnic Turks in Bulgaria; torture and execution of Baha'is in Iran; and laws forbidding the Ahmadiyya faith in Pakistan.

The report also discusses general examples of religious intolerance in more than forty countries, including the right to have a religion, maintain places of worship, establish charitable institutions, disseminate religious publications, receive voluntary financial contributions, train or choose religious leaders, celebrate holidays, maintain contacts abroad, practice religion without discrimination, and raise children according to their parents' chosen religion.

During an April press briefing, representatives from the Department of State, Congressional Human Rights Caucus, and Ad Hoc Committee for Religious Liberty voiced support for the report. [The Baptist Joint Committee is a cooperating member of the latter group.]

Richard Schifter, assistant secretary of state for human rights and humanitarian affairs, said although the special rapporteur had no authority to make nations stop their religious liberty violations, his report places the "spotlight of world attention" on the violations.

House Members Christopher H. Smith, R-N.J., and John E. Porter, R-Ill., praised Ribeiro for presenting an in-depth report that brings the full weight of the United Nations to bear against offending nations. □

Kathy Palen

## Protest groups accorded uneven govt. treatment

MUNICH

Requests made by a number of "informal" Moscow groups for permission to hold a demonstration on October Square in Moscow to mark the thirty-fifth anniversary of the death of Joseph Stalin were turned down by the Executive Committee of the October District Council.

According to Das Land und Die Welt, which monitors human rights in Eastern bloc countries, a demonstration was held in March by members of the "Perestroika-88" club, the "Democracy and Humanism" seminar group, and other such groups as "Trust" and "Freedom of Emigration for All" — about 100 in all.

Demonstrators carried placards with slogans that protested special privilege and the alienation of government from the full participation of people.

The Munich-based group reported that these posters were seized by authorities and that demonstrators were beaten while others were taken to police stations.

On the other hand, police did not interfere in a demonstration held on the following day, when protesters accompanied by music by Bach carried flowers and lighted candles. Police, however, did trample on the flowers after they had been placed at the base of a cardboard obelisk at a park of "culture and rest." □

## Graham encouraged by church progress in China

NEW YORK

Billy Graham said he was "very optimistic about the future of the Christian faith in China" following his three-week trip to the country in April.

The evangelist said he was repeatedly told that the Chinese "recognize they have had serious problems and continue to have some" in the area of religious freedom.

When he asked people who had been persecuted and jailed during that period

if the situation had changed, Graham reported that "everyone said it is far better than it has been in many years."

He was encouraged by the measure of religious liberty, though it is limited, and because of the thousands of churches that have reopened in recent years.

The constitution of China guarantees religious freedom, which is still to be fully implemented by local officials. Graham said officials have told him a proposed new law "will clarify and solve many of these problems." □

## Public education concerns perplex church leaders

LONDON

Christians specializing in the field of education have continued to express reservations on the government's Education Reform Bill and hope to place their concerns before the minister of education, Kenneth Baker.

The proposed core curriculum, the future of local education authorities, and the prospects for increasing the power of parents all cause anxiety.

Free Church Federal Council education consultant Aubrey Lewis, a member of the clergy, viewed the bill as threatening overall educational provisions. He said, "It doesn't seem to have any steady, underlying philosophy." □

## Church in Hungary seeks new system, not reform

HUNGARY

Hungarian Catholic bishops at a meeting with Prime Minister Karoly Grosz and the country's religious leaders asked the government for greater freedom for the church.

Bishop Jozsef Szendi of Veszprem requested a new "agreement" between the church and the state that will allow the church to operate freely off church premises.

He asked specifically for the church to be granted a "free hand for involvement with young people" and for an end to the "bureaucratic restrictions" on religious instructions.

Pressure for reform also came from Bishop Endre Gyulay, who asked for the removal of the regulations of church life by the State Office for Church Affairs.

The position of church officials was cited in an editorial in the official church



## NEWS-SCAN

paper as "looking for the creation of a new 'system of institutions' for church-state relations instead of an updating of the old one."

Though it is widely believed that the prime minister is prepared to make major concessions to the churches, he is sure to face a strong challenge by conservative forces who wish to water down significant proposals for reform. □ KNS

### Pressure still firm on unregistered churches

#### SOVIET UNION

The *Friedenstimme* Mission reports that the militia continues to disrupt services of the unregistered Baptists who have been meeting in a private residence following destruction of their temporary meeting house last December.

The leader of one congregation, Pavel Kupryanov, has received three fines of fifty roubles each. Following disruption of the service in January, he received a sentence of fifteen days imprisonment.

According to another report of the Mission group, a Baptist in the town of Progress in the Omsk region of Siberia lost both his job and his home for taking part in a funeral.

Andrei Loewen was absent for two hours from work to attend a funeral at the request of relatives of the deceased. Unregistered Baptists believe that Loewen is being persecuted simply because he is a Christian. □ KNS

### Czech petition calls for church-state separation

#### BROMLEY, ENGLAND

Largely because of the efforts of the Prague archbishop, Cardinal Frantisek Tomasek, more than 250,000 believers have signed a petition for greater religious freedom and the separation of church and state in Czechoslovakia.

Keston College, located in the London suburb of Bromley, is noted for its studies of religious liberty and human rights in Eastern European countries. It reported that Protestants and Jews have supported the petition, even though most of the signers are Roman Catholics.

The petition's thirty-one points include the rights to propagate religion on radio and television and to publicly criticize the nation's official Marxist-Leninist ideology.

The eighty-eight-year-old Cardinal

Tomasak, in his letter of support, declared, "It is no secret that my many applications to the relevant state bodies regarding the main requirements of the church in Czechoslovakia have never received an answer.

In the most recent development, a Vatican delegation is at work on final details of a compromise that will allow the appointment of three new Roman Catholic bishops. Czech officials had been in negotiations with the Vatican over the appointment of bishops to fill vacancies in eleven dioceses. No new bishops have been named since 1973 in Czechoslovakia. □ KNS

### Orthodox Christian free only one year since '39

#### BROMLEY, ENGLAND

Authorities of a psychiatric hospital in the Soviet Union have indicated they have not been informed about future arrangements for an Orthodox Christian who has known only one year of freedom since his first arrest in 1939.

Vasili Shipilov, whose health is in critical condition, has been promised transfer to a sanatorium for treatment, according to Keston College.

Imprisoned while studying in an underground seminary, Shipilov was ordained a deacon by imprisoned Russian Orthodox priests during his first sentence. Released in 1949, he was again arrested and sent to a labor camp in 1950 on charges of "anti-Soviet agitation and propaganda." □ KNS

### Pupils cautioned against 'civil religion' rights

#### EAST GERMANY

Young people are being cautioned against taking part in the state's annual "Youth Dedication" ceremonies that were introduced in the German Democratic Republic in 1954 for schoolchildren who had no religion and belonged to no church.

The practice provides these youngsters with an outlook on life that excludes belief in God, although correspondingly the practice has nothing to do with the school curriculum. Teachers are nevertheless expected to encourage the full participation of all pupils. □ KNS

The opening of an Independent University in Moscow is among the surprising manifestations of perestroika (restructuring) in the Soviet Union. Departments of study include theology, philology, socioeconomics, with the possibility of multidisciplinary studies on the basis of individual programs. Valery Soifer of the United States serves as president abroad; in the Soviet Union, Lev Timofeyev holds that office. . . . The press spokesman for the Hungarian government reported that 158 people are serving prison sentences for refusing military duty. Jehovah's Witnesses account for 145 of that number; six are Roman Catholic; Nazarenes and Adventists each represent one. Figures are in harmony with estimates used by Keston College and Amnesty International. The question of compulsory military service is now being studied and a recommendation will be submitted to the government. . . . The text of a new edition of the *New Testament* in Ukrainian has been prepared by a translation commission composed of theologians and philologists under the leadership of Metropolitan Filaret of Kiev and Galicia. It is not known when this edition or how many copies will be published. . . . Militia disrupted an open-air meeting organized by the *Word of Life* group in Tartu, Estonia. An estimated 3,000 people, a few of whom were detained and beaten, attended the service held late in the afternoon of April 5. *Word of Life* is the independent Estonian evangelical youth movement formed last year. . . . "Mini-churches" are providing some religious needs in Yugoslavia, according to a report from the official state news agency Tanjug. They are the solution most often used by members of smaller religious communities whose requests for building permits have not been approved. There is no obstacle in Belgrade, it was reported, to converting an apartment or a house to a "mini-church" . . . The Rumanian Baptist Union has a new president, Traian Grecu, according to the report of the Baptist Congress. He replaces Mihai Husan as a result of the Congress decision. In a related action, Vasile Talpos, who attracted the opposition of more grassroots Baptists over what they saw as his strong identification with the government, lost his post as general secretary. Talpos will assume the prestigious role of principal of the Baptist seminary in Bucharest. □

### Kingdoms, from p. 16

What does shine through in the book is Colson's vibrant faith, his willingness to grapple with tough issues, and his commitment to prison ministry. If one overlooks his Marine-sounding moralisms and perhaps too optimistic view of the state, the book is worth reading. Too few seem willing to confront the great issues of the kingdoms of humanity and God in conflict. To Colson's credit he has boldly set forth his ideas. □

D. Glenn Saul

## RESOURCES

### Life with Liberty Series

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### Constitution, from p. 5

kinds of cases that immediately come to mind when one thinks of the Constitution, religion, and public life: conscientious objection, prayer and Bible reading in the public schools, religious symbols in public places, aid to religious schools, tax exemptions, etc.

The Supreme Court has had great difficulty in developing a consistent principled position, particularly in establishment issues. The result has been convoluted law. In the free exercise of religion cases, the Court has made the freedom of belief absolute. Conduct, however, is subject to regulation when the state has a compelling reason to protect society. In establishment cases, there have been shifts in the Court between strict separation and accommodation positions.

The dissension in American society over these issues, however, should not distract from the agreement over broad

### G.O.P., from p. 11

includes the stories of other people whose names are not as familiar but whose convictions were just as strong. People like Alvan Bovay, a Whig reformer and ardent abolitionist who organized that meeting in Ripon. And Charles Sumner, a senator from Massachusetts who was beaten with a cane on the Senate floor by a colleague for his speech against slavery. Sumner spent almost a year in the hospital. And James Blaine, who served as secretary of state under Benjamin Harrison and used the office to speak out against the unrestricted killing of fur seals in the Alaska Territory.

*The Republican Party* is not a trendy exposé of Ronald Reagan or George Bush or Pat Robertson, nor is it a textbook for Political Science 101. Instead, it is the colorful story of a great many men and women who have done and thought

principles and institutional practice of separation of church and state and freedom of religion. Wisdom, rather than absolute legalism, would seem to offer more prospect in maintaining the tension between the two clauses of the First Amendment in a society in which religion has no formal role in government but in which religion traditionally plays a very active social role.

America's expanding pluralism increases the tensions in society. But as Madison saw, this pluralism can serve to strengthen the defenses of a republican society. It can do so, not just mechanically through the restraints of checks and balances, but through "civic virtue," the commitment to common purpose, especially the shared values of liberty and justice. Whether and how the religious forces in America can contribute to this challenge is a question yet to be fully answered. America now as at its founding is an experiment. □

a great many things in the past 134 years. It documents the history of a party that believes in the infinite capacity of the human spirit, not in conservatism or liberalism, but in the integrity and strength of the individual. It is too bad no one visits West Branch anymore. □

Mark O. Hatfield  
U.S. Senator, R-Ore.

### Views, from p. 6

There are those, like the Texas student, who would convert equal access into a vehicle for proselytizing their non-Christian classmates. Undoubtedly sincere in their efforts, they are no less wrong.

Certainly students have the right to share their faith. They do not, however, have the right to hold evangelistic meetings in the cafeterias, courtyards, and hallways of a public school. Nor can they preach to captive student audiences through a bullhorn. That is not equal access.

Likewise, it is not equal access when teachers, who are employees of the state, lead or promote religious exercises. Religious clubs must be student sponsored, student initiated, and student led if we are to maintain the rights of believers and unbelievers alike. After all, it's freedom, not preference, that we desire.

Admittedly, equal access is a risk. But, like democracy, it's a risk worth taking.

## Register Citizen Opinion 1988

The latest edition of this congressional directory and action guide lets you know how to communicate your views to the three branches of the U.S. government. Containing lists, addresses, and forms of address, this valuable resource also includes congressional committee assignments and a bibliography of periodicals for informing citizens about public policy issues.

Single copies, \$1.00 each. 10-99 copies, \$ .75 each; 100 or more copies, \$ .50 each. All prices include postage. Send orders to the Baptist Joint Committee, 200 Maryland Ave., N.E., Washington, D.C. 20002.



"One of the chief threats to political democracy is the poor citizenship of good people."

## REFLECTIONS

"One cannot be a good Christian without being a good citizen." More than once T. B. Maston made that statement: atypical for him, sweeping and categorical, shocking to those of his students who had never thought that citizenship had anything to do with their religion.

Several presuppositions lurk behind that stark axiom: God cares about the affairs of state; good citizenship can be discerned and deliberately engaged in; a difference exists between Christianity and citizenship; a moral measure can and should be taken in the political realm of life; and one makes ethical choices, both political and religious.

"It would be tragic to the democratic movement for its leaders to forget its vital historic relation to the Christian faith," Maston contended. Yet, he, unlike the "Christian nation" theocrats, knew all along that "it would be a mistake to claim that democracy stems entirely from Christianity."

Maston never fell into the trap of identifying his country and its political system with God's plan and people. He consistently denied the "identification" theory as the proper relation of church and state. The popular idea in the 1980s that the United States somehow has an extension of a covenant arrangement worked out by God as a special nation was a notion foreign to Maston. "Christians should never go so far as to identify the Christian movement with any particular political system," he said. He feared a civil religion that equates our culture with the Kingdom of God.

Into this incipient political framework Maston threw a plea for active participation in the political process. He insisted that "one of the chief threats to political democracy is the poor citizenship of good people," that "the Christian religion needs to permeate every phase of life," and that "one of the greatest responsibilities of the individual is to accept the responsibility of freedom."

So, Maston in no sense counseled withdrawal from the world, hatred for dirty politics, or turning to individualistic piety or spiritual strategies. He understood that religion and politics will mix, ought to mix, especially in a democracy.

Maston argued powerfully for political involvement on theological premises. Love of persons demanded it. The pursuit of justice required it. Stewardship of influence cannot be exercised without practiced citizenship. Morality and decency make political decisions necessary. Maston could not countenance the silliness that tries to equate "separation of church and state" with separation of religion from politics. The belief that engaging in the public policy debate is off limits for religious persons is the antithesis of the democratic vision. Yet, the former Southwestern Baptist Seminary professor claimed the historic Baptist belief in the separation of church and state.

A biblical ethic informs the origin and nature of these basic institutions and casts the limits of their authority. He taught that the state "came from God" whether "its authority was a part of God's original purpose" or "was a result of and a remedy for sin."

"Separation does not... mean that the church or the state ignores the other. Separation of church and state simply means an organizational and a functional

James M. Dunn  
Executive Director



separation.... It is not a separation of religion and political life. Christian principles should be applied to governmental affairs... neither the church nor the state should seek to control the other or to use the other to promote its interests."

Church and state are both divine-human institutions, ordained by God, both lifted to the heights and limited by humanity. Both church and state are ennobled and afflicted with mortals who offer stumbling, sinful lives and sometimes heavenly aspirations.

The value of the individual — related directly to being made in the divine image — calls for freedom, dignity, and access to the Eternal unimpeded and unsullied by creeds, institutions, or any sort of intervention. "He is never to be used as a mere instrument or tool," said Maston.

Isaac Backus, whose life and thought served as the basis for much of Maston's own living and thinking, said it well: "No man can be made a member of a truly religious society by force, or without his own consent; neither can any corporation that is not a religious society have a just right to government in religious affairs."

Church-state separation as a safeguard for liberty is for Maston more than an important aspect of the social contract. Separation transcends the rule of law and constitutional theory and is far more than a political arrangement open to adjustment by majority vote. "God has not only seen fit to place limits on the authority of both the church and the state; [God] also places some limits on the rights of the people. They do not have the right to delegate either to the state or to the church the authority to control, or to attempt to control, the consciences of individuals."

Some of the church-state issues in the daily news in the 1980s were responsibly confronted by Maston early and often in his writing. Since the 1940s he had dealt consistently and prophetically with troublesome themes, for example, "secular humanism."

Anxiety about secular humanism is not new. In the 1950s Maston advised that "it is wise for the defenders of separation to recognize the dangers of what is termed secularism, the danger that all of life will be organized as if God did not exist."

Maston challenged "a more insidious and hence more dangerous threat to religious liberty [that] comes from secularism within our churches." We have, he felt, church members only slightly less secularized than the public that is at odds with the church.

Long before the present hand-wringing about secular humanism Maston saw that the real problem is the secularization of the churches. The drive for success, status, size, and fame infects the religion of Jesus Christ.

May 2, 1988, Thomas Buford Maston passed away.

The Word of God took on flesh in the Incarnational faith of T. B. Maston.

Only as it did could he have been so humble yet tough, so scholarly but understandable, so visionary but practical.

He spoke the truth in love. □

# REVIEWS



## Kingdoms in Conflict.

Charles Colson. New York: William Morrow and Zondervan, 1987. 400 pp. \$15.95.

Charles Colson has emerged as one of the most popular spokesmen for evangelical Christianity through his best-selling books and his work as the chairman of Prison Fellowship. Colson commands a significant following and is an articulate witness for the Kingdom of God. His latest book, *Kingdoms in Conflict*, grapples with the issues of politics, power, and piety. According to Colson, it is inevitable that conflict exist between the kingdoms of God and of politics. Because this is a worldwide phenomenon, Colson has chosen to address this complicated issue.

A provocative scenario serves as an introduction to the book. A born-again president of the United States is put into a dilemma between his literal biblical faith and his responsibility as a world leader. In an election year when two ministers have run for the presidency, Colson's scenario is sobering. It alone is worth the price of the book.

The scope of Colson's book is impressive. The reader moves through church-state conflicts from the Philippines to Northern Ireland, from Germany to England. Marxism, nihilism, and Christian ethics come under review. Observations range from reflections on the manipulation of religion by the White House to pronouncements on AIDS and the Live Aid concert. This scope is both a strength and a weakness of the book. Social commentary on such a broad canvass easily can be reduced to platitudes and slogans. On the other hand, it is a reminder that the conflicts between God and government are worldwide.

Colson is at his best in telling stories about people and events. His biographical sketches of persons changed by God and used to influence politics and events are inspiring. Colson is a pietist in that he believes that changed people change

their society. Committed persons such as Wilberforce, Bonhoeffer, Niemöller, Aquino, and other lesser-known persons have left a legacy to be imitated. Many of these personal sketches are almost devotional in nature and affirm the power of God to use individual Christians.

A historian would have a great deal of trouble with the way Colson uses historical data and the conclusions he draws. Colson admits that some of the dialogue has been invented along with some of the characters. This disclaimer, however, does not cover the inadequacies of some of his material. In his desire to put historical events and persons into story form, Colson leaves the reader wondering which parts are true and which parts are a figment of Colson's imagination.

Another problem is generalizations. Colson too easily passes over some of the causes of tension between church and state. In answer to a question about how one can try to live by the Sermon on the Mount and at the same time support the use of military might, Colson offers a dualism. "The Christian follows two commandments: to live by God's teaching in the Sermon on the Mount ... and at the same time to support government's role in preserving order as a witness to God's authority over the present Kingdom of the World." Although that is a commonly given answer, it does not adequately deal with the personal conflict often caused when one attempts to take seriously the Sermon on the Mount. Colson seems too willing to acquiesce to the use of violence in the name of the state. Missing from serious discussion is the radical obedience of those who question participation in the state's violence. It is questionable whether Colson can claim his ethic to be that of radical discipleship and ignore the likes of Yoder, King, Day, and McClendon. One wonders if he has rightly understood Ellul, whom he is fond of quoting.

To his credit, Colson does acknowledge that as a last resort the church may resort to supporting civil disobedience or even revolution. His chapter dealing

with the role of Aquino and Cardinal Sin in the Philippines is provocative and instructive. But missing from the discussion is the alliance of wealthy families and landowners which supports Aquino and which may keep the revolution from bettering the lives of the oppressed.

Of particular value is Colson's discussion of the political illusion. He takes his cue from Ellul and warns against placing too much hope in politics to bring about moral and spiritual reform. Here, indeed, is an area of conflict: Can the church be a player in politics and at the same time expose the political illusion? Too often government is seen as the ultimate solver of human problems. This is beyond its capacity, yet the illusion persists.

In some of his statements, Colson sounds like a member of the New Christian Right as he decries the prayer and Bible reading decisions of the Supreme Court. On the other hand, Colson clearly has some problems with the agenda of the New Christian Right. A vigorous protest is lodged against the tendency of Christian politicians to claim to speak for God. Most staunch church-state separatists would agree with Colson that the church should not become another special interest group. Further agreement would come with his assertion that the spiritual goals of the Gospel must not be aligned with any particular political agenda.

Colson seems clear that the government's role is to preserve order, promote justice, and restrain evil. What seems unclear is how the Christian is to eschew government coercion of religious values while affirming that the transcendent authority of religion is necessary to give society its legitimation and essential cohesion. Colson seems weak at this point. He rightly does maintain that the church's role is to address issues of morality, justice, and politics and not to impose its own views. But how this is to be done while affirming government support of prayer and Bible study remains a mystery.

Continued on p. 14

### Reviewer

Dr. Saul teaches Christian ethics at Golden Gate Seminary (SBC) and is a contributing editor of *REPORT*.

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