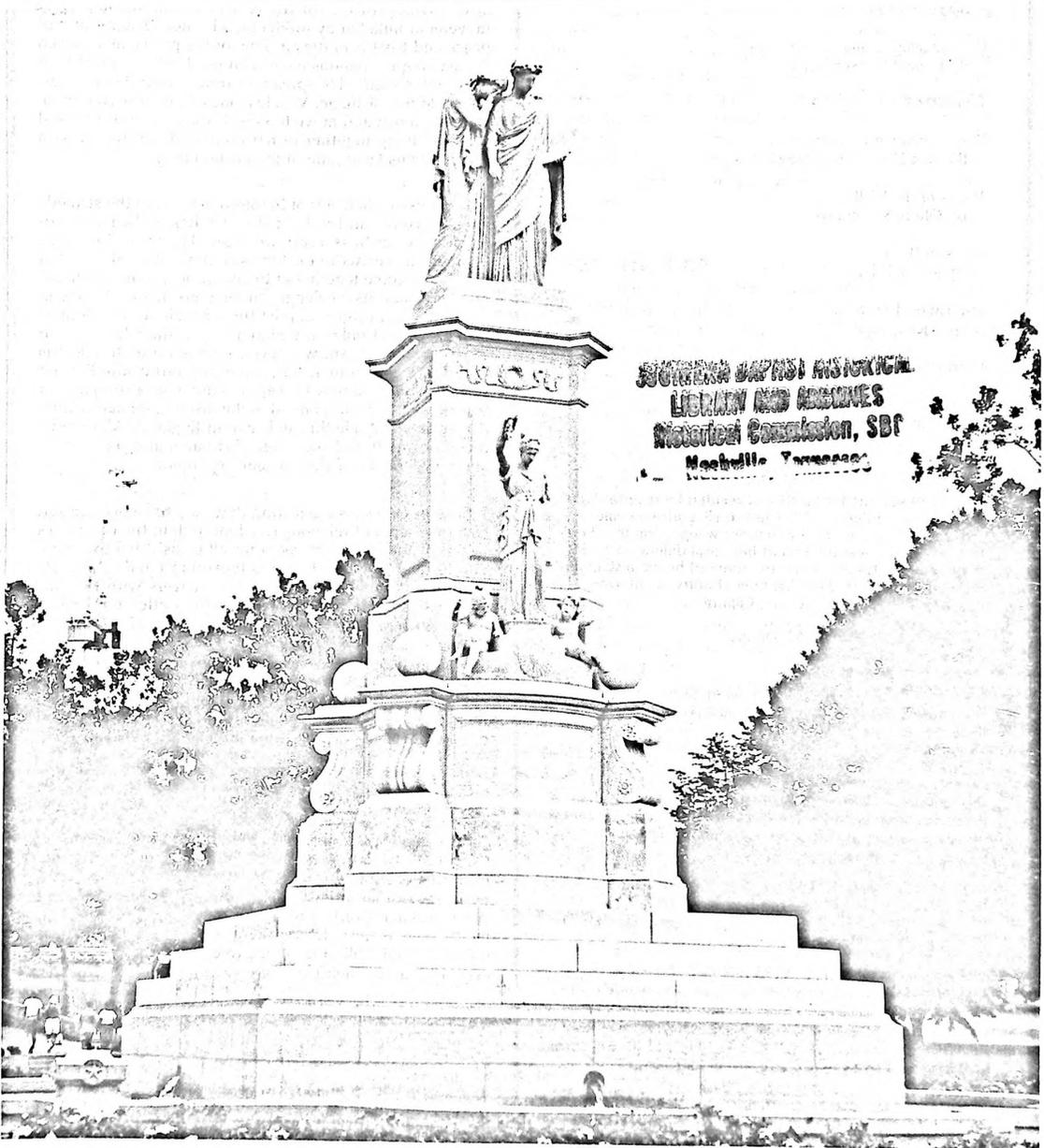


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REPORT from the CAPITAL



SOUTHERN BAPTIST HISTORICAL
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REPORT from the CAPITAL

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

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Articles

- Baptists: People Rooted in Scripture 4
By Heather M. Vose
- Fundamentalists and Their Critics 10
By Donald W. Shriver, Jr.

Features

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

Cover: PEACE MONUMENT — executed by sculptor Franklin Simmons in Rome 1877. The two allegorical female figures at the top represent America weeping on the shoulders of history over the loss of her naval defenders during the Civil War. These heroes are honored by the inscription on the page: "They died that their country might live." (Located at the foot of the U.S. Capitol)

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Editor: Victor Tupitza

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Peace, a Possibility

The world stands on the threshold of this new year with Americans predisposed to respond immediately and positively to the wish of George Bush for a "kinder and gentler nation." At the same time, the peoples of the Soviet Union probe for the real meaning of the reform movement initiated by Mikhail Gorbachev. The essence of peace and trust is in the air. Few of the problems between these two great nations have been resolved, but more than apparent is their wide-spread weariness with the decades-long cold war struggle. Visible alongside their hesitation to trust too much and move too fast is their eagerness to find ways of living together in harmony and getting on with the problems facing the human community.

The elusive character of harmony has made the struggle among groups and individuals of religious belief one of seemingly endless recrimination. Heather Vose and Donald Shriver write on topics that are distant but that manage to come together at the point of identifying disparate belief and its challenges to religious liberty. Vose discovers Baptist origins amidst the struggle for freedom of conscience and political freedom. Then, the whole notion of religious pluralism was inconceivable on both religious and political grounds. Yet, emerging out of the Baptist struggle, came "a new concept of church as a company of believers ... [which] pointed to the disintegration of Christian society." While this all began in England, Americans' focus normally falls on Roger Williams and our subsequent experience of church-state separation.

Shriver exhumes a question that may have been raised by proponents of religious freedom back in the early days of the nation: "Is there room for all of us?" It's the question Shriver rhetorically poses regarding Fundamentalists and their "enemies," one he also answers with his plea that critics begin with an empathetic understanding of those with whom they radically differ. There are no enemies, he holds. While each party clings to "fundamentals," Shriver notes, the distinction is between *having* fundamentals and *being* fundamentalist. Raising the issue of intolerance, he wisely reminds all, "there has to be room for them in a democratic society, just as there has to be room for sinners in synagogues and churches." Amen!

About ten years ago Stan Hastej handed me a blue pencil, conveying editorship of REPORT, and moved over to head information services where he has continued to be an able analyst and interpreter of church-state relations — especially in covering the Supreme Court, where he uniquely has made intelligible the cryptic language and decisions of that august body. You can read of his future plans on page 7 of this issue. I'll remember Stan for statements such as this: "Everything we Baptists believe hinges on the central biblical ideal of a free conscience — soul liberty. It is at the heart of the good news of God in Jesus Christ." The thought measures the man. The staff joins me in wishing him Godspeed. □

Victor Tupitza



● **THE INTERNAL REVENUE** Service for the first time has revoked the tax-exempt status of a local church.

The IRS concluded Second Baptist Church of Goldsboro, North Carolina, did not qualify under the Internal Revenue Code as a charitable organization for the years 1983-1985 because it operated a racially segregated school.

The church, an independent Baptist congregation, has challenged the IRS action in U.S. Tax Court, arguing that following a 1983 Supreme Court decision it operated the school in a racially nondiscriminatory manner, but even had it not the public benefit provided by the church should entitle it to tax exemption.

The school in question was established in 1963 by a nonprofit corporation -- Goldsboro Christian Schools, Inc. -- that was affiliated with the Goldsboro congregation and largely supported by funds from church members.

From the school's inception, the school corporation adopted an admissions policy that stated a "religious belief that God set up racial barriers and that the mixing of races is contrary to the teaching of the Bible."

Because of the admissions policy, the IRS denied the school corporation tax-exempt status during 1969-1972. The corporation's legal challenge to the IRS ruling became part of a highly publicized 1983 Supreme Court decision.

In that decision -- which also involved the revocation of Bob Jones University's tax exemption over racially discriminatory policies -- the high court upheld the IRS's position, ruling that a private school must maintain a nondiscriminatory policy in order to qualify as an exempt organization. The court held that schools with racially discriminatory policies violate a fundamental "public policy" and cannot be viewed as conferring a public benefit within the "charitable" concept of common law standards.

In 1974, shortly after the original IRS action against the school corporation, Second Baptist Church acquired all of the school corporation's assets and took over operation of the school. From 1974 until 1983, the school maintained its closed admissions policy. Following the 1983 high court decision, the congregation adopted a nondiscriminatory admissions policy for both the school -- which closed after the 1986-1987 school year -- and a day-care center the church

began operating in 1979.

Despite the adoption of the new admissions policy, the IRS concluded the church did not adequately show that the school was operated during the years in question in a "bona fide racially nondiscriminatory manner" as required under federal tax regulations. The IRS specifically mentioned the school failed to publicize its nondiscriminatory policy in printed materials and to recruit actively black students and teachers.

● **RELATIVES OF A** suicide victim cannot sue the clergy or religious counselors for malpractice for failing to urge the victim or his family to seek psychiatric help, the California Supreme Court has ruled.

In a unanimous opinion, the justices held that two pastors and two counselors for the Grace Community Church of the Valley had no duty to warn the relatives of Kenneth Nally of his plans to kill himself.

The decision overturned two appeals court rulings that the case should go to trial because a reasonable juror could find the counselors acted recklessly and in a way to encourage Nally to take his life.

The ruling effectively prevents California pastors and church counselors from being sued for malpractice for failing to advise suicidal applicants or their families to seek professional medical help.

Nally's family sued four individuals and the church in 1979, contending they failed to warn them that Nally was contemplating a second suicide try while hospitalized after a suicide attempt.

He died three weeks later of a self-inflicted shotgun wound.

Grace Community Church, at the time of Nally's death, was a 10,000-member Protestant group with more than thirty pastoral counselors who provided regular drop-in services purporting to handle serious psychological problems such as chronic depression and suicidal tendencies, according to the court opinion.

Nally's family maintained that the church did not properly train its counselors and that those talking with their son discouraged him from seeking further medical help.

Dr. Vose presented this paper before the Baptist World Alliance's Commission on Baptist Heritage. She teaches at a university in Perth, Australia.

Baptists

People Rooted in Scripture

As we set about examining the question of our "Baptist Heritage — Christian Citizenship and Church-State Relations," one critical fact must be borne in mind. It is this: We must draw on our heritage, but not be bound by it. Baptist heritage rejects binding as a completely alien notion.

At points we must rely on those who became prototypes and exemplars of religious currents. Such a methodology is perfectly legitimate since the spiritual history of Baptists is linked to the experiences of men and women and to records bearing evidence of their human destiny. Here the notion that history is itself selective has considerable consequence; evidence chosen from the available bulk automatically conceals or reveals, while firmly held beliefs or affinities may never be chronicled. Perhaps this is one reason for the historiographical dispute that clouds Baptist beginnings and categorizes what may be too embryonic for clear-cut disposition.

We must ask, "What common factor marked the "gathered church" patterns emerging from the Puritan-Separatists of seventeenth century England and the Swiss Anabaptists who turned away from Zwingli's reform in the 1520s?" Primarily, it was a high and radical concept of the church based on Scripture, rather than a particular view of baptism. This lies at the heart of Baptist doctrinal heritage. It was expressed not in organizational terms, but in the formation of comparatively small groups maintained apart from the state, with no attempt either to solicit the influence of the ruling classes or to become part of the social order. It involved rejection of a sacerdotal system administered by an ecclesiastical hierarchy and was accompanied by renunciation of many secular values. The

church was perceived to have no holiness apart from its members.

Such a view stood in direct contrast to the comprehensive, institutional, state-related, socially conservative model of the church that pervaded Christendom until the sixteenth century. Here there were dominating elements of state and ruling class control, patronage, influence, and integration with the social order.

In this context, infant baptism inextricably linked church and community. Consequently, a new concept of a church as a company of believers meant also a fresh vision of baptism as the right and duty of confessed Christians and pointed to disintegration of Christian society. This was because the medieval pattern of medieval Christendom dictated that an acceptance of religious pluralism was inconceivable on political as well as religious grounds. Baptists as citizens thus from the beginning posed a threat to the most vital traditions of church and state.

As for the Anabaptists, of course, such a threat was multifaceted, involving its complete disavowal of magisterial authority and refusal to take the citizen's oath of obedience, to shoulder arms, or to accept civil office. It is obvious that in imperial-free cities such as Strasbourg, when continuity of its favored standing was dependent upon a strong civil defense, Anabaptists were at least a social burden, if not a cause of civic disruption.

Though a small number of Anabaptists had existed and been persecuted in England from the reign of Henry VIII, by the accession of Queen Elizabeth I (1559) any signs of the movement seem to have disappeared. Contacts between Separatists and Anabaptists in England still await documentation. "Nobody doubts," says historian B. R. White, "that English General Baptists first evolved from the Eng-

lish Separatists, but there is dispute as to whether the sixteenth century Anabaptist movement, either in England or on the Continent, had any measurable influence upon the development of the Separatists.

In view of this, and without closing the debate about Baptist origins, we proceed now from the 1612 formation of the first Baptist church in England by Thomas Helwys and members of the Gainsborough congregation, recently returned from Amsterdam. Examination of the Scriptures had led them to see that the dynamic presence of the risen Lord in the midst of the believing congregation spelled freedom — not relaxation of discipline, but joyful participation of all members in decision making. Significantly, their Amsterdam leader John Smyth took the question of freedom further. He stated in his Confession of Faith, Article 84:

[We believe] that the magistrate is not by virtue of his office to meddle with religion, or matters of conscience, to force and compel men to this or that form of religion, or doctrine but to leave Christian religion free....

If Smyth made the first case for full liberty of conscience, shortly after, Thomas Helwys published his famous tract dedicated to King James I in which he stated what has been described as the "finest and fullest defense" of religious toleration. Such challenges to a monolithic view of church and state constituted a major rethinking of the social order. Civil war and revolution became the milieu within which Baptists of varying kinds began to develop.

Meantime, from the American colonies came another voice, Roger Williams — Welsh fugitive from repressive England state policy towards religious affairs, fugitive from Massachusetts, refuter of magisterial authority over liberty, and Baptist since 1639. Forerunner of many later voices opposing the "sad evil of the civil magistrate dealing in matters of conscience and religion," Williams addressed the whole problem of church and state, whose functions, he declared, were disastrously confused. Citizens should be dealt with by the state as citizens; people must be free to associate themselves with the church if they so desire.

The corollary of all this is clear — perhaps more so in retrospect. If the state is

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to deal with individuals as citizens (that is, members of the state), then it applies equally that citizens are to relate in that *standing* to the state. Thus, they cannot expect or demand that the state should be or act in any mode other than secular. Once again we come back to the non-validity of a "Christian state." Smyth and Williams came to embrace views that thrust them into the society of a Christian minority that challenged state control of religious matters.

The universally accepted dictum against which Baptists originally stood was that truth alone has rights, error has none. Proponents of this view were, at various times, Catholic, Orthodox, Reformed, and Lutheran. By all of them, small groups of Baptist believers were persecuted. Baptist views were seen as heretical; but they were based upon strong theological premises.

Whatever the circumstance, Baptists consistently have maintained that while the magistracy — that is, civil officialdom — has a proper role in society, the office has no place in the community of believers. State and church belong to different spheres and should be kept separate. As we have seen, this principle when first proclaimed was contrary to the thinking not only of medieval Christendom, but also to mainstream European Protestantism. It brought Baptists into profound disrepute; but until this present generation, it has remained the denomination's signal and unquestioned heritage.

Ever since the state related to the church in the fourth century in a way it had never done before, all differentiation between the Kingdom of God, the

church, and the state has been blurred. The spiritual independence of the church was largely lost. Examples of despotic states allied to persecuting churches abound in history. The state's function is making law, administering justice, and restricting evildoers. The church's function is preaching the Gospel in the state, leavening society, and educating people in Christian principles, in order that they may elect rulers and law makers approximating the Christian ethical ideal. Spiritual independence of the church is the "indispensable condition" of its highest service to the state.

It is helpful to remember that New Testament teaching of the state was formulated in a distinctly hostile environment presided over by the pagan and, at points, corrupt rule of imperial Rome. Paul's attitude towards his citizenship provides an interesting model. When his rights were violated, he complained to the state. When the lordship of Christ was in question, his heavenly citizenship took precedence over everything and he embarked on a course of civil disobedience — fully aware that in disturbing imperial peace he was inviting the judgment of the secular state and liable to its punishment.

Thus, part of the Baptist heritage in the area of citizenship is the great load of suffering that has accompanied similar stands by later brethren, dissenters wherever there was an established church-state relationship. Yet we must return to the point that secular government *as such* is *not* the enemy of God. Baptist forebears saw it as *different in nature* to the biblical concept of the church.

Another part of the Baptist heritage is its commitment to the defense of religious liberty for all. This concerns the rights and responsibilities of others. Thus, as Charles Adams points out, Baptists who "pervert their own heritage by clamoring for a theocracy or a Christian nation, turning their backs on the rights of non-believers and non-Christians to exist as full and free citizens" are no longer truly Baptists. They have abandoned their heritage.

It may be helpful to try to formulate some principles drawn from history for practical application to contemporary situations — and here we are addressing our obligations as Baptist citizens. These may include such matters as allegiance to the state or sovereign; military duties;

civil duties (magistracy) such as jury duty and civic service; or religious duties such as marriage, burial, and provision of statistics. Then there is the field of education — taxes for buildings and education. It is no secret that considerable diversity exists among Baptists from country to country and within any one country on almost all these matters. How can it be otherwise? With their historic emphasis upon the priesthood of all believers, Baptists find scriptural warrant for a surprising number of alternatives for such issues. Whenever the Bible becomes the authority, hermeneutics becomes the ground of debate.

Nevertheless, it is all too easy to see the reality of diversity for avoidance of either hard facts or the proposition of firm guidelines. Our forebears could afford few such qualms, and neither can we. While recognizing the need to differentiate between the relative and absolute in drawing out principles, we must take into account three factors: limitation of knowledge; the pervasiveness and diversity of culture that cause Baptists to take positions that differ from that of their brethren; and the ever-present factor of human fallenness, which means that the self and its interests become a determinant. So then, to some principles:

- The church must oppose any idolatrous claim of the state.
- The church must uphold the principles of religious and political liberty and social justice. This means liberty must be protected even while the ideology [of some citizens] is deplored.
- The Christian citizen should act as a responsible sentinel in the international affairs of his/her nation.
- As the local congregation should be for Baptists a center of witness, evangelical mission, and nurture in Christian growth, so the principles of liberty in the Spirit must rule in the hearts and daily lives of members.

It is clear, in retrospect, that the commitment of Baptists to principles that evolved from a position of symbiotic solidarity of church with state to complete separation of church and state grew out of insight and experience. This discernment of the inherent evils of religion established by law should not, however, blind us to the fact that other non-Baptist agencies also contributed to this new historical context for citizenship. We are pointedly reminded that it is "unbecom-

Continued on page 14

VIEWS OF THE WALL

Oliver S. Thomas
General Counsel



With the possible exception of a client who will not pay his fee, nothing is more frustrating to a lawyer than a judge who does not know or, even worse, who will not follow the law. Admittedly, no one is perfect. Even judges make mistakes. After all, they were once lawyers.

Human frailties notwithstanding, a recent decision by the Illinois Court of Appeals exceeds the bounds of acceptable judicial performance. In a unanimous opinion, the Illinois court refused to award unemployment compensation benefits to a claimant who for sincere religious reasons refused to work on Sundays. Interestingly, the court acknowledged that the U.S. Supreme Court on three separate occasions had ruled that states may not force workers to choose between abandoning their religious convictions or forfeiting their government benefits. According to the high court, such a "cruel choice" violates a worker's constitutionally protected right to exercise freely his or her religion. The Supreme Court precedent notwithstanding, the Illinois court denied the benefits on the grounds that the claimant's beliefs were merely *personal* religious convictions and were not a "tenet, belief or teaching of an established religious body."

Even more disturbing than the court's obvious misreading of landmark Supreme Court decisions was its callous indifference to the sincere religious beliefs of a dedicated Christian layman. Espousing a raw majoritarianism that would offend all but the most anti-religious members of society, the court stated:

What would Sunday be today if professional football, baseball, basketball and tennis were barred? Today Sunday is not only a day for religion, but for recreation and labor. Today the supermarkets are open, service stations dispense fuel, utilities continue to serve the people and factories continue to belch smoke and tangible products. Our own State has only one current Sunday closing law, being the law which bans automobile sales on Sunday, a regulation which for financial reasons has been supported by the majority of the automobile dealers. Efforts to repeal the law have been unsuccessful.

We delve into the history of the significance of Sunday as to the activities permitted in order to illustrate that

from a day designated as a holy day it has evolved into a day of also permitting rest, recreation, business, industry and labor. Such a change is not surprising, but on the contrary is dictated by the American way of life. If all Americans were to abstain from working on Sunday, chaos would result.

The court's decision is dead wrong for two reasons.

First, observance of the Christian Sabbath, or "Lord's Day," is a "tenet, belief or teaching of an established religious body." The doctrine is rooted in the Fourth Commandment, "Guard the sabbath day to keep it holy, as the Lord your God has commanded you." Duet. 5:12. Strict observance of the Lord's Day was a major concern of the Reformers and became a bedrock principle of Puritanism, which so profoundly influenced the colonies. Observance of the Lord's Day is still practiced by a sizable number of Christians and remains the doctrine of many established churches. The Southern Baptist Convention, for example, has passed *twelve* resolutions encouraging observance of the Christian Sabbath, the most recent being in 1982. Because the claimant was an independent Presbyterian, it is particularly ironic that the *Book of Confessions* of the Presbyterian Church (U.S.A.) instructs that "[T]he sabbath is to be sanctified by holy resting all that day, even from such worldly employments and recreations as are lawful on other days; and spending the whole time in the public and private exercises of God's worship, except so much as is to be taken up in the works of necessity and mercy."

That any judge living in the United States would find that observance of the Lord's Day is not an established religious doctrine is in itself incredible.

Second, even if observance of the

Lord's Day were not an established religious doctrine, the claimant would be entitled to compensation benefits. According to the Supreme Court, it makes no difference whether one's religious beliefs are "acceptable, logical, consistent or comprehensible to others." Nor does it matter that other members of the claimant's own sect or denomination disagree with his religious beliefs. "[I]ntra-faith differences ... are not uncommon among followers of a particular creed, and the judicial process is singularly ill equipped to resolve such differences in relation to the Religion Clauses. ... [T]he guarantee of free exercise is not limited to beliefs which are shared by all of the members of a religious sect. Particularly in this sensitive area, it is not within the judicial function and judicial competence to inquire whether the petitioner or his fellow worker more correctly perceived the commands of their common faith. Courts are not arbiters of scriptural interpretation." *Thomas v. Review Board* (1981).

The Supreme Court is right. It should make no difference whether one's beliefs are shared by few or many. If they are sincerely held, they are entitled to the full protections of the First Amendment. In fact, any other interpretation of the free exercise clause would most likely violate the establishment clause's prohibition against favoring one particular religious view over another. For example, who could define the "Baptist doctrine" based on anything other than the handful of identifying characteristics such as believer's baptism, freedom of conscience, and the priesthood of the believer? Because of Baptists' congregational polity (*i.e.*, each congregation is an autonomous democratic institution), there is no single body of "Baptist doctrine." In fact, if there is a characteristic trait among Baptists, it is that we have no creed save the Bible, and each individual Baptist is free to interpret that Bible for himself or herself.

For these reasons, the Baptist Joint Committee has joined with the American Jewish Congress, Synagogue Council of America, American Civil Liberties Union, Christian Legal Society, National Association of Evangelicals, and Lord's Day Alliance in petitioning the Supreme Court to reverse the decision of the Illinois Court of Appeals. Perhaps the high court will give these Illini a lesson about the true nature of the "American way of life." □

THE SUPREME COURT IS RIGHT. IT SHOULD MAKE NO DIFFERENCE WHETHER ONE'S BELIEFS ARE SHARED BY FEW OR MANY. IF THEY ARE SINCERELY HELD, THEY ARE ENTITLED TO THE FULL PROTECTIONS OF THE FIRST AMENDMENT.

Quoting

Kenneth J. Nettles
Chaplain, U.S. Air Force (Retired)

A theological conservative — a believer in salvation by grace through faith, the virgin birth, and the supernatural origin of the Bible — can nevertheless see a serious danger in the current Baptist hatred for the word "liberal." The zeal to eradicate liberalism from Baptist life and American politics has caused historical amnesia.

Baptists fled England to escape the intolerance of the established church. Upon arriving on these shores, they found themselves being taxed to support colonial established churches. They were jailed for preaching contrary to the "true" church. They agitated for legal relief from the Constitutional Convention; and by cooperating with liberal thinkers like Thomas Jefferson and James Madison, they won the inclusion of religious freedom, but only because the delegates were already committed to other freedoms: of speech, the press, assembly, etc. The otherwise liberal Patrick Henry did a little conservative foot dragging in proposing different established denominations in each of four regions. But Baptists would have none of this. They wanted complete liberation.

Modern Baptists bask and flourish in the sunshine of that liberal idea: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof. . . ." If we are so preoccupied with antiliberalism that we let slip away the other freedoms of the Bill of Rights, religious liberty is sure to follow. On page 44 of *Contemporary Political Ideologies*, Roy C. Macrides lists the following as "liberal achievements" in Europe and the United States: slavery outlawed, religious disabilities abandoned, toleration, freedom of press, of speech, and of association, among others.

So, as proponents of religious liberty, our Baptist forebears were part of a liberal wave at the same time as they were theological conservatives. If we now repudiate all liberalism, we jeopardize our precious Baptist heritage of religious freedom. A Baptist can be a theological conservative and support some liberal ideas at the same time. Indeed, to keep the right to choose our Baptist theology, we must support such liberal ideas as protection of the rights of the accused and the right to demonstrate against a government policy, for such rights are part of the atmosphere that gave us religious liberty. □

Hastey elected executive secretary of Southern Baptist Alliance

CHARLOTTE, North Carolina

Stan Hastey, associate executive director of the Baptist Joint Committee, has been elected as the first executive director of the Southern Baptist Alliance.

The SBA is a coalition of about 40,000 moderate Southern Baptists who have banded together to support ministries and principles they believe are being ignored or neglected in the Southern Baptist Convention.

In addition to hiring Hastey effective January 1, the SBA board voted to move its offices from Charlotte, North Carolina, to Washington.

Hastey grew up in Mexico, the son of retired Southern Baptist missionaries Ervin and Ruth Hastey.

He is a graduate of Oklahoma Baptist University in Shawnee and of Southern Baptist Theological Seminary in Louisville, Kentucky, where he earned a doctorate in American church history and church/state relations.

Hastey's entire professional career has been with the Baptist Joint Committee. He joined the staff in January 1974, immediately following graduation from Southern Seminary. He became Baptist Press bureau chief and director of information services in 1978 and was named associate executive director in 1985.

He has won awards for his news reporting from both Religious News Service and the Baptist Public Relations Association. He has taught at George Mason University in Fairfax, Va.; Southeastern Baptist Theological Seminary's Washington Center; and the University of Richmond's School of Christian Studies.

Prior to his election, Hastey spoke to the SBA board. "What most attracts me to the Alliance is the watchword of 'freedom,'" he said. "Everything we Baptists believe hinges on the central biblical ideal of a free conscience — what Roger Williams called 'soul liberty.'"

Expanding on that idea, Hastey later said: "The primary social commitment of the Alliance is continuing the Baptist traditions of soul freedom, religious liberty and the separation of church and state. That dovetails beautifully with the work I have done during my tenure at the Baptist Joint Committee."

James M. Dunn, BJC executive director, credited Hastey with being responsible for much of the respect the agency has earned.



Dr. Stan Hastey

"The Baptist Joint Committee is known as one of the top religious news gathering offices in America thanks to Stan Hastey," Dunn said. "The BJC is seen to be a primary resource on church-state issues thanks largely to Stan Hastey. The BJC has come to be widely known for special expertise on decisions of the U.S. Supreme Court that touch upon religion. Stan Hastey has earned that reputation for us by building upon the contributions of Dawson, Carlson, Wood, Baker and others.

"We shall miss him. No one can exactly take his place. We regret losing him but pledge to him our prayers and personal support in the new responsibility to which he goes. We have confidence in his personal integrity and are convinced that he will continue to be a national leader in the struggle for soul liberty." □

News in Brief



High court rejects appeal on religious meetings ads

WASHINGTON

Two former public high school students have failed in an effort to have the nation's highest court review their school district's decision disallowing advertising of student religious gatherings on school property.

The U.S. Supreme Court announced it will not review the complaint of Alexander Perumal and Frederick Read, who as students at high schools in Mission Viejo and El Toro, California, were denied permission during the 1984-85 school year to hand out flyers announcing noon-day meetings of an evangelical student group. Read's request to place an ad for the group, called New Life, in his school yearbook also was rejected.

The high court order stated that three justices, one short of the four needed, voted to schedule the case for oral argument and formal decision. The three were Justices William J. Brennan, Jr., Thurgood Marshall, and Harry A. Blackmun.

Papers filed with the court by the students' attorneys at the Christian Legal Society emphasized that the meetings themselves were not at issue in the case. Principals at both high schools had granted permission for New Life meetings, held during the lunch hour on the school lawn or outside steps. The flyers the students sought to distribute contained a brief religious message, a Bible quotation, and an invitation to attend the meetings. They were written and produced by the students, not school personnel.

Officials at both schools denied permission to distribute the flyers, claiming the restriction was a "lawful school regulation" of free speech. They also cited the First Amendment ban on an establishment of religion as another reason for the denial. (88-340, *Perumal v. Saddleback Valley School District*) □

Christian Scientist can be prosecuted, courts says

SAN FRANCISCO

The California Supreme Court has ruled a Christian Scientist can be prosecuted for failing to provide medical care for her four-year-old daughter who died of acute bacterial meningitis in 1984.

In its ruling, the court said a 1976 state

law that bars criminal prosecution of parents who choose spiritual healing rather than medical care for a child does not necessarily cover cases where the child's life is threatened.

"Parents have no right to free exercise of religion at the price of a child's life," the state high court said. It did not challenge the sincerity of the religious beliefs of Laurie Walker, the defendant, but said the matter "turns not on defendant's subjective intent to heal her daughter but on the objective reasonableness of her course of conduct."

At the same time, the court said that whether relying on prayer alone could be considered a sufficiently reasonable alternative in the Walker case "remains in the exclusive province of the jury."

The Christian Science Church has argued such prosecutions violate the First Amendment guarantee of free exercise of religion. (RNS) □

Custody ruling results in sentencing of mother

DENVER

A Catholic mother was given a ten-day suspended jail term for taking her daughters with her to Mass in violation of a custody ruling that calls for them to be raised in the Jewish faith.

Denver District Judge Nancy Rice suspended the sentence of Dorothy Boeke, thirty-six, because of what the judge said would be "the terrible, terrible impact" it would have on Boeke's seven- and five-year-old daughters.

In what legal officials called a "rare" decision, the mother had been given physical custody of the girls while religious custody was given to the father.

The girls were raised by the couple in Judaism since birth, but Boeke converted back to Catholicism after her divorce last year.

Boeke's former husband, Gerold Sims, had sought the contempt ruling, charging that Boeke violated the custody order by taking the children with her to Mass regularly.

Boeke and her associate pastor testified that, despite attendance at Mass, the children were not being trained in Catholicism.

Judge Leslie Lawson had ruled in the divorce decree that it would be detrimental to the children to be raised in two faiths.

Sims testified there was no specific

prohibition about going to Mass but said the order specified that the children could attend Catholic service only at Easter and Christmas.

Judge Rice warned Boeke that continuing to take her daughters to Mass likely would result in her spending time in jail. (RNS) □

Religious affiliations hold within Congress

WASHINGTON

More than half of the U.S. Congress belongs to three religious groups — Roman Catholic, United Methodist, and Episcopal. That pattern, which has held for more than a decade, was reasserted in the 1988 elections.

In the newly elected Congress there are 139 Catholics, seventy-three United Methodists, and sixty-three Episcopalians.

Baptists moved into fourth place with fifty-five members, while Presbyterians dropped to fifth place with fifty-three members.

No new clergy were elected to Congress. Only three ordained clergymen serve in the Congress — Sen. John C. Danforth, R-Mo., an Episcopal priest; Rep. William H. Gray, D-Pa., a Baptist minister; and Rep. Floyd H. Flake, D-N.Y., an African Methodist Episcopal Zion Church pastor. (RNS) □

D.C. ELECTS HOLT

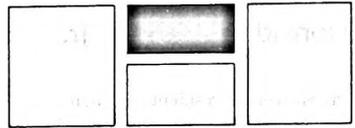
The District of Columbia Baptist Convention has unanimously elected Jeanette P. Holt, Baptist Joint Committee staff member, as president.

Holt, who is administrative assistant to the executive director of the BJC, is the fourth woman elected president of the D.C. convention.

Dispute arises over bus service for Lutherans

ST. PAUL, Minnesota Public school transportation officials here have become involved in a debate that hinges on the importance attached to the distinctions between different kinds of Lutherans.

The dispute began when school administrators decided they could no longer afford to provide free bus rides for students living in St. Paul who want to attend a Lutheran parochial school in suburban Maplewood. The administra-



tors reasoned there are enough Lutheran schools within the city limits that students could attend.

But church leaders said the Lutheran schools within the city limits are all run by Lutheran denominations that are much more conservative than the new Evangelical Lutheran Church in America, the denomination with which the suburban school is affiliated.

The public schools' transportation director said state law requires public busing of parochial students to schools outside a district only if similar "grades and departments" are not available in the city. "Department" has been interpreted to mean similar religious divisions such as Catholic, Lutheran, and other denominations.

There is no overall Lutheran organization, the transportation director said, but "they all subscribe to the teachings of Martin Luther." (RNS) □

Quaker group sues INS over new immigration law

LOS ANGELES

The American Friends Service Committee has filed suit against the U.S. Immigration and Naturalization Service, challenging the constitutionality of the 1986 immigration law.

The Quaker organization said in U.S. District Court here that the Immigration Reform and Control Act of 1986 "violates ... the First Amendment to the Constitution by coercing [AFSC] to act contrary to their religious beliefs" by requiring employers to verify the work eligibility of all employees hired after November 6, 1986. It seeks a religious exception to the provision. □

State seeks to close church pre-school program

MARSHALL, Minnesota

The state of Minnesota is seeking to close the preschool education program of a 100-year-old Lutheran congregation here because it is not licensed as a day-care center.

Church representatives say the suit represents an unconstitutional attack on religious freedom that could result in the state's licensing Sunday schools.

But state authorities say it is a matter of ensuring that all such non-residential programs are licensed as required by law and that they meet standards of staff, health, safety, and education.

"I am guided by certain traditions. One is that there is a God and he is good, and his love, while free, has a self-imposed cost: We must be good to one another....

"The fact is prosperity has a purpose. It is to allow us to pursue 'the better angels,' to give us time to think and grow. Prosperity with a purpose means taking your idealism and making it concrete by certain acts of goodness.

"It means helping a child from an unhappy home learn how to read. ... It means teaching troubled children through your presence that there is such a thing as reliable love. Some would say it's soft and insufficiently tough to care about these things. But where is it written that we must act as if we do not care, as if we are not moved?

"Well, I am moved. I want a kinder and gentler nation."



President-Elect George H. W. Bush

(From August 18 acceptance speech at the 1988 Republican National Convention.)

The congregation's president said the state law contains no exemption for religious instruction, adding that the church's program — which runs one morning a week for three year olds and two mornings a week for four year olds — "by no stretch of the imagination is day care." (RNS) □

L.A. churches violating earthquake-proofing law

LOS ANGELES

Two hundred houses of worship in Los Angeles have been cited for violations of the city's earthquake-proofing law since it went into effect in 1981.

A recent report in the *Los Angeles Times* said a random check of fourteen of the churches and synagogues, which were given three or four years to comply with the law, turned up "a pattern of delays and extension requests." Only one of the fourteen had completed the necessary repairs and been certified by the city, the *Times* said.

While expected to comply with the earthquake-proofing law, churches are unable to receive low-cost government loans for the renovations, which cost as much as \$300,000. If a church building

has been declared a historic landmark, it also must comply with other regulations to preserve its "historic fabric." (RNS) □

Organization files suit against school district

DENVER

Concerned Women for America has filed a lawsuit against a Denver school district and an elementary school principal for removing Bible story books and a Bible from two school libraries and telling a teacher to hide a Bible he sometimes keeps on his desk.

The federal court suit charges that the principal ordered a fifth-grade teacher to remove *The Bible in Pictures* and *The Story of Jesus* from his 200-volume classroom library solely because of their religious content and that the principal removed a Bible from the main library at the school.

The complaint also says the principal told the teacher to hide a Bible he sometimes read to himself during a silent reading period in the classroom.

According to the lawsuit, the principal said the presence of the Bibles inside the public school in each of these situations violated the separation of church and state. (RNS) □

Dr. Shriver is president of Union Theological Seminary in New York.

Fundamentalists and Their Critics: Continents Apart?

In her remarkably perceptive book on Christian fundamentalism in Amarillo, Texas, A. G. Mojtabai demonstrates an empathy for this version of Christianity, along with a critique of it. In one place, she astutely identifies one of the severe internal theological tensions in that strand of fundamentalism called Pre-millennialism: "They live in deferment, not fulfillment." The theological cost of such deferment to Christians, she observes, is the constant downgrading of the redemptive importance of the first coming of Jesus into the world. "Nothing will be solved" in world history until the second coming in the great windup of all things.

"'But Jesus came' is my constant refrain" in conversation with millenarians, exclaims Mojtabai. Alas, she adds, "going from church to church in Amarillo, the impression is unavoidable: some of the most ardent born and born-again Christians are writing Christianity off as something that did not, could not work — at least, not in the First Coming." Christian readers of this book need to remind themselves, with a certain wonder, that its author is a Jew.

I want to stress some attitudes that religious critics of religious fundamentalism should bring as undergirding their criticism of, and opposition to, fundamentalists in our American midst.

An Empathetic Understanding of 'The Enemy'

I put quotation marks around "enemy," for the project of empathy itself requires one to be provisional about that designation of another. Around a table with Christian church leaders in Moscow, I casually referred to the Americans and the Soviets as "enemies" in today's world. One of the Orthodox church leaders, a woman, quickly corrected me, saying, "We should never use that word about each other." Perhaps so, but in the ordinary empirical side of human politics, our differences lead to animosity and crystalize only too often into enmity. And in a state of animosity or enmity,

what are we to do? If we have even the glimmer of a continuing faith that God creates, judges, and cherishes this human race as such, we must continue to accord even to our enemies the status of human. And to accord them that in practice as well as in theory, we must put our minds and emotions on the road to empathetic understanding.

Consider, for example, the dispute in some public school districts of the land over the teaching of "evolutionism" and "creationism." Clark Pinnock rightly points to the "ontological" differences between a Genesis-view of the empirical world and an agnostic view. What if the relation of these two views is ruled out of order in a public school classroom?

What do you say and do about your eight-year-old child who gets the impression from her schoolteacher that it is a "no-no" even to mention the name of God in a public school classroom? What if you experience the alleged religious neutrality of public life in America as an antireligious influence in the life of your child?

Christians in America would have a better understanding of the very reasons for a religiously neutral education system if they imagined to themselves the same sorts of experience in the life of Jewish families of the land. *Empathy for religious differences is an experiential foundation for legal tolerance of those differences.* Without empathy, democracy, as a philosophy of public order, may be very difficult to sustain.

The Acknowledgement of Our Own 'Fundamentals'

Mojtabai alludes to "conflict between the drifting and the fixed," which is how liberals and fundamentalists often imagine each other. But in fact, fundamentalists can be drifters, as when they drift with the tide of American patriotism or middle-class economic aspirations as though these values were divinely inspired. The case for a "closed" fundamentalism, to use Pinnock's term, rears up here: be too open to the shifting tides of human culture and your religious identity can get

sucked into the undertow. The "closed solution" to the salvaging of religious identity has served Jews well from the Babylonian captivity through the modern history of Europe. It has served black American Christians equally well.

But then, liberals have their fundamentals, if by "fundamentals" one means basic convictions about what makes human life *human*. The right to be a citizen of some political entity, for example. The twentieth century experience of Jews has convinced many of them that Israel must become the name of a state as well as the name of a people. The twentieth century experience of black Americans has convinced many that, absent their organization in churches and in other organized protection of their integrity, American society will not accord them justice.

And for many of us who are not yet ashamed to tag ourselves "liberal," it is a fundamental truth of our life to say, with Learned Hand, "The spirit of liberty is the spirit that is not too sure it is right." The freedom to learn, to change our minds, to discover the new truth is basic for us; it is basic in our very *theology*, if we perceive the freedom of the human mind inside the context of the freedom of God to teach us something new once in a while. Freedom, especially the freedom of God, is a fundamental of much theology in my own line of Protestantism, Calvinism. No doctrine was more fundamental to the Reformation-based theology of Karl Barth than the freedom of God.

The conflict here need not be a mere collision, however, if the *fundamental of inclusiveness stands fast over against the fundamental of exclusiveness*. Nothing is a more difficult maneuver for the tolerant than to strike up a consistent stance towards the intolerant. "I will tolerate anything but intolerance," some will say, intolerantly. That may be all right for verbal logic, but the moral logic would seem to be that true tolerance has in it provisional room for the intolerant. There is great risk to some other democratic and religious values here; there is also a formidable set of practical

Nothing is a more difficult maneuver for the tolerant than to strike up a consistent stance towards the intolerant.

social problems, as when the intolerant move from attitude to action that threatens the integrity of others in the society. But there has to be room for them in a democratic society, just as there has to be room for sinners in synagogues and churches.

One of the differences between *having* fundamentals and *being* a fundamentalist hinges on whether, even in possession of one's dearest convictions, there is something outside those convictions that prevents them from turning into the intolerance of an "ism." That other something for many of us is God, before whom our convictions, like our knowledge and our virtue, are modest, finite, and often afflicted with sin. Yet another something transcending our convictions is the concrete presence of our neighbors, who frequently have different convictions. Here, perhaps, is the principal challenge of "biblical realism" about human nature to the very hope of a democratic political theory: can people of deep differences *be* neighbors to each other? No mature human in the twentieth century is likely to ask that question lightly! But it brings me to a third "political virtue" I would like to promote.

The Discipline of Practicing Freedom for the 'Thought We Hate'

The phrase, of course, is that of Oliver Wendell Holmes, Jr., for whom religion played no necessary part in the cultivation of the legal or the moral community of a democracy. The history of religion in the world, not to speak of the recent history of religion in America, offers abundant illustration of claims by religious people to freedom that, once exercised, becomes the occasion of clamping down on any equivalent freedom among their neighbors. In politics, religion is a two-edged sword: it cuts out a space for itself by appeal to higher authority; then, with seeming equal authority, it cuts others off from their spaces. No wonder the authors of the American Constitution both feared and respected religion; and no wonder a good theologian always

will keep a shrewd eye open for the difference between religion and God.

Such a theologian was one who makes a brief, crucial appearance in the book of the *The Acts of the Apostles*. His name was Gamaliel. His colleagues among the Pharisees wanted prompt action for repressing the Christians. But Gamaliel showed reverential caution. "Men of Israel, be cautious in deciding what to do with these men . . . leave them alone. For if this idea of theirs or its execution is of human origin, it will collapse; but if it is from God, you will never be able to put them down, and you risk finding yourselves at war with God." Visible here is at least the beginning of a religious grounding for institutionalizing in any society a certain freedom for the thought that many, perhaps a majority of citizens, *hate*. And let us be the first to confess that the "thought we hate" is sometimes simply the new thought.

I remember, with such sobriety, the great line from Oliver Cromwell to a group of passionate arguing Scottish soldiers: "I beseech ye, by the mercies of Christ, think that you may be wrong!" Such thinking is as hard for liberals as for fundamentalists. It is simply difficult for aging humans to give up pet ideas. The Greek word for "repentance" means "to change your mind." Mind changing has about it a quality of moral discipline and moral humility. It is hard for all parties to any human conflict.

The Politics of Inclusiveness

My theory here is that the politics of inclusiveness begins in the spiritual discipline of personal and in-group repentance. Religious assemblies, congregations, like-minded members of prayer groups could do worse to get ready for democratic politics than to reflect on their temptations towards exclusiveness. But like all repentance, that of all sorts and conditions of religious folk will be forever incomplete and partially misdirected.

We will continue to collide with others in the public arena, ready to war with them and brandishing as weapons our pet convictions. And here the minds of liberal and fundamentalist religious folk ought to reflect on the spiritual grace that sometimes comes to humans in the democratic public life itself.

Anyone with religious zeal is likely to learn to speak that way if he or she takes conflictful democratic politics seriously. For the ordinary push and shove of democracy is hard on zealots. Max Weber defined the political vocation as "slow boring of hard boards," the sort of hard boards that dull the bright edge of sharp ideological tools. As Bill Moyers said of a meeting of evangelicals in 1980: "It is not that the evangelicals are taking politics seriously that bothers me. It is the lie they're being told by the demagogues who flatter them into believing they can achieve politically the certitude they have embraced theologically. The world doesn't work that way. There is no heaven on earth."

If the secular side of American politics is to learn new lessons in the art of democratic inclusiveness, what contributions might *organized* religion make to the learning? Here one circles back to the fundamental divide between the "island" and the "continental" mind in religion itself. Which mind will be nourished inside the religious and secular politics of America? Does the recent entry of many conservative Christians into new public coalitions portend an access of democratic humility and a new appreciation of the ethics of compromise in a world of plural interests and cultures? Can ecumenical Christians — what Martin Marty calls the "public church" — bring their ecumenicity to bear in a welcome of other kinds of Christians into the public debate? And with the help of the long memories of such minorities as the Jewish and the black communities, will other Christians as well as the secularists among us listen to those memories and learn anew that democracy is not merely the rule of majorities but the protection of minorities, down to the last minority of one human person?

These are all hopeful questions. They root in a yearning at once religious and political. Whether American politics helps make our religion more ecumenical or our religious ecumenicity makes our politics more inclusive makes no difference. The great difference is the choice between the island and the continent. Since none of us is more than a pilgrim from the one towards the other, the religious among us should pray for all that help we can get for continuing this journey. □

INTERNATIONAL DATELINE



Japanese Christians fear retreat from freedom

Christians in Japan are worried that the death of Emperor Hirohito could mark the beginning of a retreat from principles and a resurgence of ultranationalist sentiments.

The status of "foreign" religions has become a major topic on this island nation as the national psyche focuses on the health of the aging emperor, who ascended the throne in 1926 and took Japan through World War II and the critical post-war years.

According to reports in the Asia Lutheran Press Service, the United Church of Christ in Japan — the largest Protestant church, with approximately 200,000 members — has set up an information center for the purpose of analyzing the effect of the emperor's death on Christians in Japan and to consider specific courses of action.

Early in September, the National Christian Council in Japan adopted a statement that said the council criticizes "any attempts to nationalize the Shinto religion, organized as it is under the emperor as its highest priest" and refuses "to participate in any Shinto ceremonies created by the Japanese nation upon the occasion of the present emperor's death."

Pat Patterson, a United Methodist church official, reported that Christians are concerned that the emperor's death might lead to the kind of sentiment that in earlier years led to designation of Christianity as a "foreign religion."

Under changes in Japan's Constitution following World War II, jingoist tendencies were moderated, demonstrated in large measure through changes in how the emperor was perceived: instead of being viewed as divine, embodying the supreme authority of Shinto ceremony, the post-war emperor was given mostly symbolic significance.

Imperialist tendencies were evident in the recent ruling of the Japanese Supreme Court that a World War II veteran had to be enshrined in a Shinto war memorial over protests of his Christian wife and despite the constitutional separation of church and state.

Kyodan Newsletter, the official publication of the UCC in Japan, observed that "behind the odd spectacle of anticipatory mourning while the emperor is still fighting for his life lies a more sinister program: to capitalize on the impending

death and the prolonged period of mourning before his successor is enthroned, in order to revive imperial authority and its Shinto ideological buttress." □

Baptist, city official call for vote on oil sales

NEW YORK

A coalition of shareholders in affiliates of the Royal Dutch Petroleum Company, which is trying to force a special meeting to vote on the company's operations in South Africa, has acquired more than half the necessary votes, according to an announcement made by a New York City official and an official of the American Baptist Churches, U.S.A.

In March 1987, Harrison J. Goldin, New York City comptroller, and Gordon E. Smith, treasurer of the ABC Ministers and Missionaries Benefit Board — supported by eight other religious groups — joined in calling for a special meeting of Royal Dutch shareholders to vote on the firm's continuing sale of oil to the South African government.

Both religious and secular activists in the antiapartheid and corporate responsibility movements have singled out Shell Oil as the target of a nationwide boycott because of its South African operations. The U.S. firm's response is that the boycott is misdirected because South African operations are carried out by Shell South Africa, not by Shell Oil. Both firms are subsidiaries of Royal Dutch/Shell.

Smith charged: "Royal Dutch has been particularly adamant in opposing our attempt to bring a proposal before the shareholders. Its opposition to shareholder democracy is appalling. It is revealing that they can call a special meeting to split stock but not to vote on South Africa." □

Baptists in Nicaragua appeal for assistance

MANAGUA

Officials of the Baptist Convention of Nicaragua called upon Christians worldwide to respond to emergency needs in the wake of Hurricane Joan, which devastated parts of that country.

The pastoral letter from the acting president, the executive secretary, and the pastoral associate of the convention noted the hurricane caused the entire disappearance of three cities — Bluefields, Corn Island, and Rama — with

effects extending to other regions of the country.

Victims, numbering upwards of 180 thousand, require food, medicine, housing, clothing, and moral spiritual support, according to the letter.

In some regions, the government has had to declare the school year terminated because of the destruction of some 340 schools. Damaged also were hospitals and telephone and electric services; destroyed were 30,000 homes, sixty-six bridges, five docks, and 650 kilometers of highway.

Relief efforts of the Baptist convention, while immediate and revealing great sacrifice even among many sufferers of the hurricane's destruction, are not sufficient in themselves to alleviate the distress. The language of the call from the convention was couched in language evincing the spirit of faith and trust. □

Canadian court rules against required religion

ONTARIO

The Ontario Court of Appeals in a 4-1 ruling struck down a section of a provincial education act that required the reciting of a prayer and Bible reading in public schools.

The court rejected arguments from Ontario government lawyers that the law was constitutional because it granted an exemption from the religious exercises to any children whose parents requested it.

"The reality is that it imposes on religious minorities a compulsion to conform to the religious practices of the majority," the court said of the law. The ruling stated that mandatory religious exercises are "inconsistent with the multicultural nature of our society as required by the Charter" [of Rights and Freedoms].

In response to arguments by provincial lawyers that Christian prayers have a good influence on children, the court said that attitude "depreciates the position of religious minorities [and] fails to take into account the feelings of young children."

The suit against the law was brought by three parents of schoolchildren in Sudbury, Ontario — one a Jew, one a Muslim, and the other a "nonpracticing Christian" — who were appealing a lower court decision that upheld the law. □



NEWS-SCAN

Swedish volunteer finds need to question life style

UPPSALA
A young Swedish Baptist who for the last several years has lived and worked in strife-torn El Salvador observed, "In our countries it is difficult to see what is right and what is wrong, what is the Christian way of acting. In El Salvador, you are either the oppressor or the oppressed."

He described El Salvador as "a country at war, where faith is part of your everyday experience," adding, "There you can talk about the God of life."

Five years ago, Hans Magnusson moved from Uppsala, Sweden, to that Latin American country to work as a volunteer. The Swedish newspaper *Vecko-posten* reported that for the last two years he has served with the Baptist Union of El Salvador as a youth director at the children's home.

Magnusson said, "We have to be challenged, to have to question our actions and life styles. Even in our society, we have to ask, 'What is important?' and then make our priorities out from the Bible and the teachings of Jesus."

Magnusson plans now to move to Honduras, where he will take part as a member of a United Nation refugee assistance program. □

Church and state clash over religious freedom

NEW YORK
Church-state relations in Kenya have continued to become more strained as government officials and church leaders clashed over constitutional guarantees of freedom of worship.

The secretary general of Kenya's sole political party recently warned that parliament may abolish guarantees of freedom of worship, after a well-known Anglican bishop charged fraud in September's Kenya African National Union party elections.

The *New York Times* reported that Moses Mudavadi, KANU's secretary general and a close friend of President Daniel Moi, accused the churches in October of not respecting the freedom of worship guarantees.

Mudavadi said Bishop David Gitari, Anglican bishop of the Diocese of Mount Kenya East, "should not be surprised if we, as a KANU government, removed that freedom from you through parliament."

Bishop Gitari was quoted as saying his criticism of the government did not stem from disloyalty. Having been criticized for his charge that some party candidates who actually lost elections had been announced as winners, the bishop explained, "It is out of sheer love of this country that we feel we cannot be silent when we ought to speak."

Mudavadi accused church leaders in Kenya of supporting the South African government, a position at odds with fellow Anglican Archbishop Desmond Tutu of Cape Town, South Africa, recognized the world over as a leading opponent of his country's system of racial segregation. □

Alternative Service Act adopted for Polish youth

KESTON
The Polish Parliament (Sejm) passed an Act on Alternative Military Service for recruits who on moral or religious grounds are unable to fulfill their obligatory military service.

The act does not clearly define the eligibility determining criteria. Because no national appeal instance has been set up to control and unify the new practice, individual recruiting commissions may act arbitrarily in particular cases.

A commission with church participation has been set up to render opinions in cases in which applications for alternative military service are rejected. □

Young Christians rally in behalf of human rights

BUDAPEST
More than 400 Christian young people in Romania participated in a two-day fast to draw attention to violations of human rights and the problems faced by the 20,000 plus refugees from Romania now living in Hungary.

The fast was sponsored by the newly established ecumenical Conference of Christian Youth of Transylvania. Leaders organized a program of worship, lectures, and music designed to reflect its multi-ethnic and non-violent values.

Their open letter to the general secretary of the Hungarian Communist Party asked for a statute which would officially bestow refugee status on citizens from Romania seeking asylum in Hungary and grant permanent residence status. □

Andrei Sakharov, eminent Soviet nuclear physicist, believes General Secretary Gorbachev's attempt to carry out "democratic reforms through undemocratic means" represents a very dangerous course of action, which would create a "nonviable, antidemocratic structure" within the USSR. It is possible, Sakharov added in remarks before the Kennan Institute for Advanced Russian Studies in Washington, that instituting partial changes may in fact be worse than not implementing any change at all, as limited change introduces "disequilibrium and crisis conditions" into society.... Soviet Jews who have been refused permission to emigrate, **Refuseniks and overseas Jews** met in Moscow recently to announce plans for a Jewish cultural center as an adjunct to the Moscow Jewish Musical Theatre. The announcement represents "the most important breakthrough in Jewish culture in the Soviet Union over the last half century," said refusenik Yuli Kosharovsky Baptists, when they visit Budapest next year for the European Congress, will become aware of the **Budapest Rabbinical Seminary**, as well as the Baptist seminary there. The former has trained Jewish rabbis today as it has done for 110 years. The only time classes were suspended was late in 1944 when Nazis sent Jews through the seminary to concentrations camps and eventual death.... Bible societies around the world distributed more than 12.7 million Bibles, 11.5 million New Testaments, and forty-four million Scripture portions during 1987. Of the total number of Bibles worldwide, slightly more than one million were distributed in the Europe Middle East region.... **Michael Bourdeaux**, founder and director of Keston College — which monitors religion in Communist countries — is taking a year-long leave to establish programs to support churches in the Soviet Union. The Anglican minister said he is taking advantage of an unprecedented window of opportunity made possible by significant changes he has observed in the behavior of Soviet authorities during a June 1988 trip.... The pastor of the largest unregistered "house church" in southern China says his relations with government authorities have been helped rather than hurt by visits to the church by overseas Christians. Lin Xiangao denied reports that his church was closed by the Public Security Bureau in Canton following a visit by Christians in August. □

CORRESPONDENCE

Reader response extends dialogue and thereby helps to focus and clarify the issues. Letters must carry both signature and address of the writer and should not exceed 200 words. We reserve the right to edit for length.

To the Editors:

I wish to commend the Baptist Joint Committee on Public Affairs for the Statement on Religious Liberty in the Soviet Union (December 1988 REPORT).

One of the most moving events in my life was to attend Sunday worship at the Central Baptist Church in Moscow and to experience the devotion of these Russian believers.

I would like to ask that the concern of Baptists be broadened to include the plight of the Ukrainian Catholic Church, which was forcibly repressed in 1946. Its priests and bishops could choose between "conversion" to Russian Orthodoxy or prison camps and death. These brave believers have survived for over forty years as an

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underground church. Perestroika has meant no additional freedom for the Ukrain.

(The Reverend) Robert Dalton
Roman Catholic Liaison to
the Southern Baptist Convention

The October REPORT — a dynamic issue filled with interesting articles! Billy Graham's article was insightful and Kramer's informative. Your REFLECTIONS on patriotism was most welcome. The *News in Brief* note on Oliver North expressed a view point that desperately needed to be heard.

Dick Bumpass
Annapolis, Maryland

I finally got my act together to do what I've been meaning to do for a while: subscribe to REPORT from the CAPITAL. I'm busy trying to establish a new career as a writer and lecturer. But I think of you folks often, with fondness and concern.

W. Michael Litaker
Seattle, Washington

WHITE HOUSE, from page 16

Possibly the most valuable feature of the book is the extensive interviews that Hutcheson conducted with prominent personalities. Of course, his high rank gave him entree to political figures who would never talk to a "liberal" academic, and he reports a lot of interesting information and perspectives that these people want to communicate. But I see no indication that they were confronted or challenged, and persons with whom he discussed Reagan's religion were mainly the president's friends, not his critics.

Thus, sometimes we end up with pure baloney, such as the contention by the White House Catholic liaison, Carl A. Anderson, that one of Reagan's major achievements has been the "mainstreaming" of evangelical Christianity. Another was the claim of Secretary of the Interior Donald Hodel: "The President ... has made it possible for people like us to go out and give our Christian testimony, and not be concerned about being vilified, which I think would have happened in prior administrations." (pages 177-178)

Hutcheson does face squarely the problems facing a devout Christian as president. Can he be tough enough to make the hard choices demanded? Can he compromise on principles? Can convictions about such matters as sin, repentance, or sacrifice lead to politically negative consequences in a nation not generally so theologically oriented?

But the bottom line is that the naked public square thesis falls flat. There is no agreed-upon "Christian position," "Judeo-Christian position," or even "religious position" on issues of public policy except in the most general terms. In a polarized era like today, there is lit-

tle or no religious consensus on matters of public policy. Yet, there is a deep concern about morality and religion, and the struggle goes on constantly in the public square, which is not naked but crowded with brawling contenders.

What we are offered is civil religion as the bridge between the divided denominational society and a single, consensually supported government. The president as the central symbol unites all religious constituencies in their commitment to the American proposition, but the roadblock to achieving this has been the religious polarization of the Judeo-Christian majority. The conflicting goals have not been matters of faith but the applications of faith in public life, and this is having a devastating impact on the system of religious freedom as it currently exists.

The problem is a civil religion one — that of finding in the midst of a startling diversity of "saving faiths" a common "ordering faith" on which national life can be based. Thus, Hutcheson concludes, "The challenge for today's broadened pluralism is that of inviting adherents of non-Judeo-Christian religions to enter into the ongoing dialogue on the God in whom the nation trusts, the liberty and justice for all, the quest for domestic and international peace, and the personal and public morality with which that God has endowed us, enriching the Judeo-Christian base with their additional insights." (page 239)

Seldom will one find a more clear-cut appeal to civil religion than this. But is this what we Baptists want? I think not. Richard V. Pierard

Baptists, from page 5

ing braggadocio" to claim church-state separation as Baptists' private property. Of necessity, this paper deals only with the Baptist heritage.

Among the resolutions adopted unanimously by the Congress [of the Baptist World Alliance] in Atlanta, Georgia, in 1939 is the declaration stating that "State Churches and Church States are alike in direct conflict with the principle of freedom. A free church in a free State, each contributing freely and helpfully to the legitimate sphere and functions of the other, is the ideal...." In this context, the Baptist believer is able to exercise the rights and responsibilities of citizenship, holding each component in tension. But the idea is, in fact, far from the context in which many Baptist citizens find themselves. For them, their heritage is none the less valid; more than ever, it is their resource and strength.

(Editor's Note: This article has been edited in the interest of space. In its original form, it was fully annotated.)

Confronting complexity, let's admit we don't understand and try to learn. Facing ambiguity, let's appreciate anew the servant who is trying to organize the chaos and do the right thing.

REFLECTIONS

James M. Dunn
Executive Director



"You are a Samaritan," they tagged him. Jesus' encounter with the religious/political leaders of his day that provoked this name calling is found in the Gospel of John.

They did exactly what many people do when they are frustrated by the expansive spirit of another or when they run out of arguments. The challengers of Jesus in their rage and fury could think of no meaner thing than to hurl the epithet — "Samaritan!" — which to his kinsmen and in that day had become a term of abuse.

Serious problems surround the approach that fixes a label on one's enemies and, having pigeon holed them, dismisses their perspective, their right to be heard, even their person. T. B. Maston, one who experienced verbal attacks, especially as a champion of racial justice, spoke often of "libel by label." Regardless of how serious the controversy, the "we-you" psychology does not belong within the vocabulary of believers. It is a clever insight into fallible humanity to observe that "orthodoxy is my doxy and heterodoxy is your doxy," but it's a sad commentary when that accurately describes one's attitude.

The late Brooks Hays was amused and annoyed at how the words "conservative" and "liberal" were pitted against each other. By malignant mouthing and the slander of stereotype, flesh-and-blood persons often are seen as no more than the tag they bear. He said: "We're all *both* liberal and conservative like the old dog. He's liberal when he chases a rabbit. He's conservative when he buries a bone." It's true that individually and collectively we are and must be *both* liberal and conservative.

The popular scientist Carl Sagan also says it well:

What we're talking about has little to do with the simplistic distinction between "conservatives" and "liberals." Conservatives wish to conserve traditional institutions. Not all . . . but some. Who, knowing the difficulty of designing workable political institutions, would oppose preserving what works? Liberals (from the Latin word for freedom) advocate liberty . . . the maximum possible liberty in a functioning and just society. . . . Who, knowing the history of tyranny and the charitable imperative of the world's great religions, would oppose such values? Conservatism and liberalism are not mutually exclusive alternatives. Clearly, we need some of each. Our problem is to find the right mix. (*Parade*, November 27, 1988)

The right mix, indeed. Pursuit of the right mix is one way of describing the work of the Baptist Joint Committee for these fifty-three years. The present posture of the committee is consistent with its history in dedication to *both* of the religion clauses in the First Amendment: "no establishment" and "free exercise."

Both the conserving clause and the liberating clause are important. Rightly understood, they are mutually supportive. Held in creative tension, they can help *both* government and religion realize their potential: a free church in a free state.

To honor the original purposes that brought Baptists together in the Baptist Joint Committee, to avoid needless and costly overlap with the social concerns agencies, and to be good stewards of the funds entrusted to the Baptist Joint Committee by all the cooperating conventions and con-

ferences, there has been a deliberate and intense focus by this office and this magazine upon religious liberty and its corollary, separation of church and state. The intention of the committee and its staff is to be faithful to principled positions, to stick to the mandate given us, and, however tempted, to refrain from addressing every concern of Baptists, even the legitimate ones.

So, it's a bad rap for the Baptist Joint Committee to be accused of some failure of nerve on gun control, abortion, homosexuality, or pornography. This organization doesn't even work in that territory. In fact, the best thing we can do for the expression of Christian social concern, the cause of civic righteousness, and the advance of morality is to defend the free pulpit and the right of churches to participate in the political process. We have done just that in *Bemis, A.R.M. v. Roman Catholic Bishops*, IRS hearings, legislative testimony, etc. We honor our responsibility in public witness to remain faithful to the separation of church and state in the analysis of every piece of proposed legislation, every set of guidelines and regulations, and every case that comes to the high court.

It's dirty pool or at least a tad disingenuous to lament the "left leaning" of the Baptist Joint Committee regarding issues on which we do not take a stand or lean at all. It's a little unfair and, for those who know better, maybe a bit dishonest to continue to talk about "liberal drift" when the Baptist Joint Committee is chugging straight ahead on the course set in the 1980s by the members and staff of the BJCPA.

If that sounds defensive, it is. The Baptist Joint Committee is eminently defensible.

Most of the issues oversimplly labeled "liberal/conservative" struggles are not simple at all. In questions of public policy, politicians of good will differ and wrestle honestly with tensions between the greater good and the lesser good, the greater evil and lesser evil. They try to discern the right course of action in questions that pit tradition and modernity, continuity and change, human values and technological advance, people and money, caring and uncompassionate alternatives. Sometimes policy makers strive to understand the differences in proposed laws between idealism and ideology, fiscal responsibility and shortsightedness, informed opinion and uninformed rhetoric, the promotion of justice for all and unworkable schemes. Any public servant worth his/her salt has had to choose between constituency concerns and the larger national interest or between what seems to be in the best interests of our own country but not good for the whole human family. Not all, actually not many, of these choices can be neatly labeled "liberal/conservative."

Confronting complexity, let's admit we don't understand and try to learn. Facing ambiguity, let's appreciate anew the public servant who is trying to sort it all out, organize the chaos, and do the right thing. That's precisely how both the policy-making board of the Baptist Joint Committee and its staff function.

Let's strive not to sink to the level of those harassing Jesus and in exasperation sin by labeling the other, "You're a Samaritan." I'll work at it. How about you? □

REVIEWS



GOD IN THE WHITE HOUSE: How Religion Has Changed the Modern Presidency

Richard G. Hutcheson, Jr. New York:
Macmillan Publishing Co., 1988. 167
pp. \$18.95.

In recent years, we have come to recognize that the presidency is more than just a political or administrative office; it has a religious dimension as well. Besides being the chief executive and the head of state, the president is required by American civil religion to function as a national pastor who comforts and strokes the people and as a high priest who represents them before the transcendent deity. The president assures us that we are (under God) a great, strong, and good nation, one that trusts in the deity and is worthy of his favor.

In order to carry out his role in the public religion, the president must have a reasonably visible and substantial private faith. A contributing factor to Michael Dukakis' defeat in 1988 was his relative indifference to matters of personal faith, since this issue was exploited by his opposition to entice undecided voters who themselves were religiously committed.

Richard Hutcheson, a retired navy chaplain (admiral), provides an informative and stimulating discussion of the heightened importance of religious belief in the lives of the last three presidents — Gerald Ford, Jimmy Carter, and Ronald Reagan. His contention is that from this time on we have had a "religious presidency."

In a nutshell, he argues that Ford was low-key and intensely private about his faith and that he brought an unblemished moral record to the Oval Office, which was in sharp contrast to that of his predecessor. Carter's faith was central to who he was, and his policies reflected the values rooted in this faith, such as the emphasis on national sin and the need for humility, the call for sacrifice, the various peace initiatives, and the stress on human rights. Reagan brought together in himself the feelings of patriotism and longings for traditional values that animated so many Americans. Though he was not a devout churchman, he was able to connect with the conservative political ideology so widespread in the evangelical community, and these people of faith saw

him as a genuine soul mate.

The basic premise of the book is accurate, namely, that "the presidents have created and maintained the civil religion." They were "the major formulators of the civil religion that provided the moral and spiritual basis of American unity." The United States was indeed a land of pervasive religious influence in the eighteenth and nineteenth centuries, and I believe this continues to be the case in our pluralistic twentieth century.

Although we achieved an institutional separation of church and state (something that I fear will be breached in the Bush presidency), a close relationship between religion and society still continued. Presidents, as symbolic high priests of the public religion undergirding American life, played their roles with varying degrees of enthusiasm and success. They made appropriate references to God and to the religious dimensions of national life on ceremonial occasions, officiated at national rituals, and served as spokespersons for the national faith. Their personal religion — whatever its nature — generally was not allowed to intrude into public life.

Up to this point, few students of public religion would quarrel with Hutcheson's analysis. However, he is a disciple of Richard John Neuhaus, and he attempts to apply the Neuhausian "naked public square" imagery to our current situation. He accepts without question the proposition that the American founding fathers had posited the cultural integration of religion and society in order to provide a workable consensus undergirding "public virtue," but in our secularized century there is an absence of a commonly agreed-upon morality in public life. The public square is now "empty" or "naked," and the moral base provided by the Judeo-Christian tradition has been lost.

REVIEWER

Dr. Pierard, an American Baptist layman, is professor of history at Indiana State University, Terre Haute. He is coauthor with Robert Linder of *Civil Religion and the Presidency*.

Hutcheson reveals why the Neuhaus thesis is so popular with the contemporary evangelical right. The proliferating pluralism of our day stands in stark contrast to the nineteenth century era of the evangelical consensus. Then, evangelicals did define the cultural values of American society, and other groups, such as Roman Catholics Jews, simply had to sit and take it. Now, the Christian right believes the "saints" should be in charge as they were in the good old days.

Although Hutcheson mentions some notable figures who support the Neuhaus view about the loss of a moral base for American society, e.g., A. James Reichley and Allen Bloom, and even claims that the *Christian Century's* James Wall shares Neuhaus' "alarm" over the naked public square, the cure he prescribes (a larger dose of civil religion) may be as bad as the disease. Thus, we get such dubious statements as the author's assessment of the school prayer matter: "The real issue is not school prayer itself but the absence from public education of religious assumptions of which prayer is a symbol — those religious assumptions on which basic values such as freedom of religion are based." (page 192)

In all fairness, Hutcheson does hold Carter's moral emphasis in rather high esteem and treats him fairly, but he raises what to every sensitive believer in public life must be a distressing question: "Can a devoutly religious president, his inner being formed by the conviction that themes like sin and sacrifice are at the heart of human reality, succeed politically? Is awareness of ethical complexity a disabling handicap in an arena where the black-and-white simplicity of popular political slogans usually triumphs?" (pages 150-151) On the other hand, it is almost amusing to watch him talk around the moral debacles of the Reagan presidency, and he really cannot bring himself to admit just how badly Reagan and his allies have damaged the principle of church-state separation.

Continued on p. 14

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