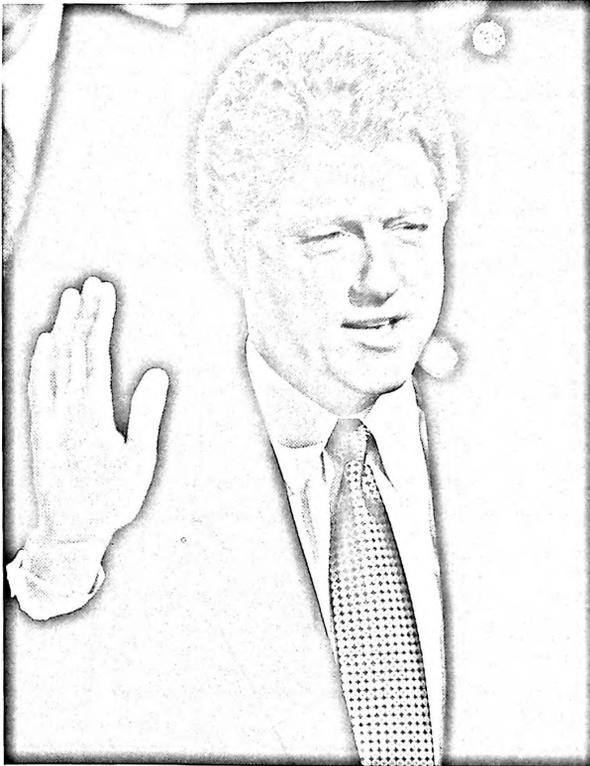


REPORT from the CAPITAL

Call to service



"From this joyful mountaintop of celebration, we hear a call to service in the valley. We have heard the trumpets. We have changed the guard. And now, each in our own way, and with God's help, we must answer the call."

President Clinton

January 20, 1993

Inside ...

| | | | |
|-------------------|-----|----------------------|----|
| No bystanders | 4 | Late-night prayer | 10 |
| Thurgood Marshall | 8-9 | Indivisible freedoms | 15 |

REPORT from the CAPITAL

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

Vol. 48, No. 2

February 1993

Articles

| | |
|---|----|
| Faith calls for public stand..... | 4 |
| by Bill Moyers | |
| Baptists pray with Clintons, Gores..... | 10 |
| by Bob Allen | |
| Clinton calls for renewal..... | 11 |
| by Larry Chesser | |

Features

| | |
|------------------------------|----|
| Washington Observations..... | 3 |
| Views of the Wall..... | 7 |
| by J. Brent Walker | |
| News in Brief..... | 8 |
| compiled by Pam Parry | |
| International Dateline..... | 12 |
| compiled by Pam Parry | |
| Reflections..... | 15 |
| by James M. Dunn | |
| Reviews..... | 16 |
| by Oliver S. Thomas | |

Cover: William Jefferson Clinton takes the oath of office Jan. 20 as the nation's 42nd president. (White House photo).

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REPORT from the CAPITAL is published 10 times each year by the Baptist Joint Committee on Public Affairs, a religious liberty agency maintained in the nation's capital by the Alliance of Baptists, American Baptist Churches in the U.S.A.; Baptist General Conference; Cooperative Baptist Fellowship; National Baptist Convention of America; National Baptist Convention, U.S.A., Inc.; National Missionary Baptist Convention; North American Baptist Conference; Progressive National Baptist Convention, Inc.; Religious Liberty Council; Seventh Day Baptist General Conference; and Southern Baptist state conventions and churches.

Subscriptions: Single rate, \$8.00 one year, \$15.00 two years; club rate (ten or more), \$7.00 each per year; students, \$3.50 one year, \$5.00 two years; foreign, add \$2.00 postage.

BAPTIST JOINT COMMITTEE ON PUBLIC AFFAIRS
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Baptist connections

It seemed natural — as an Arkansas native and a Baptist — to feel a closer-than-normal connection to the person being sworn in as the 42nd president of the United States. Admittedly, some of that sense of connectedness was fairly superficial — closely akin to the kind of pride people feel any time the home team does well.

The more substantial link had to do not so much with pride that an Arkansan and a Baptist had achieved the nation's highest office as with the hope that the nation will benefit from the leadership of Bill Clinton. That hope was nourished largely by observing five of Mr. Clinton's last seven years as governor of Arkansas from a news desk in Conway, Ark.

What I observed would not cause me to suggest Mr. Clinton was a miracle worker as governor or that he will be one as president. What I believe is that he cared about improving life for the people of the state, and that during his administration, the state moved forward in areas such as education and the economy. Much of the progress made during Mr. Clinton's tenure as governor was achieved in the face of and sometimes limited by a state legislature less than eager to enact his proposals.

The Baptist part of the hope I sensed Jan. 20 was rooted not in the fact that Mr. Clinton and Vice President Albert Gore happen to be Baptists but in the kind of Baptists they are. They appear comfortable on the trail blazed by Baptists such as Roger Williams, John Leland and George W. Truett in holding high a commitment to freedom of conscience in religious matters. That's a good signal for Americans of all faiths.

Like other Americans, Baptists have taken and will continue to take issue with specific positions of the new administration. But Baptists and all Americans will be served by policies that do not fly in the face of the First Amendment's religious liberty guarantees.

Because of the visibility of their offices, Mr. Clinton and Mr. Gore will play a large role in the ongoing struggle to define Baptists. Often in recent years, the world's image of what it means to be Baptist has been shaped by the likes of Pat Robertson, Jerry Falwell and other fundamentalists who have been more in tune with the politics of the far right than with the principles of Williams, Leland and Truett. Whatever they do in the governmental sphere, Mr. Clinton and Mr. Gore will help foster an image of Baptists strikingly different from that molded by fundamentalists. Most likely it will be one welcomed by free Baptists. □

— Larry Chesser





OVER THE PAST SEVERAL WEEKS, the Baptist Joint Committee has been flooded with inquiries about a flier that is circulating that asks the question: "Could the federal government close down your church?" Most of the fliers seem to have found their way into Southern states. The flier points out that companion bills (S. 574, H.R. 1430) have been introduced in Congress that would prevent churches from discriminating against homosexuals in hiring, keep churches from rejecting gays and lesbians who seek ordination, require churches to perform "marriages" for gay couples and subject churches to huge fines, mandatory hiring quotas and even closure.

This is misleading and inflammatory. First of all, S. 574 and H.R. 1430 were filed in the last Congress and died without ever being reported out of committee. The bills, which would have amended Title VII to prohibit discrimination on the basis of sexual orientation, have been reintroduced in the 103rd Congress but as yet show no signs of life. They will have to be taken up and approved by both the Committee on the Judiciary and the Committee on Education and Labor in the House and comparable committees in the Senate. Hearings will precede the bills' consideration. There are many other procedural hurdles to clear. In short, the bills are a long way from becoming law. Second, if the bills begin to move, the Baptist Joint Committee will work diligently to ensure that churches and other religious organizations are exempted. President Bill Clinton reportedly has said that he, too, believes such anti-discrimination requirements should not be forced on churches.

Finally, even if the measures were to pass without an exemption for religious organizations, the law still could not be used to force churches to hire homosexuals as ministers or to perform tasks that are essentially religious in nature. The U.S. Supreme Court has made clear that no civil authority has the power to regulate the employment of ministers. Similarly, government does not have the power to dictate membership, marriage or ordination standards to churches. Those who continue to pass around this dated, misleading information -- presumably as a leg up to fund-raising efforts -- should be met with a firm, factual response. We hope these observations assist you in doing just that. • (OST/JBW)

No room for bystanders

Moyers: Faith calls for public stand

It is providential to me that Marion Hays is here this evening. Many Baptist heroes stirred my imagination when I was young, from John Bunyan and John Milton to Roger Williams and William Carey, from Adoniram Judson and Annie Armstrong to E.Y. Mullins and George Truett. But they were dead or distant heroes, admired from afar. Marion's husband Brooks was the first Baptist hero I met face-to-face.

Brooks' courageous stand during the 1958 school desegregation crisis cost him his seat as Congressman from Little Rock but it won for him a place in legions of hearts. "This is Mr. Hays," said Martin Luther King when he introduced Brooks to a friend; "He has suffered with us." For Brooks, Christianity was about challenge, not comfort, and politics was a parish where one tried to serve the poor and powerless. Senator Sam Ervin said Brooks possessed an "understanding heart." It overflowed with a love that embraced even his enemies — even Orval Faubus and Richard Nixon. And he was a cheerful crusader, with humor for a lance. Like many of us he resisted the handcuffs of ideology. During his last campaign he pointed to the dog at his side and said, "Old Fergus here, who goes with me every day, is a liberal when he's sniffing through the bushes looking for a rabbit, but a conservative when he buries the bone."

I met Brooks when he was president of the Southern Baptist Convention and spoke in chapel at Southwestern Baptist Theological Seminary where I was soon to graduate. I maneuvered to be the one who drove Marion and Brooks to the airport after his speech. When he learned that I had studied journalism at the University of Texas and worked for Senator Lyndon Johnson in both Austin and Washington, he put his hand on my shoulder and said: "When you finish seminary you ought to give thought to government; public service can be a calling, too." He admitted that politics could be hell sometimes, but — and he grinned that long snaggy grin of his — "after working for LBJ it should be a pleasure to wrestle with the devil."

I never forgot his hand on my shoulder, never forgot his counsel; and often through the years I have been reminded of that favorite passage of his from Isaiah, where "you who

pursue deliverance, who seek the Lord," are urged to "look to the rock from which you were hewn, and to the quarry from which you were digged." Or as my own rough translation from the Hebrew says, "Remember your roots."

This is what brings us here tonight. We come not as Democrat or Republican, male or female, black or white, politician or journalist, but as members of an extended family of faith. And we are here to remember our roots. Baptists hold dear the contention of that early forbearer who said that "the magistrate is not by virtue of his office to meddle with religion on matters of conscience, to force or compel anyone to this or that form of religion or doctrine, but to leave

religion free to every individual conscience." That conviction is sacred to us. Yet we do not believe that separation of church and state means the hermetic exclusion of religion from politics. We believe Harvey Cox got it right when he said that in secular society "politics does what metaphysics once did, it brings unity and meaning to human life and thought." And we agree with Jim Wallis that "the relationship between politics and morality is absolutely vital to the future," that our challenge is to take the rhetoric of "values," "vision," and "new covenant" that pervaded our recent election and see if there is common ground for action.

Baptists have much to offer the conversation of democracy, beginning with candor about our own diversity and raucous history. Baptists have been to the left of the American establishment — and to the right. Jesse Jackson is a Baptist, so is Jesse Helms. Baptists defended slavery, and Baptists agitated to end it. Some black Baptist churches today are precincts of the Democratic Party, while in some white churches GOP stands for God's Own Preserve. Some Baptists read the Bible as if it were a Triple A roadmap to Armageddon; others find it a spiritual codebook to the mysteries and miracles of the Kingdom within. Millions of Baptists see American culture as the enemy. Millions of others joyfully proclaim that we are part and parcel of the show. Onlookers shake their heads at how people so disputatious could be defined by a common name; those of us who wear it shrug our shoulders at the anomalies and schisms and go on punching (usually each other).

We are Baptists for many reasons. The experience is so much a part of my story that I would be unable to explain myself to my grandson without it. Newnam McLarry's ringing call to repentance took me into the waters of baptism when I was 12, and Brownlow Hasting's quiet appeals to reason took me back into those waters six years later. Between Bible drills the burly



"We are Baptists for many reasons. The experience is so much a part of my story that I would be unable to explain myself to my grandson without it."

— Bill Moyers

Veteran broadcaster and Baptist Bill Moyers addressed an Inaugural eve prayer service Jan. 19 at First Baptist Church, Washington, D.C. Additional comments and information about the service sponsored by the Baptist Joint Committee and First Baptist Church appear on Pages 6 and 10.

contractor who doubled as our Sunday School teacher, Bill Price, let us slug him in the stomach to prove that hard work produced a hard body. One of our sopranos sang off-key to the entire choir but no one cared because she brought the best custard pies to dinners-on-the-ground. These may seem banal recollections, but I learned about humanity in that Baptist church, learned about frailty and forgiveness and fellowship, and if the anecdotes are unremarkable, the journey wasn't.

I also learned about democracy in that church. It was the very embodiment of home rule. In deciding church affairs every believer had an equal voice. Every leader called to office — whether pastor, deacon, or teacher — was subject to a vote of the congregation; and leaders were expected to be servants, not rulers. It was the pew, and not the pulpit, that we thought should be exalted. This leveling meant we fought a lot. My father said Adam and Eve must have been the first Democrats because only Democrats could mess up Paradise, and he was certain Cain and Abel were the first Baptists because they introduced fratricide to the Bible. But faith called us to a public stand and there was no place in our politics and religion for bystanders. It never occurred to us to ask the Irishman's question, "Is this a private fight, or can anyone get in it?" We knew from our past that politics is where liberty is saved or lost, where issues are decided, justice mediated, and values defended. Neither church nor state is served by anemic democracy. So Baptists plunge into the thick of the fray. And we do so with an ardor for equality that springs from the hot coals of faith.

At the core of our faith is what we call soul competency — the competence of the individual before God. Created with the imprint of divinity, from the mixed clay of earth, we are endowed with the capacity to choose, to be (as my brother James Dunn puts it) responsible, a grown-up before God, making my own case, accounting for my own sins, asking my own questions, and expecting in good faith that when all is said and done I'll get a fair hearing and just verdict. At last count there are 27 varieties of Baptists in this country; the brand that appeals to many of us holds that while the Bible is our anchor, it is no icon; that revelation continues, truth is not frozen in doctrine but emerges from experience and encounter, and continuity is found in the community of faith that includes both saints and sinners. In Jesus we see the power of the Living Word over tired practice and dead belief. In his relationships with women, the sick, the outcast and the stranger — even with the tax collector — Jesus kept breaking new ground. The literal observance of the law was not to quench the spirit of justice. "The sabbath was made for man and not man for the sabbath."

These beliefs do not make for lawless anarchy or the religion of Lone Rangers. Nor do they mean we can float safely on the little raft of our own faith while the community flounders. Our beliefs form the ground of personhood. They aim for a community with moral integrity, the wholeness that flows from mutual obligation. Our religion is an adventure in freedom within boundaries of accountability. Governor Clinton and Senator Gore, it may be that this inbred tendency in free church life is one of the best gifts you bring to high office at this most pluralistic, fragmented, and perplexed time in our history.

There is in the tide of affairs what General George Patton called "the unforgiving minute." Decision and choice force fate. Opportunity lost is lost forever. The road not taken disappears. The unforgiving minute allows no second chances; at such a moment in our nation's life the gridlock becomes permanent, the cleavage between classes irreversible, the injustices fixed, the fiscal profligacy immutable, millions give up on the system for good, and the dream dies of forging a single American nation from our separate realities.

So this unforgiving minute — this fullness of time — begs from us — citizen and politician alike — a renewed sense of religion and politics as challenge and service. But of our leaders it makes the most severe demands. Vaclav Havel writes that while politicians are indeed a mirror of their society, the opposite is also true; society is a mirror of its politicians. It is largely up to the politicians which social forces they choose to liberate and which they choose to suppress, whether they rely on the good in each citizen or on the bad.

As we move toward the 21st century, Havel says, we need politicians who trust not only a scientific representation of the world but also the world itself; who live not only in sociological statistics but in real people; who trust not only the summary reports that cross their desk each morning but their own feelings; not only an adopted ideology but their own thoughts; not only an objective interpretation of reality but their own soul. The ancient Israelites had a word for this: *Hochma* — the science of the heart. Intelligence, feeling, and perception combine to create the moral imagination. *The science of the heart.*

Thirty years ago, when I was young in this town, I would not have understood this. I possessed far more energy than wisdom, and craved facts, information, and action. But time and experience, love and loss, round the rough edges of pride, zeal, and partisanship, and I see now that it is not just knowledge alone — not just facts and reasons — that will transform our

lives or bring about a just society; what we also need is truth, the truth of the competent soul. It is this that enables us to respond as Gloucester does when asked by Lear: "How do you see the world?" And Gloucester, *blind Gloucester*, replies: "I see it feelingly."

Tomorrow at noon the real struggle begins. I can tell you that rarely is it a titanic, heroic, winner-take-all-battle. It is rather a series of daily, often small, sometimes subtle battles. Because of the persistence of what Reinhold Niebuhr called "the sinful pride and self-deception" that afflict us all (what Baptists know as "original sin") the hardest struggle of all is the one that is waged within. The character of a government is forged every day in the soul of its leader as he chooses for power or for justice.

So I conclude where we began — with our friend Brooks Hays, and something you may have heard quoted by him over the years, something he held fast even though it cost him the office he served so well among the people he loved so much. Remember?

"It is only religion reaching the ultimate solitude of the soul that can create the unpurchaseable man, and it is only man unpurchaseable by any society that creates the sound society." (William Ernest Hocking) □

"We knew from our past that politics is where liberty is saved or lost, where issues are decided, justice mediated, and values defended. Neither church nor state is served by anemic democracy."

Prayer, praise precede Inauguration

(EDITOR'S NOTE: The following paragraphs are excerpts of prayers and comments made during an Inaugural eve prayer service with the Clintons and Gores.)

"Our dear Heavenly Father, we have come here tonight to ask for your blessing and guidance for one who may need them as he never has before as he encounters new problems and greater challenges. We don't ask that his life will be easier but that his strength will be greater. We don't pray that his task will be equal to his powers but that his powers will be equal to his task. Please give him the wisdom to choose the right course through difficult problems and the courage to follow that course. Bless the one who is nearest and dearest, dear Father, increase her wisdom and courage that they may strengthen his and give her tenderness to comfort and heal when he gets bruises, as all men do. And please bless us, the American people, help us to lay aside selfishness and prejudice and partnership and unite to help our beloved, but beleaguered country, so that we may together, as one people, enter into a bright new day."

— Marion Hays

Widow of Former Arkansas Congressman Brooks Hays

★ ★ ★

"He didn't bring you this far to leave you now."

— Barbara Jordan

Law Professor, University of Texas

★ ★ ★

"We have come together to praise and to pray and to promise our prayers for our gallant, young president who has already displayed incredible courage and rare grace under sustained adversity. It is edifying to all of us that he has desired to have his tenure which begins tomorrow seasoned by prayer and set within the context of divine guidance. ...

"It has been said that we, Baptists, are a contentious, fractious, highly opinionated lot, and that is perhaps true. ... At the same time, I am certain tonight that all of us who are gathered here in this gracious old sanctuary are of one mind and one heart and one hope in the confidence that in the pledge of our prayers that this new time in the life of our nation will be greatly blessed. ...

"Tomorrow is a fateful day, and our youthful president and his cohorts and all of us might well tremble, tremble, tremble. But God grant that each of you and each of us will find that avenue to adequacy, that pathway to spiritual power in regular prayer, and we pledge our prayer that this nation under God ... will have a new covenant of community, a new covenant of compassion, a new covenant of responsibility."

— Gardner C. Taylor

Pastor Emeritus, Concord Baptist Church, Brooklyn, N.Y.

BJC scholar 'Jack' Prince dies at 63

KNOXVILLE, Tenn. — Andrew Jackson Prince, 63, pastor emeritus of West Hills Baptist Church in Knoxville and a recent scholar-in-residence at the Baptist Joint Committee, died Jan. 29, 1993, at his home following a brief illness.

A native of Stonega, Va., Dr. Prince was the first senior pastor at West Hills Baptist Church and served the congregation in that role for 32 years before retiring in 1992. A graduate of Carson-Newman College in Jefferson City, Tenn., and Southern Baptist Theological Seminary, Louisville, Ky., Dr. Prince served in numerous Baptist leadership roles.



He served as vice president of the Tennessee Baptist Convention, on the board of trustees of Carson-Newman College and East Tennessee Baptist Hospital and was a charter member of the Advisory Board of Ruschlikon International Seminary. Most recently, he preached the annual sermon at the Tennessee Baptist Convention meeting.

Dr. Prince is survived by his wife, Frances Willson Prince, who served with him last fall as a scholar-in-residence at the Baptist Joint Committee.

"Jack and Frances made an invaluable contribution to the work of the BJC," said James M. Dunn, the agency's executive director. "Their understanding of Baptists, love and warmth for them advanced the BJC cause.

"Jack fought for soul freedom, wrote longhand letters to Baptists in Tennessee trying to enlist their support and gave his best energies and thought to the cause of soul liberty to the very last of his days.

"He was the friend of all free and faithful Baptists."

Other survivors are two daughters, Karen Prince Roden of Jefferson City, Tenn., and Fran Prince DeLozier of Knoxville; two sons, Dr. Ty L. Prince of Chattanooga, Tenn., and Andrew Judson Prince of Knoxville; and a brother, Kenneth Ray Prince of Streamwood, Ill.; and four grandchildren. □

VIEWS OF THE WALL

J. Brent Walker
Associate General Counsel



We have lost a true American hero. And I don't see anyone on the horizon who is worthy to stand in the breach. Thurgood Marshall was more than a courageous lawyer, an accomplished jurist, a champion of civil rights. He was an institution—at once an embodiment of the American dream and at times its severest critic—whose larger-than-life persona subsumed the causes and ideas he advocated.

His accomplishments are as improbable as they are legion. He was the great grandson of a slave and the son of a waiter in a segregated Baltimore yacht club. He took his grandfather's name "Thorough Good" (shortened to Thurgood), but he was not thoroughly good as a child and adolescent. As punishment for cutting up (and worse) in school, Marshall recalled that he was sent to the basement and forced to memorize a paragraph of the Constitution for every misdeed. After a couple of years, he knew the document by heart. Appropriate punishment!

After working his way through college, he was barred from attending the then-segregated University of Maryland Law School. Thurgood didn't get mad; he got even. He went to the predominantly black Howard Law School in Washington and, upon graduating first in his class in 1933, promptly sued the University of Maryland to gain admission for another black student and to desegregate that institution.

He was head of the National Association for the Advancement of Colored People's Legal Defense and Education Fund for two decades. Marshall traversed the country trying (and winning) civil rights cases, often putting his life in jeopardy. In 1961, President John F. Kennedy appointed him to the U.S. Court of Appeals for the 2nd Circuit (New York), and four years later President Lyndon B. Johnson made him solicitor general of the United States—the government's top lawyer before the Supreme Court.

Before and during his tenure as solicitor general, Marshall argued 32 cases before the Supreme Court, winning 29—a .906 batting average. His most famous case was the 1954 *Brown v. Board of Education*—overturning the separate-but-equal doctrine and desegregating our public schools.

Marshall's most permanent legacy was left through his 24 years of service as the first black justice on the U.S. Supreme

"(Thurgood Marshall) was an institution—at once an embodiment of the American dream and at times its severest critic—whose larger-than-life persona subsumed the causes and ideas he advocated."

Court. Justice Marshall always empathized with the disenfranchised, the minority, the downtrodden. His vote could be counted on to strike down a death penalty statute, to preserve the rights of the accused, to ensure equal protection under the law for everyone. Although Marshall often voted with the majority in the early years of his tenure, during the latter years, he usually found himself in the minority, along with his soul mate, Justice William Brennan. Indeed, he wrote more than 1,800 dissents during his years on the court.

The readers of this column might ask, however, how Justice Marshall fared on church-state issues. Though raised an Episcopalian, he was not at all visibly pious. But his life and work were pregnant with a sense of prophetic justice and Christian charity. Consistent with his expansive understanding of the Bill of Rights, Justice Marshall was a staunch defender of the First Amendment's religion clauses—both no establishment and free exercise. But in surveying his decisions, I was surprised to find that Justice Marshall, while voting "right" on most church-state cases, did not write many of them.

Nevertheless, it's fitting to listen to Justice Marshall's words again as he expounds on the importance of religious liberty and proper church-state relations.

In *Mueller v. Allen*, 463 U.S. 388 (1983), Justice Marshall dissented from a decision upholding a Minnesota law allowing taxpayers to deduct certain expenses incurred in providing education for their children. Justice Marshall reminded us:

Under our system the choice has been made that government is to be entirely excluded from the area of religious instruction. ... The Constitution decrees that religion must be a private matter for the individual, the family, the institutions of private choice, and that while some involve-

ment and entanglement are inevitable, lines must be drawn.

In his concurring opinion in *Board of Education v. Mergens*, 110 S.Ct. 2356 (1990), upholding the constitutionality of the Equal Access Act that permitted religious clubs in public schools, Justice Marshall demonstrated his dedication to free speech and free exercise:

We have long regarded free and open debate over matters of controversy as necessary to the functioning of our constitutional system. That the Constitution requires toleration of speech over its suppression is no less true in our Nation's schools.

But, at the same time, Justice Marshall was sensitive to potential establishment clause violations:

[T]he Constitution also demands that the State not take action that has the primary effect of advancing religion. The introduction of religious speech into the public schools reveals the tension between these two constitutional commitments, because the failure of a school to stand apart from religious speech can convey a message that the school endorses rather than merely tolerates that speech. Recognizing the potential dangers of school-endorsed religious practice, we have shown particular vigilance in monitoring compliance with the Establishment Clause in elementary and secondary schools.

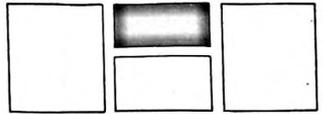
Finally, in a ringing dissent in *Trans World Airlines v. Hardison*, 432 U.S. 63 (1977), Justice Marshall defended the right of an employee to worship on Saturday and the need to accommodate that religious practice: "[A] society that truly values religious pluralism cannot compel adherents of minority religions to make the cruel choice between surrendering a religion or their job."

Stating that a person should not be "forced to live on welfare as the price they must pay for worshipping their God," Justice Marshall concluded:

The ultimate tragedy is that ... one of this Nation's pillars of strength—our hospitality to religious diversity—has been seriously eroded. All Americans will be a little poorer until today's decision is erased.

Yes, we shall miss Justice Marshall and we, too, are a little poorer as a result of his passing. He said he only wanted to be remembered as one who did the best he could with what he had.

Indeed, he did. □



Civil rights giant Thurgood Marshall dies

Retired U.S. Supreme Court Justice Thurgood Marshall, a giant among champions of civil rights in this century, died Jan. 24 of heart failure at the Naval Medical Center in Bethesda, Md.

Marshall, 84, retired in June 1991 after 24 years as an associate justice of the nation's high court. Appointed by President Lyndon B. Johnson, Marshall was the first African American on the court, and his replacement, Clarence Thomas, is the second.

Marshall, the great grandson of a slave and grandson of a Union soldier, first gained national prominence as a lawyer for the National Association for the Advancement of Colored People. As an advocate, Marshall won 29 of the 32 cases he argued before the Supreme Court, including the landmark *Brown v. Board of Education* decision in which the court barred segregation in public schools.

While on the bench Jan. 25, Chief Justice William H. Rehnquist heralded Marshall as "the most influential civil rights lawyer of our century," noting Marshall "designed and implemented the NAACP's legal strategy to eradicate racial discrimination in education, transportation, housing and the voting booth.

"Justice Marshall's contributions to constitutional law before his appointment to this court were singular," Rehnquist continued. "These contributions alone would entitle him to a prominent place in American history had he never served on this court. Building on those earlier accomplishments, he became an important voice in shaping the decisional law during his 24 years on the Supreme Court bench."

J. Brent Walker, associate general counsel for the Baptist Joint Committee, said, "Both as a lawyer and jurist, Thurgood Marshall was a tireless champion of the disenfranchised. His sympathy for minority rights impelled him to become a fierce defender of religious liberty and his suspicion of governmental power bred an unwavering respect for the separation of church and state.

"His absence will be conspicuous." Marshall's legacy was evident in the nearly 20,000 people who filed through the Great Hall of the Supreme Court Jan. 27 to view the coffin bearing his body. This was only the second time a justice's coffin has been on view at the court; the



Retired Supreme Court Justice Thurgood Marshall, a giant among civil rights activists in this century, was remembered by the nation following his death Jan. 24. Nearly 20,000 people came to the high court to view the coffin bearing his body. He was buried at Arlington National Cemetery.

first was in 1974 when Chief Justice Earl Warren died.

That same day, Congress approved a bill (S. 202) that would name the new federal judiciary building in Washington for the late justice. The building, located three blocks north of the Supreme Court, opened in September and houses more than 2,000 judicial branch employees, including retired justices.

Marshall's funeral was at Washington's National Cathedral, and he was buried in Arlington National Cemetery. □

New Congress raises old constitutional question

Lawmakers who disagree with the U.S. Supreme Court's stance on prayer in public school offered their remedies as the 103rd Congress recently convened.

Such measures have been introduced routinely for several years, yielding little success, according to a Baptist church-state attorney.

J. Brent Walker, associate general counsel for the Baptist Joint Committee, said such resolutions are unnecessary because schools cannot now abridge a student's right to pray in the classroom, lunch room or on the ball field.

The 1962 Supreme Court decision barred only state-sponsored prayer, he said.

The measures, introduced in both houses of Congress, range from amendments that would alter the Constitution to resolutions that express the sense of Congress but carry no force of law. At least four propose "voluntary school prayer." They are nearly identical, saying that the Constitution should allow school prayer as long as no one is forced to participate and the state does not prescribe its contents.

"It doesn't solve the constitutional problem to use labels like voluntary or to bar the state from prescribing the text," Walker said. "There are many things schools could do short of prescribing the prayer that would be constitutionally offensive."

Rep. Bill Emerson, R-Mo., said he introduced a measure (H.J. Res. 27) because of last year's Supreme Court decision in a Rhode Island graduation prayer case, *Lee v. Weisman*. In the *Weisman* decision, a narrow majority ruled that graduation prayer at a middle school ceremony was coercive and unconstitutional for three reasons: 1) school officials initiated the prayer, 2) those same officials picked the person to pray, 3) the school instructed the rabbi how to pray.

"I am introducing a constitutional amendment to allow communities to decide for themselves whether or not they will offer a benediction at their public ceremonies and graduations and whether their children will be able to voluntarily pray in school," Emerson said. "Under this amendment, the rights

"It's the annual orgy of playing politics with prayer."

— James M. Dunn

of those who do not wish to participate in prayer remain fully protected."

Sen. Strom Thurmond, R-S.C., re-introduced a measure (S.J. Res. 9) that he first introduced in the 98th Congress and every one since then. Thurmond said his amendment would restore a right taken away by a court that has "too broadly interpreted the establishment clause of the First Amendment."

Two other measures (H. Con. Res. 11, H. Con. Res. 12), if approved, would express Congress' views that periods of silence be restored to public schools.

Sen. Jesse Helms, R-N.C., also introduced two resolutions (S.J. Res. 3, S.J. Res. 16) that proposed an amendment to restore "the right of Americans to pray in public institutions, including public school graduation ceremonies and athletic events."

Walker defended the court's prayer decisions as correct and noted that others often have interpreted them too broadly. The court simply eliminated state-sponsored prayer, not private expressions of faith uttered voluntarily by students, he added.

James M. Dunn, BJC executive director, discounted the measures as politics as usual: "It's the annual orgy of playing politics with prayer." □

Supreme Court rejects church-state disputes

A pair of church-state disputes were among the well over 300 cases discarded Jan. 11 by the nation's top court.

The U.S. Supreme Court declined to review the criminal trespass conviction of a Minnesota man who argued that lower courts should have let him use the Code of Canon Law of the Roman Catholic Church to prove his right to be on church property. The high court also refused to revive a lawsuit challenging the use of the word "Sacramento" in the city seal of Sacramento, Calif.

Left standing in the criminal trespass case was the Minnesota Supreme Court's

ruling that the lower courts acted properly in not accepting the church code as evidence.

Harry S. Zimmer, a long-time member of the Church of the Immaculate Conception in Columbia Heights, Minn., was convicted of criminal trespass after defying a letter from the church's pastor ordering him to stay away.

The letter from the Rev. Walter Sochacki accused Zimmer of intimidating and harassing members of the parish.

During his trial Zimmer sought to use the church code to show that the pastor did not have the authority to bar him from the church and that he could make a good faith claim of a right to be on the premises.

Minnesota's top court upheld lower court decisions rejecting the use of the church code as evidence. While conceding that the code may have had some relevance to the case, the court said Zimmer's attempt to offer the lengthy code without an expert witness to interpret it would have been confusing to the jury.

James O'Leary repeatedly has challenged the use of the name "Sacramento" in the city seal, contending that the alleged religious significance of the name Sacramento somehow violates his constitutional rights.

Since 1989, a federal district court in California has considered O'Leary a "vexatious litigant" because his repeated efforts to relitigate faulty claims constitute "an abuse of judicial process."

In the July 1991 case appealed to the Supreme Court, O'Leary sought \$11 million in damages and an order barring Sacramento from using its city seal. □

Coin to commemorate Jefferson proposed

A coin to commemorate Thomas Jefferson, author of the Declaration of Independence, has been proposed in the U.S. Senate.

Sen. John W. Warner, R-Va., introduced Jan. 21 a bill (S. 50) that would require the Secretary of the Treasury to mint coins noting the 250th anniversary of Jefferson's birth (April 13, 1743). The coin's design would feature Jefferson's profile and a frontal view of his home, Monticello.

In the 102nd Congress, Warner intro-

duced a measure, which then-President George Bush signed into law, to authorize a federal commission to help plan a Jefferson celebration. The new legislation would complement the commission's work, he said.

Jefferson was the third U.S. president, vice president to John Adams, the first secretary of state, commissioner to France, governor of Virginia and author of the Virginia Statute for Religious Freedom. □

RFRA gets boost during Senate Judiciary hearing

Although Zoe Baird will not become the next U.S. attorney general, her testimony before the Senate Judiciary Committee appears to undergird the Clinton administration's support of the Religious Freedom Restoration Act, said a Baptist church-state attorney.

RFRA is a bill designed to restore a high level of protection for religious practice and has been backed by a broad coalition of religious and civil liberties groups.

Prior to withdrawing from consideration, Baird said the bill "should be one of the highest priorities in the early days of the administration."

Clinton indicated a need for RFRA in a September speech before Jewish leaders. Backers of the bill, including the Baptist Joint Committee, have said his strong support is key to the bill's early passage.

Oliver S. Thomas, BJC general counsel who helped write the legislation, said the measure is "tailor-made" for the Clinton administration.

"President Clinton wants to bring people together," Thomas continued. "RFRA gives him an opportunity to do just that. Liberals and conservatives, believers and non-believers, Democrats and Republicans have laid aside their private political agendas to unite behind this bill."

"The president's enthusiastic support would establish him as a leader who cares about religion and its importance to the American people."

RFRA was introduced in the 101st and 102nd congresses but failed to receive approval. The bill may be reintroduced in the U.S. House of Representatives in March. □

Praying Baptists

Clintons, Gores join in Inaugural eve service

Bill Clinton and Al Gore ushered in their Inauguration Day with prayer, worship and a tribute to the Baptist faith they share.

About 12 hours before they took office, the new president and vice president attended a late-night worship service with friends, family and Baptist guests.

The pre-Inaugural prayer meeting, which attracted about 1,000 invited guests representing various Baptist groups from across the nation, was hosted by First Baptist Church of Washington. From 1977 to 1981, it was home church to the last Baptist president, Jimmy Carter, who also attended the service.

The service was sponsored jointly by the church and the Baptist Joint Committee. The two sponsors offered to arrange the service for Clinton and Gore, who are both Southern Baptists. Everett Goodwin, pastor of the host church, said the service was suggested to Inauguration planners as a time of worship and reflection from a Baptist perspective.

Less than seven hours after leaving the Baptist prayer service, Clinton and Gore were again in prayer, this time at the 8 a.m. interfaith service at Washington's historic Metropolitan African Methodist Episcopal Church.

Although Clinton and Gore attended both services with their families, neither spoke to the gatherings.

According to James M. Dunn, BJC executive director, Clinton said he did not want the Baptist gathering to be a photo opportunity. "He wanted to pray," Dunn said.

Clinton has been a member at Immanuel Baptist Church in Little Rock, Ark., a Southern Baptist congregation, while Gore is a member of Mount Vernon Baptist Church, a suburban Washington church aligned both with the SBC and American Baptist Churches, USA.

Their election in November marked the first time two Southern Baptists — or two people from any one denomination — were simultaneously elected to the nation's two highest offices.

Guests at the prayer service included representatives of the 10 denominations affiliated with the BJC, said Dunn.

The congregation braved long lines in sub-freezing temperatures while awaiting security clearance. Christian com-

"We have a profound respect for the sincere spiritual depth of Bill and Hillary Clinton (that was) grossly distorted, disregarded and slighted throughout this campaign."

— James M. Dunn

poser and performer Ken Medema led singing during a pre-service fellowship that started at 10 p.m. and lasted more than an hour before the Clinton and Gore families joined the congregation. They arrived in formal evening wear from a nationally televised black-tie gala in suburban Landover, Md.

The church remained open following the 1:20 a.m. adjournment for a prayer vigil lasting until 8 a.m., when the interfaith prayer service opened the official Inauguration ceremonies.

The program featured Clinton's home church choir, of which he has been a faithful member, and fellow Baptists prominent in public life.

Bill Moyers, PBS broadcaster and former White House staff member under President Lyndon Johnson, commended Clinton's Baptist tradition as a laboratory for democratic leadership. Moyers described his own Baptist upbringing as "so much a part of my story that I would be unable to explain myself to my grandson without it."

From Baptists, Moyers said he learned about humanity, frailty, forgiveness and a rough-and-tumble democracy.

The hallmark of Baptist faith, Moyers said, is soul competency, the concept that "we are endowed with the capacity to choose." That freedom accounts for the Baptist diversity demonstrated in the 27 different Baptist groups in the nation.

"Baptists have been to the left of the American establishment — and to the right," he said. "Jesse Jackson is a Baptist, so is Jesse Helms."

Moyers told Clinton that his Baptist, free-church tradition is "one of the best gifts you bring to high office in this most pluralistic, fragmented and perplexed time in our history."

Baptists' historic insistence on the separation of church and state does not mandate the "hermetic exclusion of

religion from politics," Moyers said. He urged Clinton and Gore to lead the nation beyond "dead practice and tired beliefs" to "a renewed sense of religion and politics as a call to service."

Moyers cited author Vaclav Havel, saying, "while politicians are indeed a mirror of their society, the opposite is also true; society is a mirror of its politicians. It is largely up to the politicians which social forces they choose to liberate and which they choose to suppress, whether they rely on the good in each citizen or the bad."

He urged Clinton to call on his faith as a resource. "Tomorrow is when the real struggle begins," he said. "The hardest struggle of all is the one that is waged within. The character of a government is forged every day in the soul of its leader as he chooses for power or for justice."

Former president Carter's name did not appear on the printed program, but he was invited to speak. He joked about the opportunity to "ad lib before the very first Democratic president I will meet in my life" and reminisced about his own experiences at First Baptist Church, where he remains an associate member. "When you're in the White House as the president of this great nation, a church family means a lot to you," Carter said.

When he moved to Washington, Carter said he considered retaining his membership at his church in Plains, Ga. Instead he took the advice of a grandmother who said, "When you move your cook stove, you move your church membership." Through his experiences at First Baptist Church, "my Christian family expanded," Carter said.

"Our hearts are with you," Carter told the Clintons and the Gores. "You are part of our family."

An African-American Baptist, Gardner Taylor, pastor-emeritus of Concord Baptist Church in Brooklyn, N.Y., said Clinton's presence at the prayer session indicated "he has determined to have his tenure seasoned by prayer."

While Baptists are sometimes "a contentious, fractious, highly opinionated lot," Taylor said, "I am certain tonight that all of us who are gathered here are of one mind, one heart and one hope ... that this new time in the life of our nation will be greatly blessed."

See Prayer, Page 14

Clinton sounds call for renewal

Sounding a call for national renewal, newly inaugurated President William Jefferson Clinton challenged Americans to "work until our work is done."

Clinton, the second Baptist president in the past two decades, followed that challenge with a reminder of a scriptural promise: "And let us not be weary in well-doing: for in due season, we shall reap if we faint not." (Galatians 6:9).

While that was the most overtly religious reference in the 14-minute Jan. 20 Inaugural address, broad religious values underpinned many elements of Clinton's call for renewal — such values as service, sacrifice, concern for the poor and powerless, change, caring and personal responsibility.

Clinton's friends and fellow church members in his native Arkansas say a genuine, personal faith underlies his commitment to public service, but Clinton did not use his religious faith for political advantage during his campaign for the White House.

Clinton took the oath of office as the nation's 42nd president with his hand on a Bible given to him by his grandmother. The King James version was open to another verse from Galatians: "For he that soweth to his flesh shall of the flesh reap corruption; but he that soweth to the Spirit shall of the Spirit reap life everlasting." (Galatians 6:8).

In his address, delivered on a remarkably sunny winter day in Washington, Clinton said by voting for a change in government Americans "have forced the spring" of renewal. However, the road to renewal will not be easy, he said, and will require sacrifice.

"But it can be done, and done fairly, not choosing sacrifice for its own sake, but for our own sake," he said. "We must provide for our nation the way a family provides for its children."

Americans should judge themselves in light of their children's future, he said.

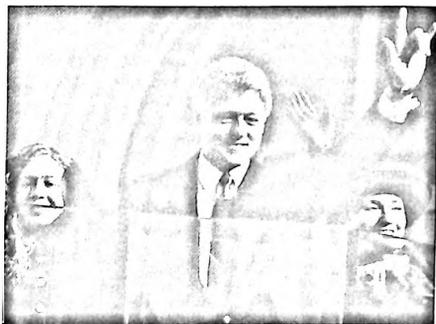
"Anyone who has ever watched a child's eyes wander into sleep knows what posterity is," Clinton said. "Posterity is the world to come — the world for whom we hold our ideals, from whom we have borrowed our planet and to whom we bear sacred responsibility."

"We must do what America does best: offer more opportunity to all and demand responsibility from all," he told a crowd of about 500,000 gathered on the west side of the U.S. Capitol.

Clinton, 46, challenged "a new generation of young Americans to a season of service — to act on your idealism by helping troubled children, keeping company with those in need, reconnecting our torn communities."

"There is so much to be done — enough indeed for millions of others who are still young in spirit to give of themselves in service too," he said. "In serving, we recognize a simple but powerful truth — we need each other. And we must care for one another."

Clinton said the nation must be willing to embrace



President Clinton, joined by daughter Chelsea and first lady Hillary Rodham Clinton, wave to crowd at Inaugural Day ceremony. (Photo by Laura Falls courtesy of Log Cabin Democrat, Conway, Ark.)

change, "not change for change's sake, but change to preserve America's ideals — life, liberty, the pursuit of happiness."

With powerful forces "shaking and remaking our world," Clinton said, "the urgent question of our time is whether we can make change our friend and not our enemy. ...

"When most people are working harder for less; when others cannot work at all; when the cost of health care devastates families and threatens to bankrupt many of our enterprises, great and small; when fear of crime robs law-abiding citizens of their freedom; and when millions of poor children cannot even imagine the lives we are calling them to lead — we have not made change our friend," he said.

The former Arkansas governor cited Thomas Jefferson's belief that the nation occasionally needs dramatic change.

"Well, my fellow citizens," Clinton said, "this is our time. Let us embrace it."

"Our democracy must be not only the envy of the world but the engine of our own renewal. There is nothing wrong with America that cannot be cured by what is right with America."

Clinton and fellow Southern Baptist Albert Gore Jr., 44, assumed the nation's highest offices in ceremonies that included prayers by evangelist Billy Graham, solos by soprano Marilyn Horne and a poem written for the occasion and delivered by Arkansas native Maya Angelou, a poet and professor of American studies at Wake Forest University.

Graham prayed that Clinton and Gore would "see

See Clinton, Page 14



Religious leaders tour Croatia, Bosnia

ZAGREB, Croatia — "It was like looking into the face of hell," said Baptist activist Ken Sehested in describing the situation in Croatia and Bosnia-Herzegovina.

Sehested, who is executive director of the Baptist Peace Fellowship of North America, was the only Baptist in a 10-person interfaith delegation that visited the war-torn region in December. The delegation included Muslim, Jewish and Christian leaders from the United States.

The purpose of the visit was to "make a concrete, explicit statement that this war cannot be justified in the name of God," Sehested said. The war there pits predominantly Roman Catholic Croats against predominantly Orthodox Christian Serbians, with Muslims squeezed in the middle, he said.

At the end of its recent visit, the delegation approved a statement calling on the United States to increase immediately its quota of refugees from the former Yugoslavia and for "an immediate investigation into the growing body of evidence that large numbers of women and children are being subjected to rape, torture and murder — often as part of the systemic practice of ethnic cleansing."

The group participated in a special interfaith worship service calling for peace. Held in a Catholic church in Zagreb, it was organized by Father Mirko Mataoic, the Franciscan abbot for Croatia.

The delegation took with them a special message from former U.S. President Jimmy Carter, saying he was adding "my prayers to those that are being offered today in Croatia. ... We must have the courage to face the realities of human cruelty and dedicate our talents to active peacemaking, not simply the passive deploring of violence and abuse."

Visits were made to several camps for refugees, displaced persons and newly released prisoners of war in the vicinity of Zagreb. The delegation also met with a variety of governmental and religious leaders in the country, as well as officials of the United Nations and private relief agencies.

Sehested described Croatia as a country "choking with refugees." The stories of brutality the group heard at Spanko

"But I am convinced that Serbian desire for dominance in the region, fueled in significant measure by the memory of Nazi-controlled Croatian repression of Serbs during World War II, is the root cause of this vicious cycle of violence."

— Ken Sehested
Baptist Peace Fellowship

camp, located just outside Zagreb, "are almost beyond human comprehension," he said.

"Especially horrendous is the level of violence against women," said Sehested of Memphis, Tenn. "We heard multiple firsthand accounts of the use of 'rape camps' by Serbian forces as a systematic tactic of war, as part of their strategy of 'ethnic cleansing.'"

"This is more than the infamous 'comfort brothels' established by German Nazis and the Japanese in China during World War II," Sehested said. "This seems to be the deliberate attempt by Serbian forces in Bosnia to actually dominate by reproduction and repopulation."

Sehested was quick to point out that atrocities are not limited to the Serbian forces fighting in Bosnia. There are documented cases of brutality committed by Croats and Muslims as well.

"But I am convinced that Serbian desire for dominance in the region, fueled in significant measure by the memory of Nazi-controlled Croatian repression of Serbs during World War II, is the root cause of this vicious cycle of violence," he said.

Although Baptists in Croatia are few — some 2,000 in number — they are contributing to the relief of suffering, observers say.

The person who organized the delegation's itinerary was a Baptist, Boris Peterlin, assistant professor at the Institute for Linguistical Research. He also is director of Christian Information Service in Zagreb, an agency he began in

February 1992 with ecumenical support to provide up-to-date and accurate information on the crisis in the region.

Sehested met with Branko Lovrec, president of the Baptist Union of Croatia and director of the Christian Resource Center. Until the war, the center's principal task was that of publishing Christian literature. But since the start of the war, much of the center's efforts has gone toward humanitarian relief.

Because of unique relations with Muslim community groups in Bosnia, the center has been able to send 100 trucks filled with essential supplies into Bosnia. It also provides food and clothing for as many as 3,000 people a month in the Zagreb area and transports 20-50 tons of food per month to refugee centers on Croatia's eastern coast. All of this is done by a staff of eight and a host of volunteers.

Of the visit to Croatia, Sehested said: "My experience has consistently been that if you want to locate God's redemptive, hopeful movement, find the places where life is being ruined, robbed and wrecked. Look into the face of hell. There God has positioned the elect, the faithful, the ones who know and trust the gospel promise, the ones able to risk their security, even their lives, for the sake of their neighbors in need.

"I found a bunch of those folk in this journey." □

No law of return for former Ethiopian Jews

JERUSALEM — An Israeli ministerial committee, concluding a two-month study, recommended recently that the government ban the proposed immigration of thousands of Ethiopian Christians. They have been converted from Judaism over the last 50 years, and many have Jewish relatives in Israel.

The committee, composed of Israel's interior minister, absorption minister and justice minister, concluded that members of the Christian sect, called the Falash Moro, were not eligible to immigrate under Israel's Law of Return. The law grants automatic citizenship to any Jew, his spouse, parent or child.

Instead, the committee decided to send a representative to Ethiopia to examine



NEWS SCAN

any Falash Moro applicant wanting to live in Israel. Each applicant would be judged on whether he has a Jewish son or parent living in Israel.

Falash Moro members are Jews who were converted by mainly European Christian missionaries over the last 100 years. The Falash Moro, many of whom say today that they were pressured to convert, were ostracized by Ethiopian Jews, yet did not wed other Christians.

Absorption Minister Yair Tzaban, who chaired the committee, said that "not a few" of the Ethiopian Christians could be eligible to immigrate. "Nobody feels comfortable with this decision," he said at a news conference. "It was a difficult decision. Still, there are openings to appeals."

The committee was established after Israel evacuated nearly 15,000 Jews from the Ethiopian capital of Addis Ababa in May of 1991. Several thousand Jews and their Christian relatives were left stranded in Ethiopia. The Jews were later brought to Israel. But the Christian relatives, whose departure was opposed by the new government in Ethiopia, were left in their native country.

Currently, there are close to 4,000 Falash Moro in Addis Ababa, with an estimated 40,000 to 100,000 waiting in the provinces to immigrate to the Jewish state. Privately, Israeli officials said they feared that a decision to allow the Falash Moro to immigrate would result in tens of thousands of applications.

The ministerial committee appointed a team of experts to examine the problem and issue recommendations. Several rabbis on the team proposed bringing the Falash Moro to Israel and converting them to Judaism.

Representatives of Ethiopian Jewry in Israel rejected the recommendations of the government committee. They said they would petition Israel's high court to recognize all of the Falash Moro as eligible under the Law of Return. □

ABC allocates funds to world relief projects

The American Baptist Churches' World Relief Committee, during its recent semi-annual session in Philadelphia, committed funds to major economic development projects in Thailand and the Philippines and to emergency needs in Southern Africa and Haiti. The com-

mittee, which considered projects presented by ABC International and National Ministries, Baptist World Aid and Church World Service and Witness, establishes policy for distribution of funds from the One Great Hour of Sharing offering.

- A three-year grant of \$144,620 (including \$47,200 in 1993) will be given by the committee to support the Integrated Development Program of the Convention of Philippine Baptist Churches. The program will aid communities and churches in the Iloilo Province in development education and economic alternatives for poor people in the area.

- Another major agricultural undertaking, the Karen Rural Development Program in Thailand, also will receive funding. A three-year grant of \$110,000 (including \$40,000 in 1993) will help villagers improve subsistence farming methods. Additionally, the program will seek to reduce ecological damage currently marring the uplands of northern Thailand.

- A \$50,000 grant from the committee will support Baptist World Aid drought relief projects in Southern Africa over the next two years. Baptist World Aid, the relief arm of the Baptist World Alliance, already is coordinating food distribution and agricultural programs with Baptist bodies in the region.

- The committee authorized \$25,000 for 1993 to support short-term food assistance and other ministries of the Haitian Baptist Convention. The convention and its churches are responding to needs brought on by the civil and economic disturbances that followed the 1991 military coup.

- A grant of \$50,000 over two years was authorized to complete renovations of a building in Moscow that will house offices of the Russian Federation of Baptists, a seminary and a media center.

- Grants to the Baptist Association of El Salvador will help feed children in rural areas (\$15,000) and support vocational training for youth (\$25,000).

- A \$15,000 designation will support the work of PROVADENIC, an ABC-related health care ministry in Nicaragua.

- Continuing support for ongoing programs in 1993 will include Farm and Rural Community Crisis (\$50,000), Domestic Feeding and Shelter (\$125,000), Domestic Development (\$50,000) and ABC National Ministries' Refugee Program (\$43,000), among others. □

Baptist Response-Europe, an ABC-supported relief movement, had a successful and active year, according to its director. The Rev. Karl-Heinz Walter, who heads both Baptist Response and the European Baptist Federation, said Baptist Response-Europe's outreach in 1992 ranged from supplying flour and wheat to Baptists in Albania and medicines to Croatia and Bulgaria to financing the distribution of Bibles in Russia. The movement, founded two years ago to meet critical needs in the emerging democracies of Eastern Europe, has been involved in more than 100 projects in 20 countries, Walter said. ... The Rev. William O'Hara, World Mission Support field counselor for the American Baptist Churches of Ohio, died Jan. 12. O'Hara, 61, had been suffering from cancer. ... Poverty is a fundamental cause of war throughout the world, and free-market capitalism by itself cannot provide the fair distribution of goods that peace requires, Pope John Paul II said in his annual World Day of Peace message. ... A Filipino Christian pastor who reportedly was headed for the gallows in Saudi Arabia for preaching the gospel will not be hanged but deported. The death sentence of the Rev. Wally Oswaldo Magdangal previously had been reported over the BBC in Great Britain. Magdangal was arrested after evading capture for nearly two years. Five members of his congregation had been arrested in January 1991 and sent to prison after being found guilty of violating laws that prohibit the propagation of any religion other than Islam. ... U.S. churches, critical of both Israel and Palestinians, called on the United States to play a more active role in the bogged down effort to achieve Middle East peace. The church representatives, who met with both State Department and Israeli government officials, were especially critical of Israel's mass expulsion of some 400 Palestinians from the Israeli-occupied territories. Those expelled have been left to wander in the wilderness of Israel's self-declared security zone in southern Lebanon. Separately, the National Council of Churches urged all parties to "take the necessary risks for peace." □

Compiled from staff and news service reports, including Religious News Service, American Baptist News Service, Associated Baptist Press and European Baptist News Service.

Clinton says faith aids inside-out identity

President Bill Clinton recently attended his first prayer breakfast as chief executive of the nation, asking God for "the humility to walk by faith and not by sight."

The annual non-denominational presidential prayer breakfast, moderated this year by evangelist Billy Graham, brings together some of the most powerful movers and shakers in Washington for a morning of hotel eggs and non-partisan prayer.

It has become one of the rites of the nation's civil religion.

Clinton, who closed the meeting, told some 2,000 participants that for him faith meant, in part, that "in spite of all the pressures to the contrary, we can define ourselves from the inside out in a town where everybody tries to define you from the outside in.

"We need faith as a source of hope because it teaches us that each of us is capable of redemption and therefore that progress is possible." □

Prayer

Continued from Page 10

Taylor urged the president to embody the "new covenant" language introduced in his campaign, calling for "a new covenant of caring, a new covenant of compassion, a new covenant of responsibility and to God be the glory."

Other program personalities included former White House press secretary Jody Powell, William Gray, a Baptist minister, former congressman and chairman of the United Negro College Fund; former congresswoman Barbara Jordan, who now is on the University of Texas faculty, and John Buchanan, former congressman from Alabama and co-chairman of Republicans for Clinton-Gore.

Leading in prayer during the program was Marion Hays, whose deceased husband, Brooks, was an eight-term congressman from Arkansas and president of the SBC in 1957-59.

Bill Clinton's former pastor, Brian Harbour, now pastor of First Baptist Church of Richardson, Texas, led a prayer. Jack Turner, retired pastor to the Gores, and Patsy Ayres, moderator of the Cooperative Baptist Fellowship, read scripture.

Dunn said the prayer service was initiated in part because "we have a profound respect for the sincere spiritual depth of Bill and Hillary Clinton,"

which, he said, was "grossly distorted, disregarded and slighted throughout this campaign."

He said Clinton has "a profound belief in prayer and the urgent need to have people he considers his faith family praying for him."

While the meeting was private, it was not clandestine, Dunn said. "We were very sensitive to the Clintons' desire that this not be ceremonial, that it not be quota-driven, that it not be superficial. ... We wanted an opportunity — as they did — for folks who believe as they do to pray and sing and testify to a faith that is not locked into legalism and literalism," Dunn said.

The interfaith service, held Jan. 20 prior to the official swearing-in ceremony, drew more than 2,000 people. On the program were religious leaders from various faiths, including Baptist, other Protestant, Judaism, Roman Catholic, Islam and Greek Orthodox.

Clinton's pastor from Little Rock, Rex Home, offered a prayer that God would give the new president peace, wisdom and courage, and Home assured Clinton many people would be praying for him daily.

Clinton was visibly moved by the service, shedding a tear while childhood friend Carolyn Staley sang a song about the presence of God and later when singer Phil Driscoll performed "Amazing Grace." Clinton mouthed the words to most songs and recited the Beatitudes as they were read.

Gardner Taylor delivered the sermon, in which he said America "could not have come into existence if not attended by the purposes of God.

"Anyone who speaks against (America's) original intent — an open democracy with liberty and justice for all — comes close to committing treason against the idea of America," Taylor said.

— Bob Allen
Editor

Baptist True Union
Md./Del. Baptist Newspaper

Clinton

Continued from Page 11

the office to which they have been elected as a sacred trust" from God. The 74-year-old evangelist, who was asked by conservative religious leaders critical of Clinton's views not to participate in the Inauguration, also prayed that the nation's citizens would long remember the challenges offered by Clinton and dedicate themselves to meeting them.

Clinton and Gore, the first two Bap-

tists to hold the nation's top offices simultaneously, have been active members of Baptist congregations. Clinton has been a member of Immanuel Baptist Church in Little Rock and the Gores are members of Mount Vernon Baptist Church in Arlington, Va.

Three religious services were included in a packed schedule of events for the Clintons and Gores during Inaugural week. Sunday, en route to Washington, they worshipped at historic Culpeper (Va.) Baptist Church. They also attended a late-night Baptist service Jan. 19 sponsored by the Baptist Joint Committee and First Baptist Church of Washington and an ecumenical service early Jan. 20 at Metropolitan African Methodist Episcopal Church in Washington. □

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By extension all the freedoms guaranteed in our own First Amendment are indivisible.

REFLECTIONS

James M. Dunn
Executive Director



Augustine, the Bishop of Hippo, said, "All truth is from God." That profound presupposition is integral to Western civilization.

The relentless pursuit of truth is essential to all progress. There is even a sense in which those who fear the free expression of ideas and the uninhibited search for truth display a form of faithlessness.

John Milton's *Areopagitica* is subtitled "A speech for the Liberty of Unlicensed Printing." The immediate cause of Milton's tract was "an Order of the Lords and Commons assembled in Parliament for the regulating of printing, and for suppressing the great late abuses and frequent disorders in printing many false, scandalous, seditious, libellous and unlicensed pamphlets, to the great defamation of Religion and Government."

The order was issued on June 14, 1643, and was especially shocking since this same Parliament in its first year, 1641, had abolished the notorious "Star-Chamber." The Star-Chamber dominated by the church under Archbishop Laud had undertaken to censor the press. Now they were at it again.

Milton was facing the "religious right" of his day, rulers of the church bent on thought control. In tedious 17th Century language he wrote of "the impertinent yoke of prelaty under whose inquisitorial and tyrannical duncery no free and splendid wit can flourish."

Milton, like Augustine, was not afraid of truth. He had "visited the famous Galileo grown old, a prisoner the Inquisition." He recklessly favored full and free expression. He saw that freedom of expression as required by freedom of conscience and the two as a piece of whole cloth, a seamless garment.

By extension all the freedoms guaranteed in our own First Amendment are indivisible. When freedom of religion suffers, freedom of the press is in danger. When the press is stifled, the pulpit is not free. When the arts are censored, no dissenter is safe. Full freedom of conscience is essential to the search for truth. When the right to assemble freely is curtailed, freedom of worship is in jeopardy. When vigorous protest is muzzled, prophetic preaching is at risk.

Government thought control can not be antiseptically isolated from insensitive rules and rulings that limit the free exercise of religion. The basic right to believe as one will extends in large measure to the necessary practice of one's faith.

All of the above is not thin theory. Freedom of conscience has real enemies. I'll call names.

A motley coalition of extremists, organizes hate, focuses fear, plays on prejudice, and exploits ignorance in its role as the hand-maiden of divisiveness. We saw glaring examples of that in 1992.

Worse, there are many members of Congress who curry the favor of extremists, count on their votes, even introduce dead-on-arrival legislation to make points with that constituency. More disgusting are those who clearly see the perils of limiting freedom of conscience but cover cravenly before threats and intimidation.

It's not only the religious right and a cowardly Congress that threaten freedom. We have lively enemies in what should be the first line of defense for individual freedoms, the Supreme Court.

Justice Antonin Scalia in his *Oregon v. Smith* decision in April 1990 gutted the free exercise clause from the First Amendment calling its application "a legal luxury we can no longer afford." He cavalierly set aside the need for a "compelling state interest" before government can restrict the free exercise of religion. And this is the self-same justice who had protested so loudly in the confirmation process that the Supreme Court should only interpret law. In an unconscionable outburst of judicial activism he has challenged the counter-majoritarian nature of the Bill of Rights.

This 103rd Congress must pass the Religious Freedom Restoration Act to right this wrong. Every friend of the First Amendment should get on board in this battle or turn in his or her freedom lover's credentials. No matter which First Amendment guarantee is your favorite, if the free exercise of religion is effectively abolished, watch out! The challenge of protecting individual liberties and free expression is not always so obvious and plain. Milton in *Areopagitica* acknowledged that "The danger of unbounded liberty and the danger of bounding it have produced a problem in the science of government."

The immediate and obvious question is whom dare we trust to dole out freedom? Who will measure the limits of our liberty? As Milton put it, "how shall the licensers themselves be confided in, unless we can confer upon them, or they assume to themselves above all others in the land, the grace of infallibility and uncorruptedness?" Of course, there are those who tell us that they know exactly what God would do "if He but understood the situation." I'm not ready to turn it all over to them, are you?

Lunacies abound that test the fabric of our life together. Individual logic and societal limits have tended to emerge to reign in excesses. We are not without laws and social pressures and consumer conscience and the institutionalized revolution of the ballot box. But if all those forces do not keep us from irresponsible extremes, if we as a people make mistakes regarding the limits of liberty, if we err and we will, let us err on the side of freedom rather than force, conscience rather than control, opportunity rather than oppression. The motto of an early editor of the *Baptist Standard* in Texas, J.B. Gambrell, was, "Trust the Lord and tell the people." That's always dangerous, but there is even greater danger in trying to manage the disposition of truth.

It may be that the parable of the wheat and tares found in Matthew 13:25-43 is instructive. The servants were eager to get out the weeds, but the master restrained them "lest while ye gather up the tares, ye root up also the wheat with them." We may need to be patient, waiting upon the judgments of God. It is entirely possible that measured reflection should replace some of our instant reactions.

Actually believing that all truth is from God and humbly accepting that we are not personally in possession of all truth is an awful burden. It has practical, personal and political consequences.

Milton, once more, "Give me the liberty to know, to utter, and to argue freely according to conscience, above all liberties."

Me too. □

REVIEWS



Toward Benevolent Neutrality: Church, State and the Supreme Court

By Robert T. Miller and Ronald B. Flowers
Baylor University Press, Waco, Texas,
4th edition, 1992, 777 pages.

Once again, Robert Miller and Ronald Flowers have provided Americans with an excellent resource on constitutional law pertaining to religion. The fourth edition is an improved version of what was, in its first edition, very good.

The book begins with a helpful, though brief, introduction concerning the immigration of Europeans in the 17th and 18th centuries to escape religious persecution. The authors are careful to point out that the majority of the colonists were not committed to religious freedom for others; more often than not they imposed their own religious views on others by means of coercion. Only Rhode Island, Pennsylvania and Delaware rejected the European model of an established state religion. So zealous were the colonists in their imposition of religious orthodoxy by the state that in 1662 Charles II of England wrote to the Massachusetts Bay Colony criticizing it for excessive persecution and demanding that Anglican worship be permitted.

The authors move swiftly through the colonial period, tracing the history of religious dissent, adoption of the First Amendment and eventual application of the religion clauses to the states by virtue of the 14th Amendment.

The book is organized in three major sections: government intervention in church controversies or the so-called "church autonomy" cases, cases arising out of the free exercise clause and those arising under the no establishment clause. Each major section is divided into a number of subsections such as "Religion and the Right to Work," "Free Exercise and Public Education" and "Standing to Sue." Each of these subsections is preceded by a short essay discussing history and the development of various legal doctrines. The weight of material is court opinions—700 pages of them, in fact. The cases have been edited to eliminate irrelevant or superfluous matter with the result being a useful, accessible casebook.

While the essays are helpful, it is important to note that they are separations in their perspective, occasionally

diminishing our appreciation of other constitutional rights such as free association or free speech. For example, why should *Zorach v. Clauson* (in which the court allowed public school students to receive private religious instruction off campus during the school day) be considered inconsistent with the establishment clause's mandate of government neutrality toward religion? Like *Board of Education v. Mergens* (the so-called equal access decision), *Zorach* is nothing more than government's effort to accommodate the speech and free exercise rights of students. As Justice O'Connor pointed out in *Mergens*, there is a difference between government speech endorsing religion that the establishment clause forbids and private speech endorsing religion that the free speech and free exercise clauses protect.

The authors also seem to suggest that *Lemon v. Kurtzman's* prohibition against government action that does not have a bona fide secular or civic purpose means that if a governmental official's intent or motivation is religious, his subsequent action is constitutionally suspect. Not necessarily. First, as Justice O'Connor points out in her concurring opinion in *Wallace v. Jaffree* (the Alabama moment of silence case), a legitimate legislative purpose may be to accommodate religion—as in *Bishop v. Amos*, where a unanimous Supreme Court upheld the provision in Title VII that exempts religious organizations from general prohibitions against employment discrimination based on religion. In addition, lower courts have made clear that the mere fact that a government official is motivated by religion (as in the case of Purdy, Mo., school board members who refused to allow high school students to have a dance) does not serve to invalidate government action that has some legitimate civic purpose. Occasional complaints of a law professor or practitioner notwithstanding, the authors' overall analysis of complex church-state litigation is superb.

One of the book's greatest contributions is its extensive bibliography, which contains citations to virtually every major book or scholarly article in the church-state field. This resource alone makes the book worth buying. In addition, there is a helpful appendix which includes James Madison's "Memorial and Remonstrance Against Religious Assessments" and Thomas Jefferson's "Bill for Establishing Religious Freedom," two of the seminal documents in American church-state studies.

The most genuine endorsement I can give a book is to use it. I currently am using Miller and Flowers in my church-state seminar at Georgetown University Law Center.

Enough said. □

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