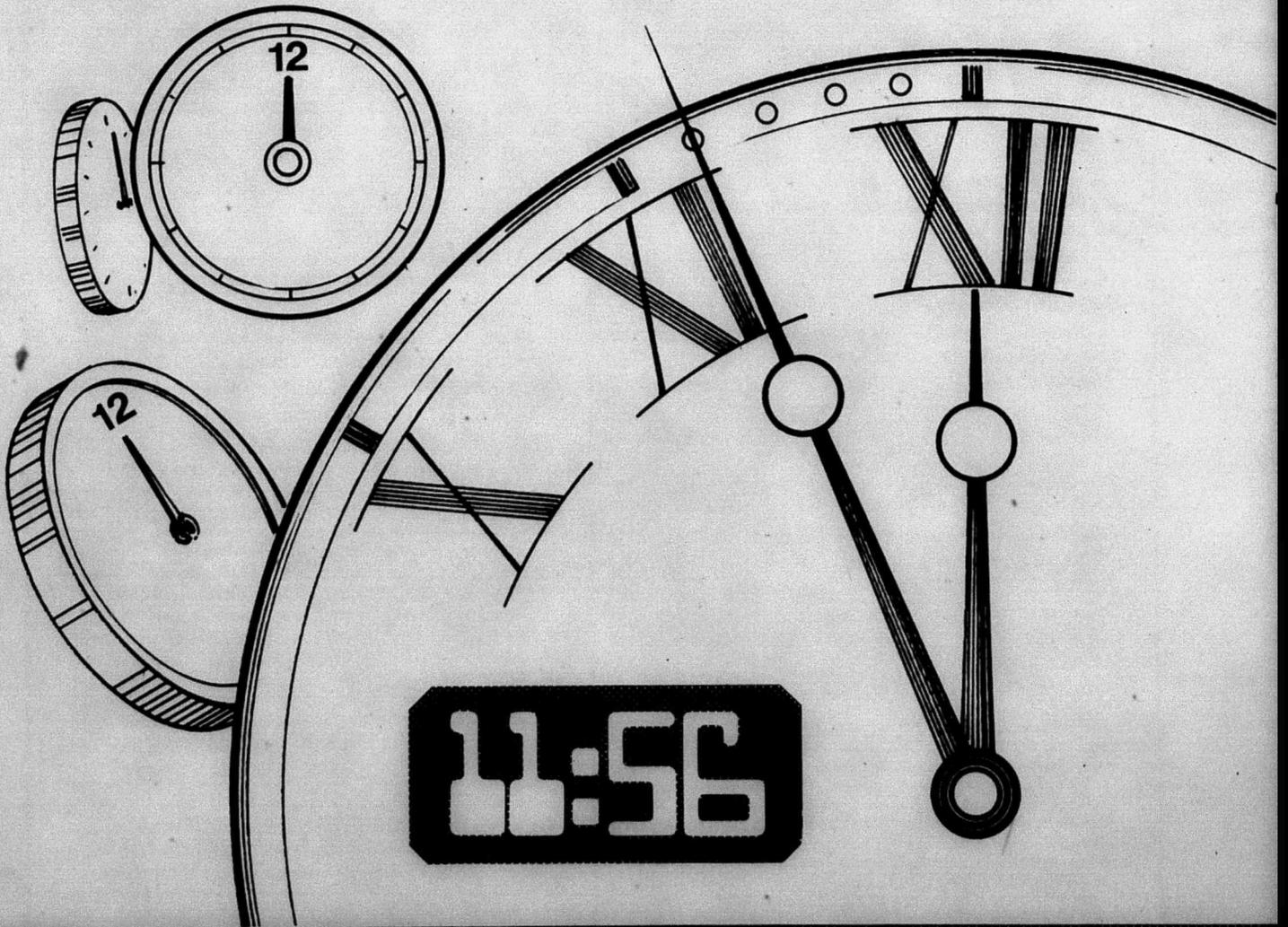


January, 1982

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# REPORT from the CAPITAL



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## REPORT from the CAPITAL

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

Vol. 37, No. 1 January 1982

### Articles

Baptists—Champions of Peace By G. McLeod Bryan	4
Don't Overrule the Court By Archibald Cox	7
Christians United By Tammy Tanaka	11

### Features

Washington Observations By Stan Hasteley and Larry Chesser	3
Views of the Wall By John W. Baker	6
News in Brief By Larry G. Chesser	8
International Dateline By Victor Tupitza	12
Correspondence	14
Reflections By James M. Dunn	15
Reviews	16

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## Freedom of Choice

John Milton gives us the theme for the 1982 Religious Liberty Day Observance, one that is firmly rooted in the Gospel and clearly articulated by Jesus Christ. Wrote Milton, "What is freedom but choice?"

The paranoia that confronted Milton—violent distrust of and antagonism toward free expression through the publishing of books and printing of other materials—can now be observed in those who hinder persons taking seriously the radical words of Jesus, "... and the truth shall set you free."

Is it not an abdication of one of the values of Protestant tradition to challenge freedom of expression? Protestants, albeit mostly of the independent variety, are far too visible among the groups busily "indexing" library shelves and attempting to censor other communication media.

In Baptist tradition, Roger Williams by his courageous and tenacious clinging to "soul liberty" set the course for all who will champion religious liberty for all in order to allow the Holy Spirit to lead men, women and children to ultimate truth.

While in this column we announce the theme, a related issue is peace (and if you want to start a fight, even among church folks, start taking Jesus seriously at the point of peace). G. McLeod Bryan reminds us that Bible believing Baptists have never equivocated on peace even though Baptists have not been known as a peace church. Individual effort has raised powerful testimony.

If their calculations are correct, the Doomsday clock of the Bulletin of Atomic Scientists shocks us into the realization that the potential destruction of civilization as we know it may be only minutes away. Their "Doomsday clock" now reads 11:56—four minutes to the midnight hour of the most horrendous blood-letting imaginable. Church groups are agonizing over the avoidance of nuclear destruction.

Not everyone takes either the scientists or the religious leaders seriously. They seem to agree with the "father of the neutron bomb," Samuel T. Cohen, who believes his bomb has made real the possibility of a limited war. Religious News Service reports him as saying that the development of the neutron bomb "allows the return of civilized warfare, even in a nuclear war." Is it not time for Christians, contrasting his words with the apocalyptic images from the book of Revelation, to protest with a mighty outburst of letters to appropriate national leaders? That would be a timely beginning to the 1982 Religious Liberty emphasis.

Victor Tupitza



## WASHINGTON OBSERVATIONS

news/views/trends

**BAPTIST CHURCH-STATE EXPERTS** and student work leaders are applauding the U.S. Supreme Court's Dec. 8 decision declaring that students at state universities have a constitutional right to conduct worship services on campus.

Baptist Joint Committee general counsel John W. Baker, who wrote a brief for the agency on the side of eleven students who challenged the ban, noted that the eight-member court majority decided for the students on the basis of their First Amendment rights of free speech and association rather than that of free exercise of religion. Baker said the distinction "does not diminish the importance of the decision."

**A NEW EXECUTIVE ORDER** recently signed by President Reagan easing many of the restrictions imposed on U.S. intelligence agencies left intact a Central Intelligence Agency regulation barring the use of missionaries and clergy for intelligence purposes.

But that regulation provides only part of the protection sought by the Southern Baptist Convention's Foreign Mission Board and other missionary-sending agencies which urged during the previous Congress a legislated ban against intelligence agency use of clergy and missionaries as informants.

**"THE PRESENCE OF NUCLEAR WEAPONS,** and the willingness to use them, is a direct affront to our Christian beliefs and commitment," declared 37 executives of regions, states and city societies of the American Baptist Churches in the USA in a statement of national leaders.

Their statement asserted, "there is no justification for the use of nuclear weapons on any people under any circumstances." The executives called for a halt to the production of nuclear weapons and a dismantling of those that exist.

**A GROUP OF HIGH SCHOOL STUDENTS** seeking to hold prayer meetings at their upstate New York school lost their legal battle here as the U.S. Supreme Court declined to review two lower federal courts' rulings against the students. The action, taken unanimously and announced without comment, came just one week after a major ruling that students at state colleges and universities have a constitutional right to worship on campus. In writing for an 8-1 court majority in that case, however, Justice Lewis F. Powell, Jr. warned that the decision should not be interpreted as signaling a similar result in the New York case.

Six students at the Guilderland, N.Y. high school took their principal, superintendent of schools and school board to court nearly three years ago after principal Charles Ciaccio and the board refused to grant them permission to conduct prayer meetings inside the school either before or after the school day. They asked the Supreme Court last year to hear their appeal, claiming that the court of appeals decision "ignores the fundamental right of millions of students to be free of governmental control of their associations and the free flow of ideas."

By rejecting those claims, the Supreme Court let stand the October, 1980 court of appeals ruling which held in part that school officials had a "compelling state interest" in refusing the students' request.

## G. McLeod Bryan

Dr. Bryan, Professor of Ethics at Wake Forest University, is the author of five books (Naude: Prophet to So. Africa). He has written extensively for magazine publication.

# Baptist Champions of Peace

**B**aptists are not generally given full recognition for their peace witness. Therefore, it comes with surprise to some that from the generations beginning with World War I outstanding leaders of the peace movement have emerged from within Baptist denominations.

The great number that come to mind, laity among clergy and educators, have not always gained the support their efforts deserved. An interesting note also can be made of the denominational cross-fertilization among them.

For example, American Baptists' Edward Dahlberg came from the Swedish Baptist General Conference, Walter Rauschenbusch began his Christian experience among North American Baptists, and Jitsuo Morikawa, born in Canada, studied at Southern Baptist Theological Seminary. Senator Mark Hatfield, of Conservative Baptist tradition, now worships and serves as a deacon at Georgetown Baptist, related to the ABC and SBC. Martin Luther King, Jr., Nobel laureate (for peace), received his theological education at an ABC seminary and pastored among Progressive National Baptists at the Ebenezer Church in Atlanta.

There are others. Seminary professor Culbert Rutenber, now retired, spread broad Christian peace influence personally and through his book, *The Cross and the Dagger*. Martin England, a former missionary and peace advocate, inspired and encouraged a colleague who went on to found Koinonia Farms. Among the laity, Eileen and Victor Gavel are known for their work (endowed the Dahlberg Peace Prize) at Third Baptist and Delmar churches in St. Louis, and Olive and Carl Tiller, Ridgewood, N.J., for their leadership in the ABC's Baptist Peace Fellowship.

**A**mong Southern Baptists a new generation engaged in peace efforts are sensitizing the Convention. Baptist Peacemakers has its base in a



local church, Deer Park, Louisville, and through its publication is coalescing support from around the nation. Glen Stassen, David Mathews, Glenn Hinson and the pastor Carman Sharp are among the deeply committed who carry on a tradition among Southern Baptists that recalls such giants as J.M. Dawson, George W. Truett and Carlyle Marney.

Two noteworthy leaders of the peace movement who emerged from Southern Baptist ranks characterize that denomination's contribution to the cause of peace. They received their entire education in the South, graduating from Southern Baptist Seminary where in the late thirties they enrolled together. Outside their brief stay there, each spent his entire lifetime within the boundaries of his home state; each is a product of Baptist churches; and each has remained a Baptist throughout his life (though one was privileged to call himself an "ex-Baptist" because of the peculiar circumstances accompanying his local membership). Interestingly, other Baptist denominations are proud to claim relationships to the two.

**B**y now the reader knows the name of one, Clarence Jordan of Koinonia Farms, Americas, Georgia, who died in 1969. The other is W. W. Finlator, who will have reached 70 in 1983 and will have completed fifty years in the ministry, the last 26 at Pullen Memorial Church, Raleigh, N.C. One may rightly wonder what were the sources of their emergence: what sort of church experience? what kind of instruction at the moment in Louisville? what radical Christian conversion to make them so different from the common-run of Baptist accommodation to culture, especially the accommodation to the South's romance with militarism?

In their prolonged witness for peace they paid a heavy price within their geographical region, within their denomination, and within their local Baptist church. One was banned from

membership, the other lost members when as pastor he took an early stand against the war in Vietnam (some observers hold that the vote of the Board of Deacons fifteen years later to force him into early retirement partly harked back to that stance).

They both took Jesus literally on peace-making. Both have opposed the Constantinian alliance of church and state. Both have held that the genius of Baptists resides in their radical dissent, sometimes manifest in withholding patriotic participation in the state's aggressive aims. Both have interpreted Christianity as remaking society into a more participatory democracy, even while insisting on the absolute separation of church and state. For one, this meant withdrawal into an eschatological community and the barest minimal participation in the processes of government; the other makes use of every facility, every forum, every agency provided by the government to press the cause of peace. In fact, Finlator has sometimes been called the "watchdog of the legislature." Both have lived out this conversion of society in such a way as to defy the neat Niebuhrian typology known as "Christ against culture." Conversion to Christ personally means conversion to His radical ethic here and now: the ethic of Christian humanism manifest in the Humanity of Christ, the ethic of the Sermon on the Mount, the ethic of the biblical messianic age and its politics of the Jubilee (Isaiah 61, Luke 4). They have both believed that Christianity progressively redeems society, bringing an end to war and the reconciliation of all peoples in a universal peace, although both in later years became more sobered and saddened in the tragedy that accompanied the fulfillment of their life dreams.

**W**hen did such devotion to peace begin for them? For Clarence the record is more clear. His conversion to peace, he would always testify afterwards, came when he was truly born again, years after his joining the church. It happened on the military parade field while he was enrolled in the University of Georgia. As an ROTC recruit in the cavalry, he was ordered to charge on horseback and hack down the imaginary bodies stationed along the route. He abruptly dismounted and informed the commanding officer he was resigning his commission. "At

the moment I saw the conflict between the mind of Jesus and the mind of the commanding officer. It was crystal clear that this Jesus was going one way and I another." From the thrill of the cavalry charge, Jordan converted abruptly to the sobering victory of Calvary.

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**Men of peace and good will  
are God's people, for they  
will be known through the  
land as his children.**

—Matthew 5:8

**Cotton Patch Version**

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From that moment on Clarence's stand against militarism would get him into trouble with his immediate culture. For instance, Clarence was banned from speaking at the principal Baptist college of Georgia. Mercer's President had become enraged when, during his efforts to establish an ROTC unit, Clarence had led the opposition. When indeed the President did succeed and still students, in those days of superpatriots encouraged by the Cold War and the McCarthy mood, nonetheless declared themselves COs, it was Clarence who testified in Federal court in their behalf and there first broadcast to the world his scriptural reasons couched in the new Cotton Patch version.

**F**or Finlator the passion for peace was stirred by America's involvement in the Vietnam War. He first discharged a public telegram of dissent to President Johnson in 1965, certainly as early as any voice was heard in the South. Soon thereafter he was in the thick of the protests, marching, standing silent vigils, and the first speaker in the 1969 moratorium movement (in this instance sponsored by the N.C. Committee Against the War in Vietnam, centered in Winston-Salem and itself begun by a Baptist minister). His stands, his testimony before government bodies, his sermons and speeches, all led to a steady attrition of

members from his church. Still the main body of the congregation defended his pulpit freedom.

His labors for peace took many directions: always present to file resolutions in Baptist gatherings at all levels from the local association to the Southern Baptist Convention, ever active in ecumenical assemblies, and an organizer of protest organizations. Nationwide his name was a synonym for peace, one Southern Baptist clergyman who could be counted upon for any publicity against the war. His latest sally, receiving wire coverage, was an open letter to President Carter in 1980, reminding him of his Baptist heritage and how he ought not to use God as a military deity to support America's oil interests, endangering the peace of the world.

**C**ertainly two persons, so closely parallel to each other in their backgrounds, so devoted to Jesus the Peace-maker, so engaged in their daily lives in the peace-making process, shared much in common. Yet how far did they deviate in the means they utilized for their witness! Clarence never so much as marched in a protest movement. When asked about that once, he replied, "I didn't need to; I've been marching with Christ all along." Finlator might be called the Baptist minister who marches; certainly he is tops as such among the well-placed pulpiteers. Still, even in his case it was not easy to leave the pulpit for the streets. He reports that in his reluctance it was a ninety year old man within his own congregation who pried him loose. "When I looked out of my study and saw my dear friend, Dr. Lem Freeman, marching how could I not join him?"

Both Bill and Clarence have devoted their lives to checking the military growth of America, its steady movement toward a garrison-state economy, its reliance on military power in relating to the rest of the world; but their main objection roots in the displacement of vital resources, taking away from God's poor the necessities of life and wasting these on war games.

These two Baptist champions of peace find the Gospel in Jesus' preaching of deliverance to the poor and of the acceptable year of the Lord, the Jubilee of peace.

John W. Baker

## VIEWS OF THE WALL



The First Amendment built "a wall of separation between Church and State"—Thomas Jefferson in a letter to the Danbury Baptist Association.

... the line of separation, far from being a 'wall', is a blurred, indistinct, and variable barrier"—Chief Justice Burger, *Lemon v. Kurtzman*.

The American Baptist Churches in the U.S.A. has been joined by the United Presbyterian Church in the U.S.A. in filing a brief *amici curiae* in a controversial case to be heard by the Supreme Court this term. The case, *Bob Jones University v. United States*, No. 81-3, is controversial for religious organizations in that racial justice and religious liberty—two of their primary concerns—are at issue and are, to some extent, in conflict.

On the surface this appears to be a tax case—the Internal Revenue Service has revoked the University's tax-exempt § 501(c)(3) status and, thereby, the right of contributors to the University to deduct their contributions from their income tax. The IRS has held that public policy against racial discrimination is such that, if a § 501(c)(3) organization discriminates on the basis of race, the IRS may deny or revoke § 501(c)(3) status. The IRS claims this minority even when the § 501(c)(3) organization is a religious organization and the bases for its discrimination are sincerely held religious beliefs that interracial dating and marriage are forbidden by the Bible.

Herein lies the conflict which forced many organizations to remain neutral on the case. On the one hand is the claim that racial justice is a primary value and must take precedence over other values. On the other hand is the claim that religious liberty is the key liberty from which all liberties, including civil liberties, flow. The fact is that the IRS, in effect, is requiring a religious § 501(c)(3) organization to either conform to the IRS definition of public policy on race relations—which would require the organization to act contrary to its own theology—or forego its § 501(c)(3) tax-exempt status. Bob Jones University, which admits black students but expels both blacks and whites who are involved in interracial dating and marriage, has chosen to go to court to protect its § 501(c)(3) classification.

At the very beginning of their brief, these two major denominations, which filed in support of the University's side of the case, made four important statements:

1. *Amici* emphatically state that they disagree with Petitioner's [the University] beliefs on human relations.

2. *Amici* hold that those beliefs are racist and, for that reason, reflect a faulty interpretation of the Bible and its teachings on human relations.

3. *Amici* specifically repudiate any form of racism for any reason.

4. *Amici* are of the opinion that the beliefs held by Petitioner are sincerely held and are protected by the First Amendment.

In essence, *amici* were saying that any form of racism is repulsive, that they could not accept the idea that the Bible teaches, condones, or permits racial discrimination, and yet the principle of religious liberty is so basic that they had to support the University's position.

What are the religious liberty issues which compelled *amici* to enter the case? Why should religious organizations throughout the country be concerned about the outcome of a controversy between the IRS and a smallish southern university which practices a form of racism? These questions were answered in the brief and the non-technical legal positions are summarized below:

1. Because a religious organization, along with a broad class of nonprofit secular organizations, is given tax exemption, that exemption is not an unconstitutional form of state sponsorship or subsidy of religion. There are those who argue that for the church to be fully free it must reject any kind of tax exemption. *Amici* rejected this argument and contended that tax exemption "is simply a situation of refraining from demanding that the church support the state, and of distancing the government from the whole spectrum of non-profit voluntary organizations whose members already support the state through their own individual taxes." If the state may tax religious organizations, they contended, it has the power to destroy them.

2. If the University loses its case, the precedent will be established that government may set the qualifications for membership and good standing in any religious organization. If the religious organization could not accept those standards on theological grounds, it would stand to lose its tax exemption. *Amici* argued that under the First

Amendment the state may not directly or indirectly establish the criteria for membership in a religious organization and cannot use the threat of loss of tax exemption as a club to compel a religious organization to abide by the criteria set by the IRS. To allow such a condition to exist would result in the government preferring one form of religious organization over another, violating the establishment clause of the First Amendment.

3. The First Amendment protects religious liberty as well as freedom of speech and of the press. These, the Court has held, are fundamental rights and can be limited only for highly compelling reasons. *Amici* argued that the arbitrary public policy determinations of the IRS must defer to First Amendment rights. For example, if there is public policy against discrimination on the basis of sex, could a church be denied tax exemption because the tenets of its faith forbid it to ordain women to the ministry? If the country were in a state of war, would the tax exemption of traditional peace churches such as the Society of Friends and the Church of the Brethren be in jeopardy? Other like questions could be raised.

*Amici* concluded their argument with the statement: "Even if the power to tax does not involve the power to destroy, it does involve the power to define and control—and such power, when applied to religious organizations, is contrary to the letter and the intent of the religion clauses of the First Amendment."

*Bob Jones University v. United States* may well produce a landmark decision in church-state relations. A decision for the University does not have to be one which limits racial justice. The Court could reaffirm its position against racial discrimination but not apply it in this case. However, a holding against the University could be a serious blow to religious liberty.

A copy of the brief *amicus curiae* filed by ABC, USA and UPCUSA may be obtained for \$1.50 from the Baptist Joint Committee on Public Affairs, 200 Maryland Avenue, N.E., Washington, D.C. 20002.

## Archibald Cox

A former U.S. Solicitor General, Mr. Cox is chairman of Common Cause, professor of law at Harvard, and served as special prosecutor during the Watergate investigations when he became a victim of the infamous "Saturday night massacre."

**A constitutional right is at the mercy of legislative majorities unless supported by a judicial remedy.**



# Don't Overrule the Court

**O**ur country was founded upon the principle that there are fundamental human rights that should be beyond the reach of any government—not just a king, not just an elected executive, but *any* government, including even a majority of the representative Congress or state legislature.

The ultimate bulwark of those rights is the Bill of Rights and the Fourteenth Amendment, interpreted and applied by an independent judiciary—headed by the Supreme Court.

James Madison put it in a nutshell when he said in proposing the Bill of Rights, "... independent tribunals of justice will consider themselves in a peculiar manner the guardians of those rights; they will be an impenetrable bulwark against every assumption of power in the legislative or executive."

Today that "impenetrable bulwark" is under attack. More than twenty bills pending in Congress attempt to nullify by simple legislation the Supreme Court's decisions on school prayer, busing and abortion.

The decisions are highly controversial—some or all may be wrongheaded. But that is not the point. Wrongheaded decisions should be changed by time and debate or by constitutional amendment, as they have been changed in the past. Court decisions whether they are right or wrong should *not* be subject to change by simple Congressional majorities. The very function of the Constitution and the courts is to put individual liberties beyond the reach of both Congressional majorities and popular opinion.

Today's attacks upon the independence of the judiciary are not the first. In 1936-37, for example, President Franklin D. Roosevelt, frustrated by seemingly wrongheaded decisions of the "nine old men," proposed to pack the Supreme Court with six additional Justices friendly to his constitutional views.

**Public Furor:** The scheme provoked public furor as a transparent effort to bring the Court under executive control. And it was rejected.

"When you tamper with the Supreme Court, you tamper with the

Constitution's safety valve," Republican Sen. Arthur Vandenburg of Michigan declared.

I submit that the bills now pending in Congress, like President Roosevelt's Court-packing plan, should be opposed even if they are within the technical power of Congress to enact. They should be opposed as radical and unprincipled attacks upon our constitutional system of government.

Let's look at two of these bills in more detail.

On July 9, a Senate subcommittee declared by a 3-to-2 vote that human life begins at conception. That vote moved forward a bill sponsored by Sen. Jesse Helms of North Carolina intended to overrule a 1973 Supreme Court decision holding existing anti-abortion laws to be unconstitutional.

By declaring that life begins at the moment of conception, the Helms bill seeks to redefine the words "person" and "life" for the purpose of the Fourteenth Amendment, thus protecting the "life" of the fetus as the "life" of a "person."

The vice of this approach is its underlying premise. The Helms bill attempts to substitute legislative definitions of the meaning of the words used in the Constitution in place of the Supreme Court definitions. Even if the pro-abortion decisions are wrong, it would be worse to accept the principle that bare majorities in the Senate and House of Representatives, with the approval of the President, can change the Constitution by simple legislative definitions.

If Congress can supply a binding definition of "life" or "person", it can equally declare that providing "separate but equal" facilities to persons of different color is "equal protection of the law," or that allowing state aid to parochial schools is *not* an "establishment of religion."

Another Helms bill—on school prayers—illustrates the other form of attack upon the Court used by foes of the Court's decisions. In order to nullify the Supreme Court ruling that bans government sponsored prayer in public schools, this bill would strip the

Supreme Court and Federal courts of jurisdiction to hear "any case arising out of any state statute... which relates to voluntary prayers in public schools and public buildings."

**Free:** If Congress may deprive the Federal courts of jurisdiction to rule upon claims that public-school officials are violating the constitutional right to be free from an official establishment of religion, Congress may just as easily withdraw Federal jurisdiction to hear claims relating to freedom of speech or political association or the taking of property without just compensation.

"When you say there are matters the Court may not consider," Sen. Daniel P. Moynihan of New York declared recently, "you are saying that this body (Congress) becomes the supreme arbiter of what may be judged and what may not. At that point a profound constitutional transformation takes place."

A right is only as good as the remedy.

A constitutional right is at the mercy of legislative majorities unless supported by a judicial remedy. To deprive Federal courts of jurisdiction granted by the Constitution in this area or any other would result in a hodgepodge of inconsistent state interpretations, not all of which could be expected to rise above local selfishness or passion.

I have used President Roosevelt's Court-packing plan as an example. Throughout history, presidents, senators and representatives, seizing upon short-run political or popular opposition, have attempted to negate unpopular constitutional decisions through the action of mere legislative majorities: by impeaching Justices, by packing the Court or by curtailing its jurisdiction. Always in the past, despite their discontent with particular decisions, the American people and the Congress have rejected the backdoor assaults upon the Constitution as dangerously unprincipled.

They should be rejected again today.

Used with permission of the author. This column first appeared in the My Turn column of *Newsweek*

# News in Brief

## Baptists Voice Caution on Reagan's Peace Offer

WASHINGTON—Baptist leaders reacted with hope but caution to President Reagan's dramatic Nov. 18 proposals for peace in Europe and future strategic weapons talks with the Soviet Union.

Reagan's plan called for the cancellation of 572 medium-range American missiles now planned for installation in Western Europe, provided the Soviets agree to dismantle some 600 of their medium-range missiles aimed at Western Europe.

In addition, Reagan revealed that he has proposed to Soviet president Leonid Brezhnev that a new round of discussions on strategic nuclear weapons begin early next year.

W.A. Criswell, pastor of First Baptist Church, Dallas, Texas, termed the president's appeal "one of the finest national and international statements made in recent years." Reagan, he said, "showed a real genius of political Statecraft when he challenged the Russians to disarm with us and to renounce all nuclear weapons on European soil."

Criswell voiced his hope that peace may "not only cover the soil of Europe but the ground of all the nations of the world."

Other Baptists contacted were not as optimistic.

Louisville pastor Carman Sharp, who has become a leader of a new group of Southern Baptists concerned about peace issues, said, "Any word about slowing down the arms race, any movement toward peace, is very positive. I am thankful to God for it."

But the pastor of Deer Park Baptist Church also expressed reservations: "I have a deep-down question about why he waited so long and about his apparent motive of putting pressure on the Soviets." Sharp expressed hope that Reagan's speech will be followed by "an effort genuinely to reach out to the Soviets, to start talking, to start moving."

E. Glenn Hinson, who along with Sharp edits the Baptist Peacemaker newspaper, emphasized his view that Reagan's address marks a "tiny step toward the saving of humankind from a nuclear holocaust in that it recognizes the tenseness of the world scene and uses the right tone."

Hinson, a Southern Seminary pro-

fessor of church history, went on to say however: "Unfortunately, it does not go far enough to reassure the Soviets. The president has promised only that we will not add to our missiles in Europe if the Soviets will withdraw theirs. To defuse our explosive situation, he will have to go further. What is needed is a missile-free world, not just a missile-free Europe."

Foy Valentine, executive director of the SBC Christian Life Commission, said he finds "some small comfort in the change of rhetoric."

The veteran Southern Baptist ethicist said: "Peace is better than war; and talk about peace is better than talk about war."

Baptist Joint Committee on Public Affairs executive director James M. Dunn declared that "millions of Americans welcome any hint of the end of the arms race and pledge ourselves to pray earnestly for follow-through on the part of the superpowers and to watch closely for evidence that our leaders mean business."

## 'Beyond Reasonable Doubt' Does not Apply to Obscenity

WASHINGTON—The U.S. Supreme Court has ruled that juries in obscenity cases are under no burden to find the materials at issue obscene "beyond a reasonable doubt."

That standard of proof, the high court held in an unsigned 6-3 ruling, may be required by the states in civil cases involving obscene materials if they so choose, but "that choice is solely a matter of state law." The federal Constitution, the majority insisted, does not require such a standard.

The appeal to the court over the standard was brought by Santa Ana, Calif. officials after a trial court imposed the beyond-reasonable-doubt burden of proof on a jury hearing a case involving 17 films shown at a local theater.

Although the majority ruling may help local officials in the regulation of obscene materials by sending them a clear signal that the beyond-reasonable-doubt standard does not have to be applied to determine obscenity, observers here believe it does not perceptibly alter the high court's basic view of obscenity.

That view, announced in 1973, states that local communities may generally

decide for themselves what constitutes obscenity.

## School Systems Differ on Teaching of Creationism

ANNAPOLIS.—Proposed legislation to permit teaching creationism in public schools was opposed by the Maryland Board of Education.

While the board took no formal action on the measure, the "consensus" of the board is against it, said board chairman JoAnne T. Goldsmith. She said the board did not entertain a motion on the bill.

"There's nothing in the law now that says you can't teach creationism," Goldsmith said. "I don't know that we need the bill." She added that the board would have a detailed statement opposing the bill when it comes up for discussion in the General Assembly early next year.

The bill would permit elementary and secondary public school students to be taught creationism, if they also are taught evolution; but it doesn't require the teaching of creationism.

Meanwhile, the teaching of the biblical story of creation in public school science classes has been ruled illegal by Maine's commissioner of education, Harold Reynolds.

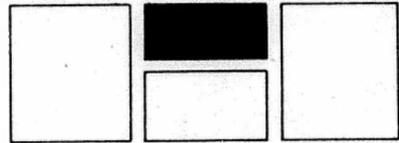
Scientific creationism can be discussed in public schools, but not in science classes, Reynolds said. Creationism may be appropriate "in the context of a course in the philosophy of religion, history, anthropology or other academic subjects."

Reynolds said state laws require instruction in science but forbid the teaching of religion in public schools.

## House 'Church' Loses High Court Tax Appeal

WASHINGTON—Individuals hoping to avoid property taxes by declaring their houses as places of worship received a legal setback as the U.S. Supreme Court refused to hear the appeal of a Minnesota couple who tried the ploy.

Douglas and Carolyn Page, of Eden Prairie, Minn., applied for property tax exemption in 1978 on their single family dwelling after Page was "ordained" as a minister in the Basic Bible Church of America. The church's head, Pope Jerome Daly, a disbarred attorney convicted of selling marijuana, also in-



ducted Page into his "Order of Almighty God."

After the Hennepin County tax assessor denied the application for the exemption, the Pages took him to court. But after a trial, the Minnesota Tax Court upheld the ruling, a decision later affirmed by the state supreme court.

Attorneys for Hennepin County held that "there is no constitutional right to have one's home granted a real estate tax exemption simply because one worships in it."

### Wisconsin Busing Case Decided Against Parents

WASHINGTON—An 11-year battle in a Wisconsin school district over transportation of parochial school pupils ended when the U.S. Supreme Court let stand lower court rulings that the state has no constitutional obligation to bus such pupils beyond a five-mile limit authorized by the legislature.

John and Jeanne O'Connell claimed throughout their lengthy legal fight that Mukwonago school officials denied them equal protection under the law by refusing to provide transportation for their children to Catholic Memorial High School in Waukesha, Wis., a distance of just over five miles.

School officials argued that the law was applied uniformly to all families in the district and did not violate the O'Connell's constitutional rights.

### Court to Hear Tax Case on Church-Related Schools

WASHINGTON—The U.S. Supreme Court has agreed to hear arguments in a California case on whether church-related elementary and secondary schools must pay unemployment compensation to their employees.

Federal and state laws in California exempt churches, conventions and associations of churches, and separately formed corporations set up by churches from paying unemployment compensation taxes.

However, such exemptions don't apply to religious schools unaffiliated with a church, convention or association of churches.

Three California churches which operate Christian schools sued both the state and federal governments after unemployment compensation laws were applied to their schools. The

churches were joined in their suit by two associations of Christian schools.

A U.S. District Court in California ruled last April in favor of the schools, holding that the laws as applied excessively entangled state officials in church affairs.

The Supreme Court has now agreed to decide if the lower court erred in its decision. The question of church-related schools and their liability for unemployment compensation taxes has been raised by schools in other states.

### Liability Judgment Alarms Church Leaders

LANSING—A recent negligence judgment against the Roman Catholic Diocese of Lansing is "one more example of how the church is being called into question by an arm of our government," two representatives of the Christian Church (Disciples of Christ) said here.

The statement was made by the Rev. Earle B. Van Slyck, regional minister for Michigan Disciples, and Wade D. Rubick, general counsel for the Disciples. They were referring to a \$117,000 judgment for negligence against the Catholic diocese in a case brought by a Mexican rancher who was shot while attending a class in a community center owned by the diocese.

Attorneys for the rancher, Ramon Ruiz, argued that the diocese was liable for his shooting, in which he lost an eye, because it should have provided better security and lighting at the facility.

In advising Disciples of Christ to take warning from the ruling, Mr. Rubick said, "Laws with regard to the use of church property are changing. The church is no longer protected from lawsuits as it once was. Trustees and the congregations themselves may be subject to being sued for negligence."

Concerned over this issue, the general board of the South Carolina Baptist Convention has asked state authorities to re-establish the doctrine of "charitable immunity" protecting religious and charitable institutions from negligence.

A. Harold Cole, executive secretary-treasurer of the state Baptist convention, said if Southern Baptist institutions had to pay legal costs and judgments in such cases, they would "break faith with the people who give for religious purposes."

### Fair Chapel to be Dropped

LOUISVILLE—Responding to complaints that a chapel at the state fair was unconstitutional, the Kentucky State Fair Board has decided to discontinue it.

The "Chapel in the Circle," sponsored by the Kentucky Council of Churches and the Kentuckiana Interfaith Community, was introduced during the 1981 state fair as the "focal point of a religious presence at the fair."

### Just Another Holiday?

NILES, Ohio—Is Good Friday a religious holiday?

This question is at the heart of a suit filed against the City of Niles for its policy of giving employees that day off as a paid holiday.

The suit, filed in U.S. District Court in Cleveland, has been brought on behalf of Melvin S. Frank, a Presbyterian. He says the practice misuses taxpayers' money because it makes a special accommodation for the practices of Roman Catholics and Protestants.

But the city contends that Good Friday is a secular holiday, "the same as Labor Day."

### Sabbath Ban Challenged

TRENTON—New Jersey's Supreme Court has agreed to decide whether a public school may ban extracurricular activities on a Sabbath to accommodate the religious practices of some of its students.

The suit was originally filed in 1978 by the American Civil Liberties Union on behalf of a student theatrical group in Teaneck which was denied a Friday evening performance.

### Asks Shelter for Homeless

NEW YORK—Mayor Edward I. Koch is asking religious institutions in New York City to provide shelter for homeless people.

He is planning to formally request that each of the estimated 2,500 churches and synagogues shelter 10 people each evening as part of "their Judeo-Christian duty."

## COMMENT

**N**orth American Christians charitably reach out in response to hunger and suffering in the world. However, we often respond as firefighters—running to quench the flames of the latest crisis. Such aid is necessary, but it fails to address the even more serious, but less publicized problem of daily hunger on every continent. That condition requires an understanding of the root causes of hunger and a commitment to long-term structural changes.

Two distortions of biblical teachings have hindered us from faithfully protecting the created order. The first holds that land is a rightful possession of people and that God endows them with the right to exploit created resources to serve human whim. The second is the paternalist position that would channel our excess to the poor (giving) rather than create a just system where there would be neither excess nor poverty (sharing).

The land is a gift from God, meant for the well-being of all people, plants and animals. Anything less than a harmonious state not only fails to glorify—but violates the very nature of—God.

Because God created people in relationship to the earth, we cannot deny our moral responsibility to the land, even though we live in a technological age when our connections to earth are less visible than in previous generations. Regardless of scientific discoveries, the fallen or redemptive state of humanity will continue to determine the well-being of the earth.

Jesus infused new life into the Old Testament respect for the land and people. Jesus identified God's love as a force that would bring wholeness to all, including food to the poor (Luke 4: 18, 19).

Christian response to world hunger and to agricultural and economic abuses in our food system first of all affirms the Lord's rightful ownership of the earth. The faithful community will look for ways to reclaim and redeem land and people that are victims of the abused and fallen order. It will cultivate and share generously the physical bread of life that God intended to sustain all creation.

—Joeha Schlabach

Used with permission from *Grapevine*, published by Joint Action and Strategy Committee.

**T**he first thing that seeks to silence the preacher is the prevailing socio-political and economic climate of America. Mr. Reagan has openly espoused a 'Time for New Beginning,' which, for black folk means a time of sudden ending. This new beginning is based on the faulty assumption that America will be strong by cutting out the life line of its people.

And so the logic is that if the base of power for the preacher is the church, and if the base of the church's power is in its people, then cut out the jobs, cut out the money, cut food stamps, cut school lunches, cut educational loans, cut out the medical care and you will not only destroy the only independent institution in the black community, but at the same time America will be saying to preachers: 'Shut your mouth.'

—Beecher Hicks, Jr

**Q**uite frankly I don't get very excited about the loud noises and demands that creationism be taught in our public schools. Such requirements remind me very much of some of the specious arguments about bringing God back into public education by watering down prayers to please everyone. Whose prayers? Whose creation stories?

Many Christians, including evangelicals, Roman Catholics and mainline folks, believe that God can handle the beliefs of those who consider themselves a part of the church and also feel there is an evolutionary process. These people believe in Jesus Christ as their Lord, that they are forgiven sinners and that the Creator can be involved in a changing universe. In fact, I would hesitate to limit the great power of our Creator in this world of ours.

Let the so-called creationists argue with the extreme statements of some evolutionists... but let us object to any groups' establishing of their teachings and dogmas as the final word on geology, biology and other sciences... Let us help our people to strengthen their faith in Jesus Christ as Lord [and] to broaden their vision of all the possibilities for God the Creator...

—Charles V. Bergstrom

**O**nly freedom of opinion, freedom to exchange information and freedom of movement make governments accountable for their actions because they prevent misuse of power, whether internally or internationally. This kind of government responsibility helps to avoid tragic mistakes, such as the Soviet invasion of Afghanistan. It curbs attempts at outside expansion and internal repression. The free sale of newspapers, magazines and books published abroad would be a necessary step toward the freedom of information in totalitarian countries.

Even more meaningful would be the abolition of censorship which would benefit the scientists and the intellectuals of those countries. It is crucial to demand an end to the jamming of international broadcasts which prevents thousands of Soviet citizens from having access to uncensored news, without which no independent judgement is possible.

As for myself, I was sent to Gorki and have been, for over a year, in complete solitary confinement. Without trial. The KGB agents came a few days ago and took away my manuscripts and notebooks containing notes and extracts from scientific books and newspapers. They try to deprive me of any intellectual opportunity. In the solitude in which I survive, they are trying to rob me of my memory.

—Andrei Sakharov

Prosecutor: "Why do you write that the government of Soviet Lithuania is in fact fascist?"

Ismantas: "In Inostrannaya Literatura (Foreign Literature) there was a discussion about democratic freedoms. One Soviet scholar asserts that where democratic freedoms are infringed, there you have fascism."

P.: Where did you get material for your creative work?

I.: The raw material for my poetry is life; for the scholarly studies, the Soviet press.

P.: What do you have to say about freedom of the press?

I.: There is none, and there is no immediate prospect of such, and it's not even worth discussing.

—Freedom Appeals

Tammy Tanaka

## Christians United

**W**hile united in a desire for peace, the religious community has become sharply divided on the issue of nuclear disarmament—tangled in honest differences of opinion, conflicting world outlooks, misunderstandings, emotional rhetoric and mutual accusations of bad faith.

No one in the name of religion presses for the continuation of the arms race. Religious conservatives and moderates stand behind the Reagan Administration's position that America and the Soviet Union must agree on a bilateral disarmament plan that can be monitored. They perceive that the West has fallen behind the Soviets in military preparedness and U.S. nuclear buildup is needed to give America a strong posture to negotiate peace with the Soviets—a position viewed as "nuclear madness" by others.

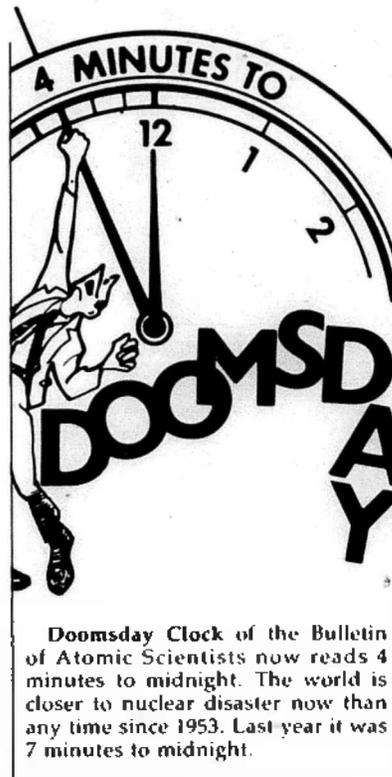
Taking what they believe is the "prophetic" role, peace activists of all denominations say they also seek bilateral disarmament. But they believe the United States should take the first initiative as a show of good faith. This position is rejected as suicidal and pro-Soviet by opponents.

President Reagan's image—rightly or wrongly—as a shoot-from-the-hip cowboy ready for a showdown has fed the fears of hundreds of thousands of Europeans who have rallied in church-led protests against threats of a "Euroshima." But his recent disarmament proposals, aimed at arms limitation talks in Geneva, have served to abet some of those fears.

Against the backdrop of international negotiation, basic differences among religious peacemakers continue. The question of parity—who has what to kill how many where—is a technical one on which even military experts on the same side disagree and which few church people are prepared to address.

But many concerned church people believe the hostile polarization in their own ranks might be reduced if the good faith of the debaters were accepted, name calling ended and an effort made to try to understand the views of others. Often the level of argument

The author is a staff writer for Religious News Service.



Doomsday Clock of the Bulletin of Atomic Scientists now reads 4 minutes to midnight. The world is closer to nuclear disaster now than any time since 1953. Last year it was 7 minutes to midnight.

rises no higher than each side denouncing the other as "pawns of the military-industrial complex" or "communist dupes."

With the rising debate on arms control, there has developed some confusion on what is meant exactly by unilateral and bilateral disarmament.

Catholic Bishop Raymond Hunt-hausen of Seattle emerged as a leading voice in the blossoming anti-nuclear arms movement with his call this summer for unilateral disarmament and the withholding of taxes to protest the arms race.

"All nuclear war is immoral," he says. "Failure to achieve mutual disarmament leaves us with only one moral position in this tragic situation, the position of unilateral disarmament with trust and reliance on the Lord as security."

Others labeled as unilateralists state their positions more carefully, or deviously, according to who is interpreting the message. A case in point is a growing conflict at the 2,700-member Riverside Church in New York over its disarmament program, which can be viewed as a microcosm of the wider disarmament debate.

Some of these differences surfaced at Riverside Church's fourth national disarmament conference here in mid-November, attended by about 800 people.

Riverside's senior minister, veteran peace activist William Sloane Coffin, Jr., has been accused by some critics, including the church's conservative Men's Class, as leaning toward Russia and favoring unilateral disarmament.

Dr. Coffin staunchly holds that his critics are mistaken. At a "talk-back" with the congregation following his peace sermon during the disarmament conference, he patiently explained he wasn't advocating unilateral disarmament. What he favored, he said, is "unilateral incentives for bilateral disarmament."

"We go up, they catch up; we go up, they catch up..." he said, noting that there's no foreseeable end to this upward spiral unless one side takes the initiative to de-escalate. "Initiatives should come from those who are strong and the United States is still the stronger of the two."

The gist of criticism leveled by Edward F. Haskell, a spokesman for the Riverside Men's Class wasn't so much that Dr. Coffin was friendly with Russians—which he acknowledges to be a commendable expression of a Christian's compassionate and nonjudgmental love for all humanity—but that the Riverside disarmament program one-sidedly picks on the sins and errors of the United States without giving the Soviets the same treatment.

The peace activists counter that they are American citizens, making known their views to their own government.

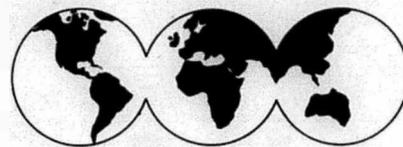
Religious peace activists who have thrown all their energies into stopping the arms race generally reject arguments related to the Soviet or communist "threat" as of secondary importance when the survival of the planet is at stake.

In an effort to pressure the super-powers to negotiate disarmament, international religious groups such as the World Council of Churches and Lutheran World Federation have called consultations involving churches of the East and West.

Conservatives tend to be skeptical of such global peace efforts which involve the government sanctioned churches of communist countries, saying they are allowed to be involved only when it tends to be in the national self-interest of the Soviets. On the other hand, conservative Christian fundamentalists are often accused of complacently accepting the threat of nuclear war as part of the fulfillment of biblical prophecy.

But whatever the point of view, all sides do agree that the stakes in the debate could, indeed, be Armageddon.

# INTERNATIONAL DATELINE



## Baptist Leader Alludes to 'Paralyzing Fear' of War

DORFWEL, West Germany—The outgoing leader of the European Baptist Federation Council warned his colleagues here that "a paralyzing fear" of nuclear war pervades the continent and the need for immediate disarmament must be impressed upon governments.

Dr. David S. Russell, secretary of the Baptist Union of Great Britain and Ireland, said that "the future of Europe and indeed of mankind is at stake. This is something bigger than politics and ideologies. It is a matter of human survival. Disarmament on a world scale—and quickly—is a priority for both prayer and action.

The Baptist leaders from most of the countries of Europe who met here adopted a resolution saying they shared his concern. They also expressed the hope that the United States and the Soviet Union will reach accommodation on the problem of nuclear mid-range weapons in Europe.

"It is our hope that these discussions by both world powers may be conducted not from a position of military strength, but rather in a spirit of understanding and with a readiness and desire for detente," they stated.

The outgoing president was succeeded by the Rev. Stanislav Svec, general secretary of the Baptist Union in Czechoslovakia, who has been serving as vice president of the council.

## Letter Requests Freedoms

HAMBURG—The executive committee of the Baptist Union (BEFG) in the Federal Republic of Germany in a letter to Soviet President Leonid Brezhnev requested the release of imprisoned Baptists and greater freedom of choice for families and ethnic groups in the USSR.

Urging that "the more than 100 Baptists held in Soviet prisons be freed," the letter also requested that Christian parents be granted full legal freedom to determine the religious upbringing of their offspring, and that exit permits be given to "persons of German or Jewish descent who desire to emigrate." (EBPS)

## Nuclear Weapons Immoral

AMSTERDAM—An international public hearing on nuclear disarmament issued an absolute condemnation of nuclear weapons on moral grounds.

"Christians have to say that it is a sin not only to use, not only to threaten to use, but merely to build a nuclear weapon," said William Sloane Coffin, who preached at the opening worship service.

Philip Potter, general secretary of the World Council of Churches, sponsor of the hearing at the Free University here, declared, "There is an unequivocal moral obligation on Christians not to make or to use nuclear weapons."

Witnesses, including theologians, politicians, and scientists, among others, participated at the gathering which was characterized as "not a teach-in nor a demonstration," but meant to "expose... many points of view." (EPS)

## Seminarians in China Display Great Vitality

NANKING—Describing it as one of the most emotionally moving experiences of their lives, members of the National Council of Churches of Christ delegation to China completed their visit to the Nanking Theological Seminary and College.

"I have not recently been on a seminary campus that had as much enthusiasm and vitality as Nanking," said Robert W. Neff, general secretary of the Church of the Brethren and a former seminary professor himself.

Key Bao Juan, a woman enrolled in the seminary program, greeted the group and in remarks told them that "To preach the gospel among our people, we must identify with them. Let the gospel take root in Chinese culture so that it might take root in the hearts of the Chinese people."

Of the 51 students at the institution, 22 were women. Students ranged in age from 19 to 30, most of them sponsored by their local churches. (NCC)

## U.S. Human Rights Policy Applies to all Nations

WASHINGTON—A State Department memorandum indicates that the Reagan Administration will start

chastizing countries friendly to the United States if they violate human-rights standards.

"Human rights' is not something we tack on to our foreign policy but is its very purpose: the defense and promotion of freedom in the world," the document declares.

It was prepared by Deputy Secretary of State William P. Clark and Richard T. Kennedy, Under Secretary of State for Management, and approved by Secretary of State Alexander M. Haig, Jr.

Critics of the Reagan Administration's foreign policy have charged that it has focused too much on rights problems in communist countries and has ignored or minimized rights violations in countries friendly to the United States. Some have also expressed fears that the administration was downplaying the importance of human rights in foreign policy.

The document asserts that "the human-rights element in making decisions affecting bilateral relations must be balanced against U.S. economic, security and other interests." At the same time, it advocates that "if a nation, friendly or not, abridges freedom, we should acknowledge it, stating that we regret and oppose it."

The memorandum affirms that "human rights is at the core of our foreign policy because it is central to what America is and stands for."

## Deaths Rise in El Salvador

UNITED NATIONS—An estimated 9,250 political murders were committed in El Salvador in the first six months of 1981, a United Nations report says.

The figure is greater than the total estimated by the United States State Department for all of 1980.

The 35-page report to the U.N. Human Rights Commission was based on studies by government and private organizations, including Amnesty International and Legal Aid, an office run by the Roman Catholic archdiocese of San Salvador.

According to the report, there has been "a consistent pattern of gross violations" of human rights in El Salvador since the ruling military-civilian junta took over in 1979.

The report was prepared by Jose Pastor Ridruejo, a Spanish lawyer who teaches at the University of Madrid.



## Gift of Life Sacred— Theme of Peace Conference

MOSCOW—Leaders representing the major religious faiths concluded a planning meeting on peace here and announced the theme of a forthcoming World Conference of Believers and Religious Workers.

That gathering will be held in Moscow in the spring of 1982 on "religious workers for saving the sacred gift of life from nuclear catastrophe."

A group statement, premising that the sudden acceleration of the arms race has resulted in a sharp increase in international tensions, declared that "mass destruction weapons, growing in number and quality, do not guarantee security, but . . . increase danger and fears."

The Rev. Alexei Bychkov, general secretary of the All-Union Council of Evangelical Christians-Baptists, was among the participants at these meetings. (APN)

## Religious Comics Not Funny

CALGARY—Canada has banned two volumes of comic books published in southern California because of their virulent anti-Catholic content, a representative of the Customs and Excise Department said here.

The action is the first time Canada has used a customs law usually directed against pornography to ban literature that might offend religious views, the customs official said.

"The legislation in our Tariff Act mainly prohibits hard-core porn," Roger Kohut of the Canadian Tariff Programs and Appraisals Division said. "The comics were judged to fall within the definition of immoral or indecent character."

The comics, "Double Cross" and "The Big Betrayal," are published by Chick Publications of Chino and Cucamonga, Calif., as part of fundamentalist Jack T. Chick's "Crusader Comics" series.

## Aussies Agree to Charge

SYDNEY—A majority of Australians agree with a controversial World Council of Churches report that "racism is entrenched in every aspect of Australian society," says a public opinion survey.

The Gallup survey found that 53 percent of those Australians polled agreed with the World Council team's assertion that "racism is entrenched in every aspect of Australian society." It also found that half of those polled felt not enough was being done by federal and state governments to help Aborigines.

Jean Skuse, general secretary of the Australian Council of Churches, said the poll findings were "a remarkable public vindication of the integrity and accuracy of the WCC team's observations and findings."

## Money, Alone, Not Enough

ZEIST, NETHERLANDS—Reacting to a report on the General Assembly of the All Africa Conference of Churches, the Africa secretaries of European church-related fund raising agencies challenged Europeans to change some of their procedures and assumptions.

The Africa secretaries noted that "witness and evangelism as priority concerns of the churches in Africa do not receive adequate attention compared to the support given to service and development projects.

"A sharp division between the commitment to mission and the commitment to service is viewed as being disruptive to the life of the church."

"While it is . . . desirable to assist with financial means," the secretaries said, "it is even more important that churches in the West publicly express their solidarity and indignation." (EPS)

## Religious Groups, Govt., At Odds over Haitians

The Haitian "boat people"—supported by religious groups concerned with global human rights and rejected as illegal aliens by the U.S. government—have become an important test case for American refugee policies.

Leaders of the U.S. Catholic, Protestant, and Jewish communities maintain that the Haitians are legitimate refugees who face reprisals from the brutal dictatorship of President-for-life Jean-Claude Duvalier.

The U.S. government, however, has refused to budge from its position that the Haitians are mainly fleeing economic, not political, repression and therefore don't qualify for refugee status.

"The United States is still welcoming close to 500 Indochinese each day, and will probably take 10,000 Poles before the end of the year," complained the Rev. Gerard Jean-Juste, executive director of the Haitian Refugee Center. "The matter is not that there is no room for refugees, but they don't want these boat people. . . . In Haiti, life is a problem. We could solve the problem by improving the situation at home."

The Haitians have opened the lid on a myriad of controversial issues related to U.S. immigration and refugee policies. Since the early 1970s, Haitians have been a symbol of what church activists viewed as an unjust U.S. refugee policy. Before the new 1980 Refugee Act was adopted, only persons fleeing from the Middle East or communist countries were given legal refugee status. Church groups led initially by the National Council of Churches had argued that the policy discriminated against persons fleeing repressive right wing dictatorships, especially in Latin America.

The 1980 Refugee Act tried to correct this bias by adopting the United Nations' definition for political refugees which hinged on a "well-based fear of being persecuted for reasons of race, religion, nationality, membership in a particular social group, or political opinion." It applies to a person fleeing any repressive regime of the left or right. The law also protects fleeing persons who have a well-founded fear of persecution if they are forcibly returned.

Supporters of the Haitians charge that the government is using a double standard—that the situations of the Indochinese and Haitian boat people are similar and deserve parallel treatment. Observers have noted that because the Duvalier regime is considered "friendly" to the United States, accepting political refugees from that country poses a diplomatic problem.

The decision to interdict the Haitian boats was made by President Reagan with the cooperation of Jean-Claude Duvalier, who said persons returned won't face reprisals.

## CORRESPONDENCE

To the Editor: I have just finished reading the last six issues of REPORT from the CAPITOL. The material was excellent and I would like to commend you on a fine job. . .

J. Paul Green  
Salem, W. Va.

To the Editor: The November-December REPORT is truly outstanding. I hope we can go to each other's 90th birthday parties.

Anthony T. Podesta  
Washington, D.C.  
(People for the American Way)

To the Editor: . . . Max Stackhouse concerning his thesis about the need for a public theology. . . strikes a conciliatory note in pointing toward the 'rock upon which we (both right and left) stand when we address social and political issues.' He fails adequately to describe the sandy foundation upon which most of the new right efforts are built. Boliolatriy, civil religion (under the banner of a new theocracy), and single issue approaches to complex problems are all foundational flaws which have massive demonic potentials.

Michael Wright  
Dallas, TX



Reader response to the actions taken by the Baptist Joint Committee on Public Affairs and to the feature material found on these pages contributes to dialogue and helps sharpen our understanding of the issues. Letters, signed and with full address, should be kept to 200 words. Editors reserve the right to edit for length.

### Russian Baptist Predicts Religious Freedom Growth

A Russian Baptist leader said he expects religious freedom in his country to increase because of the adoption of a new Soviet constitution in 1977.

But it will take time for the religious-freedom guarantees of the constitution to take effect "in all dimensions" of Soviet life, said the Rev. Alexei Bychkov, general secretary of the All Union Council of Evangelical Christians-Baptists.

Addressing Southern Baptist pastors, at Jackson, Mississippi, Mr. Bychkov said the new constitution guarantees "full rights" to all citizens regardless of religious beliefs, which it considers the "private business of all people."

He acknowledged that Soviet churches are prohibited from holding Sunday schools or having access to the media, but said members of his group believe in efforts for "changing the law" to "extend our work more widely."

His colleague, the Rev. Michael Zhidkov, senior pastor of the Moscow Baptist Church, said the Soviet government now seeks "only to struggle with us on the ideological field" through the Soviet educational system.

He reported that Bible teaching is done through six two-hour services—all with three sermons—at his church each week.

Mr. Bychkov said Soviet churches encourage their members to "provide the Good News to their neighbors" and fellow workers. People can meet for home Bible studies, he said, and there is "no restriction" on the "right of parents to educate and bring up their children for Christ."

He disagreed with estimates by the Rev. Georgi Vins, a formerly imprisoned Russian Baptist pastor now in exile in the United States, that 120 pastors are currently in Soviet prisons.

"It is an exaggeration," Mr. Bychkov said. "There are not more than 60, maybe less." He said they are in jail for "Western-style" church activity, such as refusing to register their churches with the government, organizing Sunday schools, and holding open-air evangelistic meetings.

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How can we hope to keep the freedom of expression alive in this nation unless we exercise it? . . .

## REFLECTIONS

**"S**omeone who sits down and writes a letter about hunger. . . almost literally has to be saving a life." These words by Paul Simon, a Congressman from Illinois, are backed up by solid experience, testimony, and statistical results.

For several years the Christian hunger lobby, Bread for the World, has promoted an offering of letters to Congress on a specific issue or piece of legislation. The number of letters required to get the attention of legislators and the positive outcome of good letter writing have demonstrated once again the importance of writing your Congressman. It has been proven. Letter writing works.

In fact, it may be even more important to good citizenship for you to write letters than for you to vote. (It's not necessary to choose between the two duties.)

Let me preach a little. Every blessing carries a responsibility piggyback. The right of free expression in this country is being wronged when it is exercised primarily by the special interest groups and the sophisticated direct-mail manipulators. Each of us needs to be in the letter writing business full time.

"Unto whosoever much is given, of him shall much be required," (Luke 12:48) reminds us that it is precisely our awareness of a gift, a good that has come to us, that brings with it the solemn obligation to exercise that blessing.

We piously and honestly thank God every Sunday in public worship for the "freedom that Thou hath given us in this land." That's a phrase from our unofficial, but binding, Baptist liturgy. That's OK. We cannot say it too often, but I doubt if we mean it. We act on the things we really believe and there is pitifully little evidence that most churchgoers have ever sat down and written even one letter to a legislator, exercising the freedom of expression that we value so highly.

Frankly, I'm afraid that the old stewardship slogan applies to this gift from God: "If you don't use it, you'll lose it." The clever fund raisers, the direct mail marketers of a certain brand of political religion have learned how to get their followers to write letters to public officials.

They trick them with millions of mass produced letters that look personal. How many dear old ladies and men have you known who thought that a computer produced pleading to "save our ministry" was individually intended and personally signed? It's amazing, poignant, pathetic actually to talk with innocents who tell you "I got a real important letter from Brother 'T.V. Ripper' this morning. He needs my help."

Another technique of the mass mailers is the targeting by zip code. Why, there are Republican zips, "Archie Bunker" zips, blue collar zips. You're at their mercy. They've got your number.

It's infuriating to have the access to your mail box swapped, traded, and scattered abroad among so many junk mail peddlers. There's a certain invasion of privacy involved in the marketing of mailing lists.

Have you thought through the careful appeal to emotion in much of the extremist evangelists, epistolary? There's always danger "to all that we hold dear." They want you to fear. They want you to hate. They want you to be anxious.

James M. Dunn  
Executive Director



But, you and I can write letters, too, and because we can, we must. There is a profound issue of the stewardship of influence involved.

The "Letters to the Editor" page is one of the best read pages in most newspapers and magazines. This is particularly true in denominational papers. Isn't it incredible what bizarre, mean, angry expressions appear on those pages? Let's not leave them to the nuts. Most editors welcome sane, relevant, well-worded letters.

More important are our letters to Congress. Some congressmen do read them (at least they count them). All care what you think. You're a voter.

Should you write separate letters about each concern? Yes.

How do you choose what items to write about? Read *Report from the Capital*. Join Bread for the World. Watch your daily newspaper. Read your state Baptist paper regularly.

How do I know who to write? Addresses? Form? Order a copy of *Register Citizen Opinion* from the Baptist Joint Committee.

Make your letters kind, clear, reasonable (give at least one reason why you favor or oppose the legislation in question). Threats don't help. Congresspersons are people, too.

Write personal letters. Even a handwritten note of three or four sentences is better than a form letter. Five or six personal letters are better than dozens of names on a petition.

Encourage others in your church to write. Show them sample letters. Keep the names and addresses of representatives and senators handy.

You may need Bread for the World's "Guide for Effective Letter Writing on Hunger Issues." It works for other issues as well. Write for it: Bread for the World, 32 Union Square East, New York, New York 10003.

How can we hope to keep the freedom of expression alive in this nation unless we exercise it?

What better way is there to channel the anger, frustration, helplessness you feel toward government policy than writing letters?

You don't have to agree with George Wallace to recognize that he hit upon an excellent campaign slogan. He built his entire movement on the idea: "Send Them a Message." "They" need to hear from you.

Why do you think that griping and complaining and moaning and groaning will do any good unless you aim it at the guys elected to represent you?

Brooks Hays liked to tell about the helpless little mother in Arkansas who wrote her husband who was locked away in the penitentiary asking "When do I plant the potatoes?" He wrote back saying, "Not yet, but whatever you do stay out of the garden that's where the guns are buried." Her next letter to him revealed that the authorities must have been reading his mail. She said, "I don't understand it. Two constables, a deputy, and the Sheriff came out here and dug up every inch of the garden." He answered, "Now, things are ready, plant the potatoes."

We may not get that sort of instant results from our letter writing. Write anyhow.

## REVIEWS



### PRIVATE CHURCHES AND PUBLIC MONEY

**Church-Government Fiscal Relations**  
By Paul J. Weber and Dennis A. Gilbert,  
260 pp. Westport: Greenwood Press

The religion clauses of the First Amendment, made applicable to the states by the Fourteenth Amendment, state an absolute ban against governmental establishment of religion—or even action “respecting” an establishment of religion—and against governmental interference with the free exercise of religion. Historian Charles A. Beard wrote that the Constitution “does not confer upon the Federal government any power whatever to deal with religion in any form or manner.” Jefferson called the result of the religion clauses a building of a wall of separation between church and state.

However, separation between church and state was not and is not absolute. This is the general theme of *Private Churches and Public Money*. The authors begin with a brief history of the American principle of religious liberty and the judicial interpretation of the religion clauses which institutionalized that principle in our Constitution. That history and the four chapters which follow are designed to point out that the separation is less than complete and that public funds have gone into religious causes both directly and indirectly.

On the basis of their research which shows the flow of public funds to religious causes and the constitutional problems generated thereby, the authors develop their theory of fiscal neutrality which states that “the religion clauses of the First Amendment must be read together to form a single principle: religion cannot be used as a legal classification to bestow a privilege or impose a burden.” The development of that theory is well reasoned and interesting—but not necessarily persuasive.

The book is well written, pulls together much important information, and presents provocative and interesting ideas. I just happen not to agree with its theory of neutrality or its conclusions. The book suffers from the application of political science/legal research, an area in which the authors are clearly competent, to the milieu of religion and practical politics, with which they are less fully acquainted.

(JWB)

### COMPASSION FOR THE CITY

By V. Simpson Turner, 180 pp. Elgin: Progressive National Baptist Publishing House, \$4.00, paper.

**A**t a time when the President of the United States is looking to churches and other voluntary institutions to provide needed human services this book takes on a fresh importance. It is the story of a committed pastor who discovered that the very resources that were intended to help the public became a closed system that almost defied access of those whom it was meant to serve.

Turner, pastor of Mt. Carmel Baptist Church, sensed that denominational boards could not provide the broad list of resources required by his vision of ministry in the Bedford-Stuyvesant section of Brooklyn. Drawn together, members of his congregation, in an intense study, compiled a directory of public and private agencies. Almost as important as identifying these was the process itself, which produced a congregation united on a concept of lay ministry.

Church members effectively assembled and matched available resources and assisted persons to secure the necessary help. The directory ranged from jobs to housing, alcoholism to problems with the police. What may change radically in days to come will lie in the area of decreased public services—the church’s commitment will remain undiminished. (VT)

### SOVIET BELIEVERS

By William C. Fletcher, 259 pp.  
Lawrence: U. of Kansas Press,

**T**he task of determining who is and who is not religious in the Soviet Union is far from complete, Fletcher observes, but concludes his study believing that “religious citizens are, and in any foreseeable future will remain, an important sector of the Soviet population.”

The population of believers numbers about 45% or 115-million, if one takes the high figures, or as low as 15-20% in the estimates of other Soviet sociologists. Fletcher points out that while the percentage figures may have dropped in the 1937-1981 period, the actual number of believers has increased from 90 or 95-million to the estimated 115-million people today.

He gives good grades to Soviet research but notes that the “basic problem is that in the last analysis, Soviet sociological research on religion is not detached or dispassionate,” and that “the goal of sociological research is to change society.” In that respect, it is thoroughly Marxist, it’s methodology dialectical and historical materialism. The eradication of religion, whose staying power continues to amaze Soviet leaders, represents a built-in bias which sociologists evidence in their research.

Marxists, according to one such scholar, have detected the emerging of the ‘third man,’ the man who is on the way from religion to atheism, who in many respects has firmly renounced religion but in some things maintains special connections with it. On the whole, that new man is only formally a believer.

His study, primarily one of original Soviet sociological works, confirms a few faint impressions held by church people in this country. Among these: that Soviet religious believers tend to include more elderly (non-workers) than young, and that religious education at home accounts for a majority of active new believers. On the other hand, a number of other observations are encouraging: believers are not educationally inferior, even though institutions discriminate against believers; the economic differences between believers and unbelievers are insignificant; and while rural areas have a higher proportion, believers from urban areas tend to be stronger and more active in their faith. This book creates/confirms the optimism that many in this country hold in their concerns for the church and believers in the Soviet Union. (VT)

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