

# I B E R T Y



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*Lessons From The Field of*

# Blackbirds

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# Lessons From The Field of Blackbirds

By  
CÉLESTE PERRINO WALKER

Death came with a frigid dawn and the thump of mortar fire over the sleepy town of Prekez, Serbia. Marie Kodra, 38, fled

with her five children as Serbs fired into the houses. Avoiding the streets that were crawling with police, Mrs. Kodra led the children into the hills. Seeing a police patrol and hoping for assistance, she ran up to them waving a white scarf. ♦ "I shouted, 'I am a woman with children!'" she said. "I heard the officer yell: 'Shoot! Kill them!' I pushed my children to the ground and an explosion went off near where we were lying." The family moved through the night until they reached an empty basement, where they hid until dawn. Mrs. Kodra said many families in houses they passed had been too frightened to let them in, fearing police retaliation. "It was not until I got out of the area where there was fighting that I learned that my husband was dead," she said, soon afterward collapsing into the arms of friends.<sup>1</sup> ♦ And so the stories go, chasing each other with the rapidity of the machine-gun fire that punctuates the tragic recountings. In the

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Céleste perrino Walker, a much-published freelance journalist and book author, writes from Rutland, Vermont.



West we strain incredulous eyes across the big pond to Kosovo and get a grasp of what's going on. It would be easy to dismiss the hostilities there as a civil disagreement, but that would be a surface assessment. In order to really understand the issues involved in the Kosovo conflict we must go back 600 years. It was on the Field of Blackbirds that began the roots of intolerance that have spread and today threaten to strangle the life out of the Albanians.

It was a dark and stormy night. Or at least it should have been. The boil of Turkish wrath on the horizon of Kosovo meant certain doom for the Serbian army the next morning. As they looked across Kosovo Polje, the Field of Blackbirds, their hearts beat with steadfast devotion. Tens of thousands of these brave men fully intended to march joyfully to their death at the first blush of dawn, making the supreme sacrifice for the glory of God and Holy Orthodoxy.

And they did, too. On June 15, 1389, in the Battle of Kosovo, the blood of these "warrior saints" seeped into the ground where it would water the seeds of Serbian patriotism and religious loyalty that would outlast five centuries of Muslim Ottoman domination and Christian Serbian resistance. This harvest has grown so large that today you can't see the forest for the trees.

"According to Serbian nationalist folklore, the Serbian nation martyred itself while protecting Christendom against a rampant Islam. This glorification of defeat has long nurtured Serbian feelings of victimization and anger toward the 'Turks,' a pejorative term that Serbian nationalists use to describe Muslims and ethnic Albanians and Turks in the Balkans. (Ironically, Albanians fought alongside the Serbs against the Ottomans in 1389.)"<sup>2</sup>

Kosovo became, in the space of one terrible slaughter, the Jerusalem of all Serbs. "Kosovo is the holiest place to an Orthodox Serb, more holy than Jerusalem," says Father Miroslav, a priest at Pristina's only Serbian Orthodox church. "We are ready to die to defend it."

Which is why it's imperative that we understand what is really going on in Kosovo. We need to look beneath the military strategies and the refugees and the atrocities. We must understand what caused this, for our own sakes as well as for the sake of our children, who will learn from us.

Balkan buzzwords include phrases such as "ethnic war" and "ethnic violence," but in fact *ethnic*, in this case, is the same as *religious*. The two cannot be separated. Albanians are Muslims and Serbs are Orthodox

Christians. Neither has tolerance for the other. And religious intolerance is the root, stem, and branch of war in the Balkans.

Reports of tragedies in Kosovo flood every media vehicle in daily doses. All the stories, in the end, sound the same as Marie Kodra's. They repulse us and make us shake our fists and wish terminal ill health on Yugoslavian president Slobodan Milosevic, who is painted in increasingly gory colors as Hitler incarnate. If wishes were horses, as the old saying goes, Milosevic would have been trampled to death months ago, sentiment being pretty unanimous that he would well deserve it. President Clinton denounced him as a dictator "who has done nothing since the cold war ended but start new wars and pour gasoline on the flames of ethnic and religious division."<sup>4</sup>

And it is for precisely this reason that Kosovo, on the surface, is so deceiving. Forget about Milosevic for a minute. Ultimately he is not essential. The hearts of the thousands of people involved are what matter the most. Identifying it as an ethnic conflict and looking at it as a "civil disagreement" does get us one step closer to understanding the real issues involved here. In Kosovo, ethnic is so closely bound to religious that the two cannot be separated. Additionally, because Serbs are the ones committing atrocities at the moment, it is extremely difficult to see them in any other light. The fact is that both Albanians and Serbians have been victim as well as victimizer. This, of course, does not give either license for what they do, but it does provide us with a perspective that is otherwise all too easy to overlook as emotions run higher and hotter with each new headline.

Today's Serbian "monsters" were heroes in World War II for refusing to join with Hitler in exterminating the Jews. For this some 700,000 of them were murdered by Croats in the most heinous ways possible some of the tortures being so barbaric they were unprintable, disgusting even to the Nazis. Their most enduring and violent disagreements, though, have been with Muslims, their antagonism anchored in the memory of Kosovo Polje. Again and again their monasteries have been destroyed, their people persecuted, and their religious articles defiled. "The Orthodox have experienced more brutal and lasting persecution than any other Christian body. Under Soviet atheism, for example, Communists closed 98 percent of the Orthodox churches in Russia, as well as

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1,000 monasteries and 60 seminaries. Between 1917 and the outbreak of World War II, some 50,000 Orthodox priests were martyred.”<sup>5</sup>

Persecution has persisted, in one form or another, by one group or another, for centuries now. It did not suddenly spring up overnight to form the gruesome grist of our media mill and give war correspondents another stamp in their passports. Albanians are not now being driven out of their country and treated with appalling cruelty on the casual whim of Serbs. Like a toothache that pains us only now and then, the world has ignored the growing abscess festering in the Balkans until now, when we can ignore it no longer.

In 1996 an Orthodox nun from America visited Kosovo to tour the monasteries. She did not find amiable relations between Serbs and Albanians. Instead she learned that in 1981—not 600 years ago, but 18 years ago—Muslims set fire to the old *konak* (mansion) at one monastery, the Patriarchate of Pec, destroying all of the nuns’ personal belongings. Only the treasury and the food in storage was saved. An abbess there reported that the greatest problems they faced were in 1957, when the Albanians used every means at their disposal to expel the sisters, even allowing their children to leave school to torment them. The nuns asked for the protection of the police who stationed themselves at the monastery gate. The terror was redirected at the Serbian police, and many of them were killed.

It is a mistake to believe that what is happening in Kosovo started overnight. People are passionate about their religious beliefs. Many are prepared to die for them. When a conflict arises that centers primarily on religious lines, it is very serious indeed. It can become a life-and-death situation almost instantly. It is important to remember that the problems in Kosovo have been ongoing, as this American nun observed.

“Because of the great danger from the Albanians in the 1980’s and 1990’s, Christians who visited Kosovo had to be accompanied by a military escort. We were some of the first pilgrims to travel somewhat freely in the area. Only a few Serbs from the surrounding villages dare to come to the monastery any longer, for fear of attack and reprisal from the Muslims. While we were there one of the sisters had to chase out an Albanian’s pigs which frequently enter the monastery. It seemed to us a symbol of the continual desire to defile God’s house.”<sup>6</sup>

Not that the Serbs have taken this abuse lying down. But they have been just slightly outnumbered, about 90 to 1 in Kosovo, a point that causes them great concern. It was something journalist Fergal Keane learned firsthand from a taxi driver on a recent visit to Macedonia. “We were passing through an Albanian section of town, and the driver did not like the mosques and minarets and the way the women wore scarves and the way the men always seemed to be plotting something under their breath. He had driven a wealthy Albanian family to the Albanian border the other day and they hadn’t spoken a word to him all the way.

“They thought they were better than me. The truth, which you foreigners won’t tell, is that they want to take this place over. Have you seen how big the families are?” He pointed at a group of children playing soccer in a park. “They have 10, 15 children so that they can outnumber us. And now that the refugees have come across, they think they will have a Greater Albania soon.” By the time we reached the Aleksander Palace hotel, the driver had worked himself into a frenzy of disgust for these Albanians who wanted to drive him out of his own country.”<sup>7</sup>

And here’s where Milosevic comes back in. Until he stripped Kosovo of its status as an autonomous province, outnumbered Serbs were like the 90-pound weakling on a beach full of muscle-bound Albanians, getting sand kicked in their face and being sneered at. But just as Clark Kent made a miraculous transformation in an ordinary phone booth, once Milosevic cracked down with his heavy-handed police force the Serbs became like Superman on really bad drugs.

Milosevic closed schools and the government, forcing Albanians to create a parallel, if substandard, educational, health, and social system that tried hard to ignore Serbian authority. Albanian doctors, teachers, and other professionals who were fired from their jobs or walked off in protest volunteered their time, doing their best to carry on.

Some Kosovo Albanians may well dream of a Greater Albania, a uniting with Albania and Macedonia, having a common language, religion, and culture. But most simply dream of going home again. Of doing once tedious chores. Of not cowering in the basements of houses waiting to be dragged into the streets and slaughtered like cattle. They dream of peace. A peace that can be accomplished only through tolerance of religion and race.

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"Wednesday, September 30, Sedlare Valley. Went to Sedlare village and the valley above Kisna Reka with the International Rescue Committee delegation. There are 2,000 to 3,000 people from Kisna Reka living under plastic sheeting stretched over tree branches. The sanitation is abysmal, with open defecation and latrines that run directly into living space and the water supply. Most children are without proper footwear. Nighttime temperatures are near freezing, and snow is expected soon. These people want to return to their villages, but they keep getting shot at when they go back. A Red Cross vehicle hit a mine; one person was killed and three injured. Some of our local staff members knew the victim, so the mood was pretty low this afternoon. I'm amazed by the cohesion and solidarity of the Albanian population. They make a real effort to help one another."<sup>8</sup>

This entry appeared in a diary filed by Robert Turner, a 34-year-old Canadian from Salmon Arm, British Columbia, who worked on the coordination of the International Rescue Committee's emergency program to provide assistance to some of the Albanians left homeless by the fighting in Kosovo and was asked by editors of the *New York Times* to record his experiences and feelings.

In the Kosovo conflict we are seeing intolerance's particularly ugly face. Can we look at it, own up to it, and take responsibility for it? Can we take action against it and prevent such tragedies from happening where we live? It is up to each one of us to build and support tolerance for other faiths. It is *our* responsibility. Because religious intolerance is not confined to Yugoslavia, Kosovo, or anywhere else on the planet.

We cannot, in good conscience, ignore the underlying issues in Kosovo, bury our heads in the sand, and hope that it never happens in our neighborhood, town, city, or country. Ignoring similar issues would lead to a breakdown in any society. While there are differences in religions we need to have tolerance and respect for the belief systems of others. We must nurture tolerance and respect in our children also if we hope to avoid tragedies of the same nature in our own society.


"When I was 11 years old I was taught that those who did not share our faith were our enemies," said Professor Alberto de la Hera, director of the Department of Religious Affairs at the Spanish government's Ministry of Justice, at a planning session to finalize arrangements for a special meeting of the International Religious Liberty Association

on religious freedom. "Now I know they are our brothers. But this view is not shared by society at large."<sup>9</sup>

You would think, considering its long and gruesome history, that the result of intolerance would be keenly felt by those living in the Balkans. But it hasn't played out that way. Rebecca West, who wrote *Black Lamb and Grey Falcon*, a book on history, politics, and culture in Yugoslavia, points out, "The ruthlessness of the old oppressors was never used by docile church fathers to foster an identification with the weak, but to fuel a yearning for revenge. The ballads, songs and stories of suffering, persecution and heroic resistance, central to the teachings of the church, have contributed to the deep antagonism held by many Serbs to the outside world."<sup>10</sup>

And here we have a vital point.

When we degenerate into an attitude of "us against them," all hope of tolerance is lost. We cannot nurture thoughts of vengeance and hope to live in peace. It is this attitude that has prolonged many conflicts. In this case, it is an attitude that daily causes the suffering of thousands of people.

This is one lesson we would all do well to learn by example rather than experience. As we know, intolerance of any kind is not confined to the Balkans. Our country has its own share. It is imperative that we learn that respect for other faiths is essential if we are to be a truly democratic and tolerant society. 

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#### FOOTNOTES

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<sup>2</sup> Kosovo, January 29, 1996, Balkan Institute Background Brief, Number 2, The Balkan Institute, P.O. Box 27974, Washington, D.C. 20038-7974.

<sup>3</sup> *Time*, Sept. 28, 1992, p. 55.

<sup>4</sup> *The New York Times*, March 25, 1999.

<sup>5</sup> *Little-known or Fascinating Facts About Eastern Orthodoxy* by Daniel B. Clendenin. Daniel Clendenin is author of *Eastern Orthodox Christianity: A Western Perspective* (Baker, 1994). He serves with InterVarsity Christian Fellowship at Stanford University.

<sup>6</sup> *A Pilgrimage to Kosovo Today*. An inspiring pilgrimage report by a Ryassaphore nun of Holy Cross Skete in California with impressions from her visit to the Orthodox shrines of Kosovo in 1996, from "Orthodox Word," Nos. 193-194.

<sup>7</sup> Fergal Keane, *The familiar diatribe of War Zones, From Rwanda to Belfast*, *Independent*, April 10, 1999, p. 3.

<sup>8</sup> Robert Turner, *Days and Nights in Kosovo: Relief Worker's Diary*, *The New York Times*, 1998.

<sup>9</sup> Jonathan Gallagher, "Spanish Justice Department Officials Support Religious Freedom Experts Meeting, Silver Spring, Maryland, USA," ANN.

<sup>10</sup> Chris Hedges, *Journal: If the Walls Could Speak, Serb Epic Would Unfold*.



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*W*e have abundant reason to rejoice that in this Land the light of truth and reason has triumphed over the power of bigotry and superstition, and that every person may here worship God according to the dictates of his own heart. In this enlightened Age and in this Land of equal liberty it is our boast that a man's religious tenets will not forfeit the protection of the Laws, nor deprive him of the right of attaining and holding the highest Offices that are known in the United States.”

GEORGE WASHINGTON,  
*in a letter to the members of  
the New Church in Baltimore, 1793.*





“**W**hereas Almighty God hath created the mind free . . .” So begins the 1776 Virginia Statute of Religious Liberty, widely recognized as influential in the subsequent framing of the Constitution. Here clearly stated is the frequently unspoken assumption of free will and choice as an inborn ability possessed by all. Even more significant are the references to “Almighty God” and “the Holy Author of our religion,” for they demonstrate what Jefferson believed was the source of such free will and liberty.

“What constitutes the bulwark of our own liberty and independence?” asked Abraham Lincoln. His reply: “Our reliance is in the love of liberty which God has planted in us. Our defense is in the spirit which prized liberty as the heritage of all men, in all lands everywhere. Destroy the spirit and you have planted the seeds of despotism at your own doors.” Most significant is his statement that “the love of liberty which God has planted in us.” There can be no question here of what Lincoln saw as the source of the liberty principle. God put it there!

By  
JONATHAN  
GALLAGHER

## RELIGIOUS LIBERTY

# Self-evident

“Man is born free, and everywhere he is in chains,” wrote Jean-Jacques Rousseau in *The Social Contract*. Leaving aside the polemical terms of the statement, what of the assertion that human beings are born free? While not specifically identifying divine intervention, Rousseau too takes “natural liberty” for granted.

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# TRUTH?

**"Whereas Almighty God hath created the mind free; that all attempts to influence it by temporal punishments or burdens, or by civil incapacitations, tend only to beget habits of hypocrisy and meanness, and are a departure from the Holy Author of our religion."**





In case we might somehow miss what liberty means, John Quincy Adams helps us out: "Liberty—a self-determining power in an intellectual agent. It implies thought and choice and power."

### **Self-evident?**

And what of these most familiar words from the Declaration of Independence? "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness."

What are these self-evident truths? Self-evident back then, perhaps. But could the framers of the Declaration have expressed it the same way today? It is debatable whether they would get past the initial hurdle of the First Amendment.

To assert that the Creator endowed human beings with certain unalienable rights and that liberty's source is in divine creation is surely a most definite statement of religious conviction. The question, then, is whether this is still true today.

For the majority today (though they may not say so directly), such ideas are out of step with current understanding. Is it really true that the origin of liberty is divine? And what if you reject the concept of Creation itself? It could even be argued by some that this is an outdated constitution, since it is predicated on assumptions that many in society no longer accept.

That is not to deny current belief in God; simply to comment that the concept of being endowed by the Creator with rights including liberty—and by extrapolation human rights and religious liberty—is out of step with the majority view of origins. The involvement of the Creator in endowing human beings is certainly not part of a "scientific worldview."

So we are created free, born free, endowed with God-given freedoms. Yet from the viewpoint of modern secularist science there is a big question above this statement.

### **Taken for a Ride**

Six-year-old Calvin takes another toboggan ride with his cuddly toy tiger companion in Bill Watterson's widely appreciated cartoon strip *Calvin and Hobbes*. The scene is a frequently used device to highlight some aspect of philosophy.

The conversation goes something like this.

Calvin: "What do you think, Hobbes? Is human nature good, with some bad parts?"

Hobbes: "Mind that tree!"

Calvin: "Or is it bad, with some good parts?"

Hobbes: "Watch out for that rock!"

Calvin: "Don't keep trying to change the subject. Or is human nature unknowable, just a product of random chance?"

*Smash. The pair go careening off the edge of the gully to*



plummet into the snowbank below.

Hobbes: "I choose crazy."

This is a pointed illustration of the way we tend to see things. Is it consistent to believe in free will and a universe created by chance? How can we explain free choice and liberty—especially religious liberty—if our origins are purely the result of physical laws?

And how do we really *know* we are free, anyway?

## Liberty or Fatalism

Free will can be defined briefly as the ability to make a choice without compulsion from previous events, the necessity of the situation, or the intervention of external agents. But it is hard to see a reasonable explanation for its existence in a world determined by "natural laws." For if the natural world is to be "rational," it is argued, then it must be based on a series of causes and effects. An absolute act of free will is outside of this chain of causality, and therefore, by very definition, is irrational!

Such a fatalistic attitude challenges our place in this modern scientific world. For if I am simply the product of a variety of laws that operate in the physical, then I am a machine, complex though I may be. And thought, though real, is conditioned by forces outside of myself. And should I, by some peculiar set of circumstances, come to believe that I exercise free will and determine my existence, my relationships, my behavior by choice, then I am mistaken. Or if not, then I must invoke something other than mechanical laws for who and what I am.

Of course, some have responded by arguing that the concept of free will is false, that the very idea we are free to make choices is an illusion. Leo Tolstoy in *War and Peace* minimizes individual free will, since by its very nature such a concept is so unpredictable. Tolstoy, it seems, would happily give up free will, if he was then left with an explainable history based on "the discovery of laws"—rather like Newtonian physics, presumably. Speaking of the "great men of history," Tolstoy writes: "Every action of theirs, that seems to them an act of their own free will, is in an historical sense not free at all, but in bondage to the whole course of previous history, and predestined from all eternity."

Benedict de Spinoza also rejects the ability to choose. "There is no such thing as free will. The mind is induced to wish this or that by some cause and that cause is determined by another cause, and so on back to infinity."

Unpalatable, perhaps, but at least internally consistent! Most of us, particularly those with faith in a higher morality, will not want to follow Tolstoy or Spinoza. Our own experience—even our consciousness of our self and our exist-

tence—tells us otherwise. As Isaac Singer quaintly puts it: "We have to believe in free will. We've got no choice."

Or in the words of James Boswell, Samuel Johnson's biographer: "Dr. Johnson shunned tonight any discussion of the perplexed question of fate and free will, which I attempted to agitate: 'Sir, [said he,] we *know* our will is free, and *there's* an end on't."

But the fact that we may unthinkingly accept that we possess free will can blind us to its relevance. Because we believe we can decide and make choices—it seems so obvious, self-evident even—we can take such "free will" for granted. It may not occur to us that the more "reasonable

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and rational" life we should be leading (if we are part of some self-produced universe) is one in which all decisions are already made. Since we believe we have free will, we unconsciously reject a life in which we are born, live, and die without making choices.

## Free to Decide

In the popular metaphysical view that is usually called "scientific," there is little room for a true process of choice—seemingly no logical way in which human beings could ever possess free will.

The situation is rather like the horse-leaser in sixteenth-century Cambridge, England, who would face potential riders with the unrealistic choice of "take the horse nearest the door or leave it." Not a viable set of options if you wanted to select a mount to take you somewhere—which is why such a choice of no choice passed into the vernacular as "Hobson's choice," a free choice that does not provide a realistic alternative.

Yet isn't accepting the inescapable applications of the laws of matter and energy somewhat of a cosmic Hobson's choice?

If (and this is a colossal "if") the universe—and all in it—has arrived from physical processes governed by mechanistic laws ever since its origin (whatever "Bang" that may be), then ideas of individual free will, ethics, and morality are illusory. Any "decision" (if that is really what it is) is only a conditioned response to a set of stimuli, and the result is predictable, even predetermined.

Of course, a system of ethics *demands* free will. Without the capacity to choose, the individual is not responsible, and cannot be held liable for his or her thoughts and actions. We



look at the world of experience through our senses and believe we are born to choose. But why should we make such a sweeping assertion?

Matter clearly follows the laws of Isaac Newton, quantum physics, and all the rest. Chemical elements do not "choose" to react in a certain way one day and in a different way the next. Simple life forms also hardly exhibit free will in their existence. Conditions favorable for growth occur, and so the organism flourishes. It does not make a conscious choice to grow or not to grow. It may seem superfluous to labor the point, yet because we unconsciously accept our

## Turning Darwin on His Head

When it comes to matters of intellectual choice, of self-denying choices, we face a "scientific" dilemma. Free choice turns Darwin's survival of the fittest on its head, for it allows a whole range of moral, ethical, philosophical, spiritual, and other metaphysical values. Only by identifying such values as being progressive for the survival of the species can a determinist make the logical somersault to explain freedom of choice, and such a logical somersault is inherently illogical anyway, from a deterministic viewpoint! In the words of James Froude: "To deny the freedom of the will is to make morality impossible."

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ability to choose, we can easily fail to see how different our existence would be without conscious choice.

### The Fox

Even "higher" organisms do not have the same quality of choice. Operating on instinct and limited experience, animals do make certain choices, but only within a narrow range of possibilities.

The fox is out hunting. It sniffs the ground; it pricks up its ears at the slightest sound. It analyzes the information its senses give it. Does it turn left or right in its search for lunch? The decision made is surely dependent on which of the sense stimuli is strongest.

Is the fox conscious of the options or that it has made a choice? More significantly, is it aware of matters of existence, the meaning of life, of its ability to choose within a universe of right and wrong? The evidence for this conclusion is curiously absent.

The fact that we humans use highly developed thought processes in our brains should not blind us to their seeming uselessness in a mechanical kind of universe. They are superfluous, too complex, and, from a primary survival perspective, redundant. What practical value, what species advancement, is there in philosophical thought—in the writing of this article, even? [Comments to the editor, please!]

But in reality a capacity for abstract thought that is more metaphysical than physical means that the very opposite choices may be made than logic would dictate.

Why women and children first? Why care for the sick and the dying? Why expend time and resources on anything or anyone that has no core value to the state, or to society, or to yourself? If we do live in such a pragmatic universe, then the Nazis were right after all.

"What is freedom?" asked Archibald MacLeish, and then gave his own answer: "Freedom is the right to choose: the right to create for yourself the alternatives of choice. Without the possibility of choice and the exercise of choice a man is not a man but a member, an instrument, a thing."

The *dehumanization* that results from a lack of freedom—when human rights are denied, above all the right to practice freely in accordance with religious convictions—is exactly that: turning people into things. When human beings are "objectivized" they have no rights. But if in your understanding of the universe there are only "things"—the product of matter combined—then we are all just those very objects!

So what of human rights generally, and religious liberty in particular? Some would even posit religious liberty as the most fundamental of these rights.

If we are simply products of physical and biological evolution, what need is there for protecting individuals, for respecting human rights? Is it not strange that "nature, red in tooth and claw" should produce beings concerned for the welfare of others, especially when the needs of others conflict with your own? Why bother with any kind of religious liberty?

The modern mind-set and religious liberty obviously do not square well. For if all we see and are is the result of the interplay of cosmic physical forces, then where does such liberty come from anyway, let alone the need for God as an explanation of anything?

Why should the United Nations want to say this: "Considering that religion or belief, for anyone who professes either, is one of the fundamental elements in his conception of life and that freedom of religion or belief should be fully respected and guaranteed" (United Nations Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief).



And what sense is there in this: "Freedom of thought, of conscience, of religion, and of conviction is, in fact, of the utmost and highest importance. It allows each person to be himself or herself, to have a personal vision of the world, and to act in harmony with the deepest convictions. It is this freedom that allows each one to develop spiritually and to affirm his own dignity to the utmost, and it is this liberty that emphasizes the cultural diversities of men, which are a source of enrichment for the whole human race" (Gianfranco Rossi).

So where did such virtues come from? Why are they "of the utmost and highest importance"? The fatalism of modern ideas about origins should rightfully pull the plug on such concepts. There is no need, except for self-preservation. *Such lofty ideals can be maintained only if the absolute existence of good and evil is accepted*, and not as just a subjective value judgment on what is best in the circumstances.

This comes pretty close to saying that freedom of choice, human

rights, and religious liberty make no sense unless you accept that they are the result of free will put there by the Creator. I realize, of course, that those atheists who accept the need for protecting human rights will protest, shouting that this is an unwarranted assumption. But again the question comes—where do our "higher ideals" come from in a universe dictated purely by natural laws?

### The God Explanation

So then—we are back to God! Perhaps the Framers of the Constitution saw more clearly than we do that free will and liberty cannot arise in a universe that simply came about by itself. The modern worldview that points to some Big Bang or cyclical process cannot give an explanation for liberty, certainly not the most fundamental of human rights, religious liberty.

The very existence of free will argues for God. A deterministic universe in which every cause is followed by its contingent effect is the logical, "scientific" universe that avoids the God hypothesis. But such a universe does not allow for the development of morality, ethical decisions, or religious liberty, for they all depend on the exercise of free will, which can never be a logical result in a Big Bang universe. Our free will can be explained only by postulating the involvement of a thinking being who already is possessed of free will.

In the same way that predestination destroys individual responsibility to choose good over evil, so too the fatalism of a random, self-generated universe destroys not only God but also our own self-understanding as beings with choices. As W. S. Gilbert wrote, tongue in cheek, for *The Mikado*: "I can trace my ancestry back to a protoplasmal primordial atomic globule." If so, if true, what kind of self-identity, what hope for free will? If "Man is a blind, witless, low-brow anthro-

pocentric clod" (Ian McHarg), then why see this world and our place in it as anything more than an ongoing sausage machine that spews out its product without rhyme or reason?

Which is why Friedrich Nietzsche turned his back on such redundant values as compassion and care and humanitarian aid in such a "universe-machine." "It is the duty of the free man to live for his own sake, not for others," he wrote. "Exploitation does not belong to a depraved or an imperfect and primitive state of society . . . it is a consequence of the intrinsic will to power, which is just the will to live."

In other words, we must dispense with any moral or ethical values, since they are pointless in such a worldview. His point was logical enough, but it is a philosophy that has produced a terrible harvest in suffering and death in this century.

Nor can we accept a kind of dualism that says the universe is fated, but we are not, in the words of Alexander Pope, who saw the Creator as "binding Nature fast in fate, left free the human will." Even Niccolo Machiavelli is ready to concede that "God is not willing to do everything, and thus take away our free will and that share of glory which belongs to us."

### Either/Or

We come back to a basic need to choose our operating assumption. Either the universe is determined, or it is not. Either we are merely the product of the interplay of scientific laws, or we are not. Either we have free will, or we do not. Theistic evolutionists, deists, even process theologians, have made attempts to bridge an unbridgeable divide and explain why we can have freedom in a universe that arbitrarily arrived just so.

For true religious liberty to exist, we must truly be free to decide. Our frames of reference may be limited, but we still do choose, freely and without inescapable compulsion from our heredity, from our environment, or even from divine intervention.

And we should delight in such freedom and choice, rather than accept the alternative of moral and ethical pointlessness in a universe without meaning, without aim, without purpose. "Liberty is always dangerous," said Harry Emerson Fosdick, "but it is the safest thing we have."

"For man to become truly free, God had to put man's will beyond even divine intervention," said Meyer Levin. And in making humanity free to decide, even in matters of religion, God places the highest value on our freedom. In Dante's words: "The greatest gift that God in His bounty made . . . was the freedom of the will."

The liberty we are given is that freedom to make our choices, especially in our choice to believe or not, and in our choice to allow others the same choices. Only then can the blessings of liberty identified in the Constitution, and which the Declaration of Independence declares as being God-given and self-evident, be a reality.

The essence of liberty, true freedom of choice, is in this: In the beginning, God chose. Which is why we are, and why we choose.





# Tough Love

By  
ROLAND R.  
HEGSTAD

*Is Power  
Politics  
Really the Way  
to Advance  
the Kingdom  
of God?*

Today a wide spectrum of Christian activists—from Christian Right to Catholic Left—seeks morality through civil laws. Over the past two decades some of their names have become household words. Their quest is not new: as far back Constantine's Sunday law of A.D. 321 churches have sought to cure the evils of mankind through alliance with the state. The National Reform Association of the 1800s sought "to secure such an amendment to the Constitution of the United States as will declare the nation's allegiance to Jesus Christ and its acceptance of the moral laws of the Christian religion" (*Dateline Sunday U.S.A.*, p. 70)—a quest continued by the Lord's Day Alliance of our day. In Seattle, a Christian spokeswoman for the Lord's Political Action Committee recently outlined her party's approach to achieving "Christian" objectives. They would do it, she said, by "kicking butt."

Her expression lacks elegance and artifice. It is direct. It is crudely honest. It is to the point: "Kicking butt" is a metaphor for power politics, for helping the Lord along in establishing His kingdom of love and righteousness. Let's listen to a few voices from Catholic and Protestant ranks.

In the 1961 encyclical *Mater et Magistra* (Mother and Teacher), Pope John XXIII called upon "public authorities, employers, and workers" to observe the "sanctity of Sunday." Said the pope: "This presupposes a change of mind in society and the intervention for the glory of God, we are mindful that the observance of the Sabbath Day is the command of God." Church

members are urged to "give encouragement to the enactment of such legislation as will protect the Lord's Day from commercialism."

I once debated the head of the Lord's Day Alliance on a popular evening talk show. When he denied wanting to force the Alliance's views through civil legislation, I read his words from the *Lord's Day Leader*: "There is a small number of ministers and other Christian leaders who . . . feel that we do not have the right to impose our day of worship upon another. They state that the observance of worship is a matter of conscience and should be left to our conscience. This group within the church, even though it is small, gives real cause for alarm."

It is my conviction, to the contrary, that whatever the organization supporting religious legislation, whatever the purity of its motives, whatever the religious affiliation of its members, it is *supporters of religious legislation* who are cause for alarm. There is a sorry record of persecution written by clerics attempting to conscript citizens for the kingdom of heaven. This approach to morality reveals gross ignorance of the basic principles of the kingdom of God.

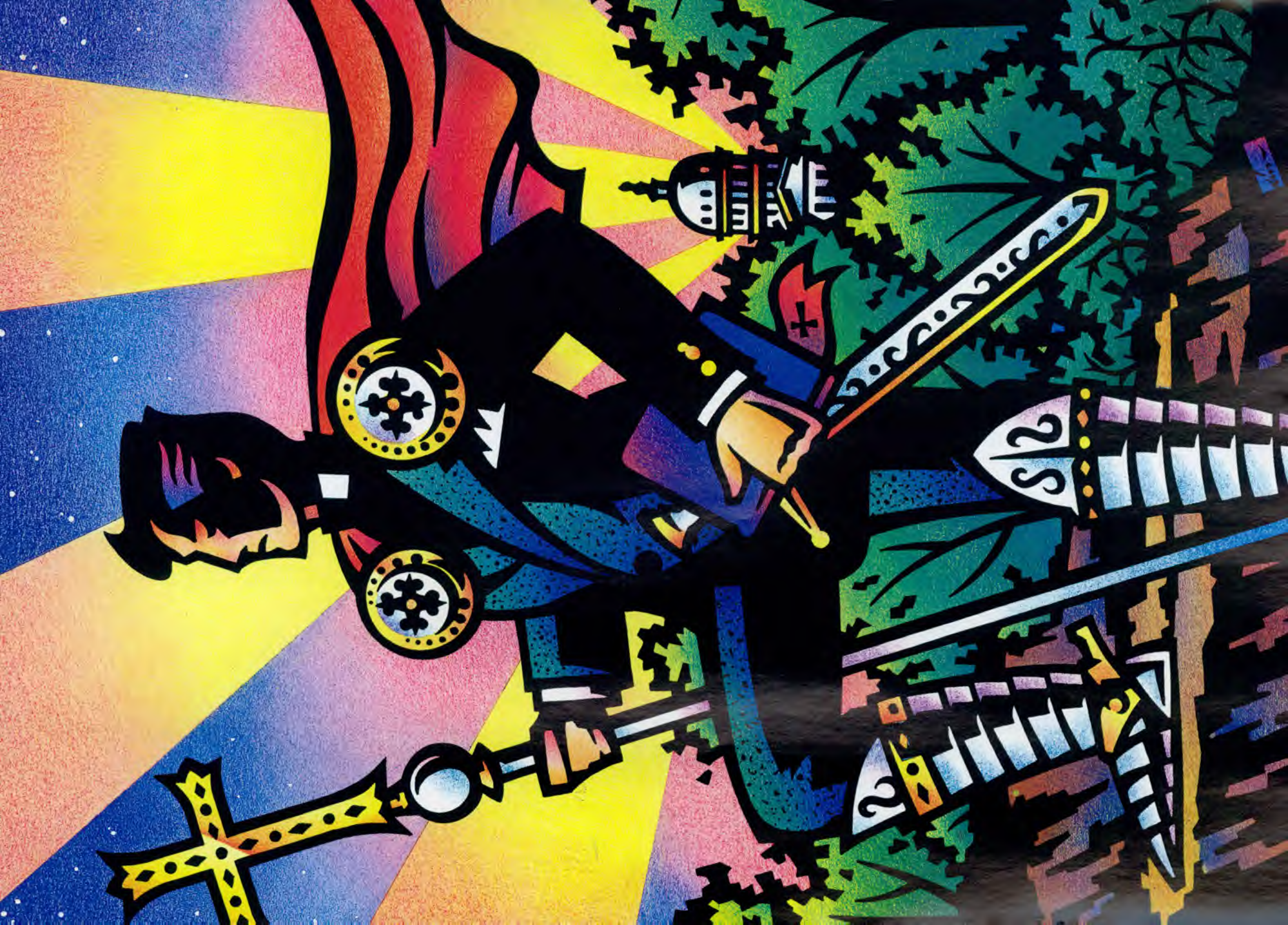
## Perceptive Voices

A number of evangelical Christian leaders would agree. Says Stan Moonyhan, a respected Evangelical leader: "I sense the mood of my fellow evangelicals and it

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*Roland R. Hegstad, a former editor of Liberty magazine, writes from Silver Spring, Maryland.*







*We were not  
created robots,  
our minds an  
electronic circuit  
wired to respond  
to ciphers in  
a computer code.  
We were given  
a will free to  
exercise to obey  
or disobey.*



scares the daylights out of me. . . . Power, even with anointed beginnings, has an unfortunate way of turning in upon and magnifying itself. . . . Worldly power in religious hands—Islamic or Christian—has hardened into more than one inquisition. That God has delivered us from the hands of zealous but misguided saints is all that has saved us at times.”

In a frequently delivered speech, college president and author Tony Campolo has said: “Evangelical Christianity right now has got me scared, because Evangelical Christianity suddenly has discovered power. And they have a simple solution to the ethical problems of our time. It is this: Elect our boys to congress. Elect our people to the senate. Elect our people to the presidency, and when we’ve got power, we’ll be able to force America into our mold of righteousness. Give us power and we’ll straighten out America. We’ll clean up those sex shops. We’ll put the screws on those homosexuals. . . .

“As I deal with the evangelical community, I find that they have almost no sense of history. Oh, if only we could recover what they had in the New Testament church! And the New Testament church was doing great for three hundred years, and then something happened. . . . They got a ‘born again’ emperor. His name was Constantine. Suddenly Christianity was no longer a persecuted minority. . . . Christian morality was the law of the land. . . . Suddenly the church was a powerful majority exercising power. And the historians will tell you that the church has never recovered.”

Constantine’s contribution was twofold: A Sunday law and a motive that would fit well in today’s politically charged ecumenical climate. The law: “On the venerable Day of the Sun let the magistrates and people residing in cities rest, and let all workshops be closed” [March 7, A.D. 321] (*Bible Students’ Source Book*, p. 999). The motive: “Constantine labored at this time untiringly to unite the worshipers of the old and the new faith in one religion. All his laws and contrivances are aimed at promoting this amalgamation of religions. He would by all lawful and peaceable means melt together a purified heathenism and a moderated Christianity. . . . His injunction that the “Day of the Sun” should be a general rest day was characteristic of his standpoint” (H. G. Heggtveit, *Illustreret Kirkehistorie*, p. 202, [*Ibid.*, p. 1000]).

### **The Guidebook**

Before seeking civil laws in support of Christian doctrines and standards, those who are truly mindful that “the Creator of Life has so

directed our ways for the best interests of man and for the glory of God” must research not only church history but also the Scripture people of faith cite as their Guidebook. It reveals, first, that:

We find in the Bible the quite startling view that the Creator made His creatures just as free to disobey His precepts as to obey them. We were not created robots, our minds an electronic circuit wired to respond to ciphers in a computer code. We were given a will free to exercise to obey or disobey. If we, by civil law, deny our fellow humans the choice of disobeying God’s will—or what they think God’s will to be—we deny them what our forefathers recognized to be an “unalienable” right; a right God Himself has given to His creatures.

No, that doesn’t mean we can kill each other (though we can hate), slander each other (though we may lie), steal from each other (though we may, with impunity, covet), and so forth. The first four commandments, which refer to our relationship with God alone, are not concerns of civil government; *but* the principles of morality in the last six are. They espouse norms of civility without which society could not function. Even Communist governments incorporated their principles in civil law as a “social contract.”

Assuming civil government does seek to legislate conformity to God’s will, will God accept the obedience it coerces? Emphatically, No! The religious zealot can “get on” a person, dig in legal spurs, and ride him or her to the altar, but when the zealot gets there, he will find that God will accept neither of them. For both fail to bring to the altar that which is indispensable to God: loving obedience that comes only from free choice. As Jesus told a Samaritan woman: “True worshipers will worship the Father in spirit and truth, for they are the kind of worshipers the Father seeks” (John 4:23).<sup>\*</sup> To encourage this quality of worship, Scripture traces the history of our rebellion, its consequences, God’s loving response to events on His one rebel world, and ultimately, the contrasting rewards for obedience and disobedience.

The God of love did not create us with a wind-up key in our back that results in “I love You, I love You, I love You, I love You” until we run down. We were created free and thus able to also say “I hate You, I hate You, I hate You!” God will accept only that allegiance that springs from love. And love can be appreciated only when the capacity to be unloving exists. The capacity both to love and to hate, to obey and to disobey, is



itself a strong argument that the nature of God precludes acceptance of forced allegiance.

Further support for this conclusion is found in the scriptural account of Adam and the Fall. Our first parents were told that they could eat of every tree but one in the Edenic garden. No electric fence kept them from it; no prefabricated mental block inhibited their appetite. Rather, the tree stood as a test of their voluntary, and thus loving, obedience. And so long as their love of God produced loving obedience, their worship was acceptable. Forced allegiance, wherever, whenever, is unacceptable to God.

The futility of forced obedience is demonstrated also by the nature of the law of God. This law, a transcript of God's character, witnesses that outward conformity is worthless, for the law, as Christ made plain, regulates not only our acts but also our motives, which civil laws cannot do. Explaining the penetrating dimensions of the law, Christ said to those giving lip service to its letter: "You have heard that it was said to the people of long ago, 'Do not murder, and anyone who murders will be subject to judgment.' But I tell you that anyone who is angry with his brother will be subject to judgment" (Matthew 5:21, 22).

Christ was equally clear on the true nature of chastity. "You have heard that it was said, 'Do not commit adultery.' But I tell you that anyone who looks at a woman lustfully has already committed adultery with her in his heart" (verses 27, 28).

The scribes and Pharisees were noted for outward piety unmatched by inward charity. Onlookers saw their pious looks and fine dress. Christ looked into their blighted interiors and pronounced them "whitewashed tombs, . . . full of dead men's bones" (Matthew 23:27). "Unless your righteousness surpasses that of the Pharisees and the teachers of the law [i.e., has an inward dimension], you will certainly not enter the kingdom of heaven" (Matthew 5:20).

But what else can state-enforced morality produce but outward conformity? (Review your reaction upon seeing a police car with its radar focused on your driving.) It cannot change hearts; all it can do is coerce obedience; and it is heart worship only that is acceptable to God.

After having created us free to make our own choices, has God ceded to any human authority, state or church, the right to take away that freedom? He invites us all to show our respect for His creative right by loving obedience. If we decline His invitation, does He then authorize any authority of heaven or earth to compel our

worship—a worship that Scripture describes as "sounding brass, or a tinkling symbol" (1 Corinthians 13:1, KJV)? The nature of the law of God, with its demand for conformity of inward motive as well as outward act, testifies to the futility of forced allegiance.

Further evidence against God's acceptance of legislated religion is found at Calvary, the testing ground of the universe. There the charges against God—that His laws are unjust and He is a dictator—were framed as a hypothesis and submitted to experimentation. Until Calvary some in God's creation were confused by the allegations of evildoers and haters of God. Lucifer had sought to undermine the principles of God's government and its universal constitution. Law, he argued, was a restriction on liberty and must be abolished. But at Calvary the destructive power of even an atom of sin—"lawlessness" (1 John 3:4)—was demonstrated. There it was shown that eternal happiness depends on eternal obedience to His eternal law. And there "God was reconciling the world to himself in Christ" (2 Corinthians 5:19).

### **Loving Allegiance**

Having compared the consequences of sin with the consequences of obedience, the claims of God and the claims of Lucifer, having seen demonstrated at Calvary the magnitude of God's love in contrast to the malignancy of Lucifer's hate, millions have given, and yet give, the product of informed wills freely exercised—the loving allegiance that alone can delight the heart of God.

The cross is a scribe in the hand of the Holy Spirit, tracing the principles of God's law upon the conscience and producing obedience that is the consequence of internal principles. Without this inward scribing, efforts to keep the law are useless. No human legislation can produce it; it is the product only of an enlightened conscience freely exercised.

To use civil law to coerce obedience to God's law is, then, to rob Calvary of its beauty, of its meaning, and of its power. Of its beauty: "For God so loved the world that he gave his one and only Son" (John 3:16); of its meaning: "Whoever believes in him shall not perish but have eternal life" (*Ibid.*); of its power: "But I, when I am lifted up from the earth [as at Calvary, suspended between the heaven He left and the earth He loved], will draw all men to myself" (John 12:32). Those who seek civil legislation to coerce worship on Sunday or any





*Christians  
can best advance  
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by seeking to write  
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hearts rather than  
in the legal code of  
the state.*

other day; who seek to coerce conscience and commitment to any Christian doctrine, tear down the cross, symbol of God's justice and mercy, and erect in its place the gallows of carnal legalism, bigotry, and intolerance.

Final arguments against legislated religion can be found in the ministry and teachings of Christ. Most significant is His theology on the respective spheres of church and state. Seeking to entrap Him, the Pharisees had asked whether it was right to pay taxes to Caesar. Jesus, in response, made His point from the portrait and inscription on a Roman coin: "Give to Caesar what is Caesar's and to God what is God's" (see Matthew 22:18-22). God's spiritual kingdom has a sphere; civil government has a sphere. "The authorities that exist have been established by God" (Romans 13:1), and are to be obeyed *in their sphere*; that is, when their legislation is confined to the legitimate concerns of civil government. Should their legislation contravene the commands of God, then "we must obey God rather than men!" (Acts 5:29).

Christ taught that all humanity are sons and daughters of one Father, and therefore equal before the law—equal in civil rights. Rulers are servants of their fellow citizens, chosen under God to protect their fellow beings in the enjoyment of what our American forefathers called their "unalienable rights." Under our system of government, the majority rules in the political process—but not in matters of conscience. Were it empowered to do so, minority rights would be meaningless. Whom we worship, how we worship, when we worship are not for the state to decide. Further, it is our right to disobey the law of God should we desire and, ultimately, to answer to God for transgressing His law. Human governments may compel citizens who will not be righteous to be at least civil, so that society may be characterized by peace and equity.

The church, on the other hand, through its mission, has the challenge of changing wicked humanity into righteous witnesses who reflect the character of Christ. The state compels us to refrain from crime—stealing, murder, perjury, adultery—for only when laws against such are obeyed can we live together in peace and harmony. Citizens who defy these laws are, in civilized societies, called before a court to answer for their defiance. The church, by the "sword of the Spirit," the "compulsion" of love, impels us to refrain from sin. The faithful pastor seeks to bring his parish into harmony with the very spirit of

God's law—"you shall not covet" (which precedes murder), "you shall not look upon a woman lustfully" (which precedes rape or adultery)—in essence, enable them, *ennoble* them, to love their neighbors as themselves (see Mark 12:33).

The freedom Christ brings is not freedom from His *law*, but from its *penalty*; not license to *transgress* it, but freedom to *keep* it. True freedom is to live in harmony with God's will as expressed in His law. Fittingly, that law is called a law of liberty, for obeying it frees us from the physical, mental, and spiritual penalties of disobedience. The psalmist could sing: "I will walk about in freedom, for I have sought out your precepts" (Psalm 119:45). The church's mission is to make mankind free in a sense the state cannot.

### The Two Tables

Nowhere does Christ teach that the state is given responsibility for regulating our relationship to God. The state shares with the church the responsibility of regulating a person's relationship to their fellow citizens. The Ten Commandments themselves, as Roger Williams pointed out, are divided into two tables, as if to emphasize the demarcation: the first four regulate our relationship to our Creator (you shall not worship other gods, blaspheme, make graven images, break the Sabbath); the last six regulate our relationship to our fellow citizens (honor your father and mother, don't kill, steal, lie). Williams, among others, recognized this distinction between the two tables and urged it as reason for separation of church and state. It was his contemporaries who, lacking his insight, wrote civil laws concerning Sabbathbreaking, blasphemy, and other "sins," some of which are still retained on civil statute books.

Christ taught that the tares (the wicked) are to grow with the wheat (the righteous) until the harvest (the judgment). Then God will send His angels to gather out the tares and burn them. The work of separation is not entrusted to us or to the state. The reason for denying us this work is evident: we cannot see the heart, and by arbitrary, uninformed judgment would uproot the wheat also.

In particular, Christ taught that His kingdom could not be advanced by force. When Peter sought to defend his Master by the sword, Jesus referred to His Father as the Christian's only source of power. "Put your sword back in its place," Jesus told a disciple. And He told Pilate "My kingdom is not of this world. If it were, My followers would fight for Me" (see John 18:36). His disciples were not to use force.



## The Christian Arsenal

Of course, some churches appear not to have gotten the message. "The question has been raised," says the *Catholic Encyclopedia*, "whether it be lawful for the Church, not merely to sentence a delinquent to physical penalties, but itself to inflict these penalties. As to this, it is sufficient to note that the right of the Church to invoke the aid of the civil power to execute her sentences was expressly asserted by Boniface VIII in the Bull 'Unam Sanctam.'"

In denying the church recourse to force, Jesus, in effect, denied it the weapons civil governments use to enforce their laws. As Paul said: "The weapons we fight with are not the weapons of the world. On the contrary, they have divine power to demolish strongholds. We demolish arguments and every pretension that sets itself up against the knowledge of God" (2 Corinthians 10:4, 5). If churches are still institutions of Christianity and if Christians are still following Christ, then surely it is past time for the church to review her arsenal and discard a few unauthorized weapons picked up off the wrong stockpile sometime during the centuries. . . .

Why didn't God seek the use of civil power to enforce His law? The answer is plain: For the same reason He did not force obedience to His law by creating us incapable of transgression. Forced obedience is worse than worthless to Him; it's humiliating when wielded by His alleged "disciples," in whatever religious garb. Only voluntary discipleship is acceptable to the God of love. What He would not permit in heaven, He will not permit on earth.

When rebuffed in a Samaritan village (Luke 9), James and John asked Jesus: "Lord, do you want us to call fire down from heaven to destroy them?" (verse 54). Instead, He rebuked His disciples. God had not come down to walk among us, as one of us, to destroy us. He came to save us.

## A Night of a Thousand Years

Since God gave us the freedom to choose whether to disobey His precepts or to keep them; since the law of God cannot be satisfied by outward conformity, and since outward conformity is all civil legislation can produce, I believe Christians can best advance the kingdom of God by seeking to write its principles on hearts rather than in the legal code of the state. To legislate religion is to denigrate the character of God, reduce His law to the dimension of the letter, rob Calvary of its beauty, meaning, and power

# The POWER GAME

"Whatever the position adopted by the Church, every time she becomes involved in politics, on every occasion the result has been unfaithfulness to herself and the abandonment of the truths of the gospel. . . . Every time the church has played the power game . . . she has been misled to act treasonably, either toward revealed truth or incarnate love; every time the church has been . . . involved in apostasy. It would seem that politics . . . is the occasion of her greatest falls, her constant temptation, the pitfall the Prince of this world incessantly prepares for her" (Jacques Ellul, *Faisez Presence au Monde Modern*, pp. 104, 111).


# AN IMPERIAL PULPIT?

"This proud, rich, arrogant church now covets power. Not the power of God—but political power. It covets the White House, Congress and the Supreme Court. . . . It sounds so pious, so spiritual and vital. Like Israel, many of God's people are crying for an imperial pulpit—with a spiritual leader who will root out the entrenched powers of evil and legislate a new moral system. The pointed, accusing finger of thundering prophets and weeping watchmen is to be replaced by the refined pen of Christian congressmen enacting moral laws.

"[This church] is not going to be the vehicle of God's dominion on earth, but rather the object of His wrath and abhorrence.

"You can be sure God has a people for Himself in these final days, but they are a despised, holy, and separated remnant" (David Wilkerson).

as the symbol of voluntary love, and contravene the clear and explicit teaching of Scripture.

The early church, strong only in the power of God, triumphed grandly through preaching that "turned the world upside down" (Acts 17:6, KJV). Strongholds of false religions upheld by mighty empires could not stop its spread. Only when the church allied itself with the state, seeking its aid and its adulation, did it deny the Lord, lose its power, and darken the world into a night of a thousand years. 

\*Unless otherwise noted, Scripture references are from the *Holy Bible, New International Version*. Copyright © 1973, 1978, 1984, International Bible Society. Used by permission of Zondervan Bible Publishers.



# ANOTHER LOOK AT THE

# That Wall

We hear a great deal about separation of church and state today, especially from those who revile the concept, regard it as somehow foreign or un-American, and want to replace it with some form of official or unofficial cooperation between religious groups and government. So it is now time to take a fresh look back at how the concept evolved and became an essential part of American law and culture.

The concept of separation evolved during the seventeenth and eighteenth centuries from two movements.

The Enlightenment view, so ably expounded by people like John Milton and John Locke, emphasized liberty of conscience in religious matters and implied a minimum of state involvement with religion.

As early as 1644 Milton affirmed in his *Areopagitica*, "Give me the liberty to know, to utter, and to argue freely according to conscience, above all liberties." In 1689 Locke observed in *A Letter Concerning Toleration*, "I esteem it above all things necessary to distinguish exactly the business of civil government from that of religion and to settle the just bounds that lie between the one and the other." Roger Williams, religious reformer, gadfly, and founder of the Rhode Island colony, was a contemporary of Milton and Locke. In his 1644 book, *The Bloody Tenet of Persecution*, Williams wrote, "Enforced uniformity confounds civil and religious liberty and denies the principles of Christianity and civility. No man shall be required to worship or maintain a worship against his will."

Then there was what can roughly be labeled the antiestablishment or disestablishment movement; which began among religious dissenters in the American colonies. This movement sought a purely voluntary reli-

gion and crystallized its sentiments in opposition to obligatory ties to an established church. Writes historian William G. McLoughlin, "The history of separation of church and state in Massachusetts from 1692 to the Great Awakening is a story of how the Quakers, Baptists, and Anglicans fought, each in their own way, to establish their right to exemption from paying compulsory religious taxes for the support of the Congregational churches."<sup>1</sup>

Hence, a kind of rationalist-pietist alliance achieved the legal recognition of separation as a vital guaranty of religious liberty. McLoughlin says, "There were two or perhaps three different theories of church-state relations at work among those who advocated separation. The view of Madison, Mason, and Jefferson, as expressed in the great debates over this issue in Virginia, has been assumed to be the primary or fundamental one. Most historians and most recent decisions of the U.S. Supreme Court have drawn on the eloquent and logically consistent reasoning of these learned, latitudinarian Anglicans and deists in defining the tradition of separation. . . . The pietists wanted separation in order to keep religion free from interference by the state. The deists wanted separation in order to keep the state free from interference by religion."<sup>2</sup>



# SEPARATION ISSUE...

By  
ALBERT J. MENENDEZ  
and EDD DOERR



prefer a  
law respect  
establishment of  
religion

This new understanding of church-state relationships won the support of conservative Baptists, such as Isaac Backus, and liberal humanists, such as Thomas Paine. In his 1773 *Appeal to the Public for Religious Liberty* Backus proclaimed, "Religious matters are to be separated from the jurisdiction of the state not because they are beneath the interests of the state, but, quite to the contrary, because they are too high and holy and thus are beyond the competence of the state." Just three years later Thomas Paine reached a similar conclusion in *Common Sense* when he observed, "As to religion, I hold it to be the indispensable duty of government to protect all conscientious professors thereof, and I know of no other business which government has to do therewith."

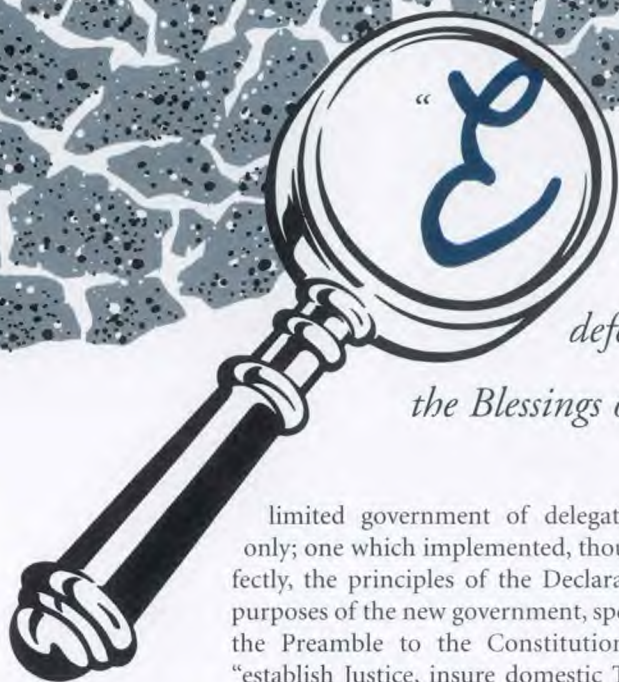
Between 1775 and 1791 Americans conceived, fought for, and established a new nation. This new nation, as Thomas Jefferson explained in the Declaration of Independence in 1776, was based on the proposition that all persons are created equal, that they have inherent natural rights to "Life, Liberty, and the Pursuit of Happiness," that "to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed," and that "it is the Right of the People to alter or abolish" any form of government that does not secure the rights of the people.

In 1787, having won by force of arms their independence from Great Britain, representatives of the states met in Philadelphia to create a workable federal government. They planned a

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*“Establish Justice, insure domestic  
Tranquility, provide for the common  
defense, promote the general Welfare, and secure  
the Blessings of Liberty to ourselves and our Posterity.”*

limited government of delegated powers only; one which implemented, though imperfectly, the principles of the Declaration. The purposes of the new government, spelled out in the Preamble to the Constitution, were to “establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity.”

The people of the United States had fought six long years for their political independence, and had also in the several states deliberately moved away from the European and earlier colonial models of church-state union and religious intolerance. As a result their representatives in Philadelphia carefully avoided granting the new government any power or authority whatever to meddle with or involve itself with religion. The Constitution they created limited the federal government to purely secular matters. Further, Article VI of the Constitution, in an important departure from colonial practice, stipulated that “no religious test shall ever be required as a qualification to any office or public trust under the United States.” The same article also prohibited mandatory oaths, by providing that all members of the executive, legislative, and judicial branches “both of the United States and of the several states” may be bound by either an “oath or *affirmation*” (italics supplied) to support the Constitution.

Thus the Constitution implies the principle of separation of church and state. This its principal architect, James Madison, and the Declaration’s author, Thomas Jefferson, had championed and had seen enacted into law in Virginia only a short time before the Philadelphia convention. Indeed, Madison had

spelled out the rationale for the separation principle in his 1785 *Memorial and Remonstrance*, a short treatise aimed at securing passage of Jefferson’s Act for the Establishment of Religious Freedom in the Virginia legislature.

Although the new Constitution represented the greatest single advance in the long evolution of democracy and freedom, it was viewed by many, including Jefferson, as containing a serious defect, the absence of an explicit bill of rights. Ratification of the new charter of government hinged on the promises of politicians to add a bill of rights to the Constitution as soon as possible; promises carried out by the First Congress, which in 1789 proposed amendments which were ratified by the states by the end of 1791.

The First Amendment provides that “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.”

President Jefferson, writing to the Danbury Baptist Association in Connecticut on January 1, 1802, in a letter to which he had given a great deal of thought and which he cleared through his attorney general, stated, “I contemplate with sovereign reverence that act of the whole American people which declared that their legislature should ‘make no law respecting an establishment of religion, or prohibiting the free exercise thereof,’ thus building a wall of separation between church and state.”

From that day until this most Americans and their courts of law have agreed with Jefferson’s view, and the separation principle has enabled the United States to achieve the world’s highest levels of individual religious freedom, religious pluralism, and interfaith peace and harmony.



The history of our country and of the world has amply demonstrated the inestimable value of this principle and the genius of those who developed it.

Church-state separation, incidentally, complements and supplements those other great American contributions to freedom and democracy; the principles of federalism, separation of powers, and checks and balances. All of these arrangements are intended to block excessive concentrations of power.

Separation continues to inform the judicial process when religious questions reach the civil jurisdiction. As early as 1872 the U.S. Supreme Court affirmed this: "The structure of our government has, for the preservation of civil liberty, rescued the temporal institutions from religious interference. On the other hand, it has secured religious liberty from the invasion of the civil authority."<sup>3</sup>

State courts have been no less vigorous in affirming this separation. In 1918 the Iowa Supreme Court observed, "If there is any one thing which is well settled in the policies and purposes of the American people as a whole, it is the fixed and unalterable determination that there shall be an absolute and unequivocal separation of church and state."<sup>4</sup> And in 1938 the New York Supreme Court declared, "In all civil affairs there has been a complete separation of church and state jealously guarded and unflinchingly maintained."<sup>5</sup>


It should come as no surprise that 35 state constitutions explicitly affirm separation of church and state, and the others do so implicitly. Even the Commonwealth of Puerto Rico's constitution, approved by the U.S. Congress in 1952, states firmly, "There shall be complete separation of church and state."<sup>6</sup>

Several American theologians and historians have acclaimed the implementation of church-state separation as a major advance for human freedom. James Luther Adams, a Unitarian theologian at Harvard Divinity School, wrote, "The demand for the separation of church and state and the emergence of the voluntary church represent the end of an old era and the beginning of a new one. The earlier era had been dominated by the ideal of 'Christendom,' a unified structure of society in a church-state. In the new era the voluntary church, the free church, no longer supported by taxation, was to be self-sustaining; and it was to manage its own affairs. . . . In this respect the freedom of choice was increased. The divorce of church and state and the advent of freedom of religious

association illustrate this type of increase in freedom of choice."<sup>7</sup>

Leo Pfeffer, the dean of church-state lawyers, observed a quarter century ago, "Before the launching of the American experiment, the concept of religious liberty and the separation of church and state was—for all practical purposes—unknown. The experiment was a uniquely American contribution to civilization and one that the other countries of the world in increasing numbers have emulated and are continuing to emulate. The principle of separation and freedom was conceived as a unitary principle. Notwithstanding occasional instances of apparent conflict, separation guarantees freedom, and freedom requires separation. The experiences in other countries indicate clearly that religious freedom is most secure where church and state are separated, and least secure where church and state are united."<sup>8</sup>

A century ago evangelical historian Phillip Schaff reflected on the meaning of separation in his 1888 book, *Church and State in the United States*. He wrote, "The relationship of church and state in the United States secures full liberty of religious thought, speech, and action. Religion and liberty are inseparable. Religion is voluntary and cannot be forced. The United States furnishes the first example in history of a government deliberately depriving itself of all legislative control of religion."

As they have enforced separation of church and state, the courts have come under increasing attack in recent years from certain sectarian special interests. But Americans who know something about their history and who cherish religious freedom should applaud these decisions. Our courts are reaffirming the best of our traditions when they preserve a central principle of American jurisprudence. 

#### FOOTNOTES

<sup>1</sup> William G. McLoughlin, *Soul Liberty: The Baptists' Struggle in New England, 1630-1833* (Hanover, N.H.: University Press of New England, 1991), p. 251.

<sup>2</sup> *Ibid.*, p. 245.

<sup>3</sup> *Watson v. Jones*, 13 Wallace 730, (1872).

<sup>4</sup> *Knowlton v. Baumhover*, 182 Iowa 691, 166 N.W. 202, 5 A.L.R. 841, (1918).

<sup>5</sup> *Judd, et. al., v. Board of Education* 15 N.E. (2d) 576 at 581, 582, (1938).

<sup>6</sup> Edd Doerr and Albert J. Menendez, *Religious Liberty and State Constitutions* (Buffalo, N.Y.: Prometheus Books, 1993), p. 104.

<sup>7</sup> James Luther Adams, *On Being Human Religiously* (Boston, MA: Beacon Press, 1976), p. 65.

<sup>8</sup> Leo Pfeffer, *Church, State and Freedom* (Boston, MA: Beacon Press, 1967), p. 727.



For 10 years Grant Bennett and his fellow members of the Church of Jesus Christ of Latter-Day Saints (the Mormons) had been gathering in a simple meetinghouse for religious services in Belmont, Massachusetts.

Then, in October of 1995, church officials decided the time had come to erect a proper church—an elaborate 70,000-square-foot temple with tall spires reaching into the sky and a parking lot that could accommodate up to 250 cars.

But some folks in the neighborhood of this posh Boston suburb were less than enthusiastic about the Mormons' plans. Although construction on the temple was ongoing, nearby residents filed two lawsuits—one in state court and one in federal court—asserting that a Massachusetts law that gives churches the right to build just about anywhere is an unconstitutional preference to religion.

Mormon temples are known for their large spires, and this is what the Belmont Avenue residents who oppose the building are using as the foundation for their legal challenge. The city's zoning laws permit a church to be as high as 60 feet, with steeples that can go an additional 20 feet higher. The Mormon temple's spire would be 139 feet tall, requiring a special permit from the city.

Church leaders got the permit, and unhappy town residents went to court.

"I think it's fair to say the neighbors wanted to stop the building, but the only avenue they had was to stop the special permit for the steeple in the hope that if that were not issued, the church would essentially go away," Bennett says.

At last reporting, the church was going ahead with a smaller steeple. The steel infrastructure had been erected, and huge granite blocks were being moved into place. Bennett said the church wants good relations with its neighbors but had no plans to stop the construction.

Attorneys for three Belmont residents who have filed suit in federal court saw things differently. They said they were not motivated by religious prejudice; they simply didn't want a building the size of the Mormon temple in their backyard.

"The sheer enormity of it is astounding," says attorney Michael Peirce, who represents the neighbors. "It affects the people's backyards, who literally back up to it. It will have a massive impact. There will be a huge

# Not In My NEIGH





retaining wall. The impact from a visual and closeness perspective is one of the things that dramatically drove this."

Belmont's Mormons are not the only religious group confronting zoning laws. In fact, it's a struggle that's taking place all over America. For a variety of reasons, churches are no longer

to leave at least 40 to 50 percent of their lots undeveloped. Several church leaders called the proposal antireligious and discriminatory.

Why are churches suddenly having so much trouble over zoning?

Part of the answer may be the changing nature of how Americans live. Older cities often

# BORHOOD

*How can churches negotiate zoning laws and community objections without invoking privilege?*

being seen as desirable neighbors and, when it comes to zoning, are increasingly being treated like 7-Eleven's and strip malls.

Several years ago a dispute erupted in Miami when a Haitian Pentecostal church tried to convert an empty commercial building into a worship facility. The owner of a nearby topless bar protested, citing a city law that forbids nude dancing establishments from operating near churches. The owner of the topless club said he was there first and that if anyone had to leave, it should be the church.

Storefront churches, which often locate in commercial areas, often run into zoning roadblocks. In 1990 the city of Minneapolis passed a law designed to curb the number of storefront churches opening in the downtown area. City officials said they want the space to be used by taxpaying businesses.

Chicago has a similar law banning churches from manufacturing areas. A few years ago 50 storefront churches in Chicago joined forces to challenge the law, citing the Religious Freedom Restoration Act, a federal law passed by Congress in 1993. But the RFRA was declared unconstitutional by the Supreme Court in 1997, choking off that avenue of legal attack.

In Montgomery County, Maryland, a fast-growing Washington, D.C., suburb, government officials have been struggling to find ways to preserve the county's rapidly disappearing green space. One solution was to require new churches

have residential and commercial areas that abut, and it's not uncommon to see a church in the mix, just as one might see a barbershop or a dental office.

But the suburbs, where increasing numbers of Americans live, are quite different. Many suburban residents are used to a clear demarcation line between commercial and residential areas, the latter marked by quiet cul-de-sacs, well-kept lawns, and driveways housing shiny sport utility vehicles. People in these neighborhoods don't want to see that line crossed, perhaps fearing it would open a floodgate for other types of development and make their tranquil neighborhoods more like the noisy cities they deliberately chose not to live in.

Tying into this is the NIMBI "not in my backyard" syndrome. Church attendance in America remains high, and Americans remain one of the most religious peoples on the globe. So the problem is not that Americans have suddenly turned against religion. Americans want churches to attend; they just don't necessarily want them too close to their homes.

"The change has been gradual," says John Mack, a Chicago attorney who helps churches deal with zoning issues. "There are several reasons. Church attendance patterns have changed from the '50s and '60s. People used to attend church in the neighborhood. Now people don't feel a need to live that close together. They'll drive past 30 or 40 churches to get to the one they feel they should be attending."

Mack says that since many people these days drive to a different community to attend

By  
ROB  
BOSTON

*Rob Boston is assistant editor of Church and State, published by Americans United for Separation of Church and State in Washington, D.C.*





church, officials who make the laws in the town where that particular church is located are not worried about offending community sentiment by applying restrictive zoning laws.

At the same time, Mack notes, zoning laws are becoming increasingly complex, and people are demanding that nothing come into their neighborhoods that might depress property values. (This same sentiment has resulted in restrictive "covenants" in many suburban neighborhoods. These cover everything from how high fences can be and where trucks can be parked to how wide a driveway may be and

want to portray it, but it's nowhere near that."

Bennett says he can understand the concerns over traffic but believes the neighbors have assumed too much. "The neighbors very rationally assumed it would generate a great deal of traffic," he says. "The church hired an independent traffic consulting firm that put up automatic traffic readers on the driveways of the Orlando temple and the Dallas temple and counted the cars coming in and out. The usage pattern is not one where we have large services at one time. People come at an individual time to participate in religious ordinances. Saturdays are



*One of the reasons zoning is so perplexing for churches and the attorneys who work with them is that the U.S. Supreme Court has never directly addressed the issue—despite numerous opportunities to do so.*

what colors are acceptable for shutters.) As a result, churches are often finding they have nowhere to go.

"To really simplify it," Mack said, "there are three zoning areas: residential, commercial, and manufacturing. Manufacturing says: 'Churches don't belong here because we don't want them complaining about our noise and smoke.' Commercial areas say: 'We don't want them interrupting our business community and competing with us for the best visibility. They belong in the residential zones.' Residential people are saying: 'We want peace and quiet; we don't want traffic and neighborhood residential discontinuity.' Those are the factors."

Traffic is a major component of the Belmont dispute. The Mormon temple there will serve all of New England and parts of southeastern Canada. The temple's neighbors say the amount of traffic this will generate is unacceptable.

"It will be a regional center that will serve all of New England and southern Canada," says attorney Peirce. "It's used only for certain functions. Every wedding must be in a temple. This is the only temple in the area. People will constantly be coming there. This is not a low-impact neighborhood church. That's how they

busy, because that's when people are off work. But the nature of the building indicates we won't have thousands of people there at one time."

The dispute in Belmont may seem like a local affair, but it has national implications. One of the reasons zoning is so perplexing for churches and the attorneys who work with them is that the U.S. Supreme Court has never directly addressed the issue—despite numerous opportunities to do so. Of course, as the Belmont case works its way up through the federal courts it could, in a few years, present the High Court with another opportunity.

Mack notes that the Supreme Court has ruled on zoning matters dealing with nonchurch entities, such as the right of adult bookstores, topless bars, and other adult entertainment facilities to locate in certain sections of cities. He would like to see the court do the same for churches.

As matters now stand, Mack asserts, churches are at the mercy of their geographical location. In the South, he said, zoning laws are less stringent, and a church has "a good chance of getting your use. In the Midwest you've got a fighting chance. On the East and West coasts you've got an uphill battle."



An added wrinkle to the Belmont dispute is that the neighbors are challenging not just the right of the Mormons to build in their neighborhood, but also a 1950s-era state law called the "Dover Amendment." The legislature passed the law after officials in the town of Dover refused to allow a Catholic church to build a parochial school in town. The law states that certain types of institutions, including educational facilities, agriculture facilities, elderly-care homes, and churches can build essentially wherever they want in the state.

Mark White, one of the attorneys working with the Belmont neighbors, believes the Dover Amendment gives preferential treatment to religion and is thus unconstitutional.

"One thing the Supreme Court's religion cases do say is that the state can't advocate religion," White says. "In this dispute, some people assume religion is good and thus the state should promote it. But the state can't advocate or endorse religion. . . . This statute endorses religion. It gives them a benefit hardly anyone else has."

Bennett is not worried about the Dover Amendment being declared unconstitutional because, he says, Belmont officials made their decision based on the city's own zoning laws, which date from 1925. Nevertheless, he supports the spirit of the amendment.

"Churches and schools do in fact perform a vital function in society," Bennett says. "They are best located where they are indeed accessible in a community. I'm glad my children can walk to school and to church."

Can these zoning disputes be resolved outside of court? Mack believes so. Mack would like to see community zoning laws changed so that if a neighborhood is home to any type of secular assembly—say a Masonic lodge, social club, union hall, or community center—churches should be permitted to site in that area too. And every community, he argues, should have at least one zone where churches can build freely without going through "the public hearing gauntlet."

Mack recommends that church leaders and members approach government officials early and forthrightly. They should strive to keep amicable relations with the neighborhood and, as much as possible, work with the people who live there.

The Chicago attorney realizes this is not always possible if the neighbors are dead set against the church moving in. Nevertheless, he

says there are steps churches can take to avoid further antagonizing their neighbors. He told a story about one church whose members decided to go door-to-door in a neighborhood to make its case for locating there. But they made a misstep in choosing also to try to evangelize the people at the same time.

"It did not go over too well," Mack said. "It freaked the neighborhood out, and they said, 'We don't want these people in the neighborhood.' They would have been better off to do the evangelism a month after they got their permit."

At the same time, Mack adds that he's not fond of the idea of church leaders going door-to-door begging the neighbors for the right to build a church. "It's offensive to me that churches should have to obtain public approval to exist," he says. "It's almost like a plebiscite: Should we allow these people to worship in their own building?"

Continues Mack, "Working the neighborhood can be fruitful. Other times it simply stirs up the opposition. I've seen it cut both ways."

But the search for a compromise won't be easy. Many believe laws such as the Dover Amendment are an iron heel, not a fair-minded attempt to resolve a sensitive issue in which both sides have good arguments. In the end, by giving churches a trump card, Massachusetts lawmakers may have only guaranteed more community strife and hardened both sides' positions.

The statute, Peirce says, "has been a bane to local communities. . . . Nobody wants to lose our churches. That's not the issue. It is the size of the structure that has driven the problem. This will not fit in with the neighborhood. This is huge."

And for the time being, that's where things stand in Belmont—a stalemate awaiting court resolution. A ruling in this one case, however, will do little to resolve the contentious issue of church zoning nationwide. That answer won't come, says Mack, until the U.S. Supreme Court decides to step in.

Mack says some High Court guidance is desperately needed. He faults the justices for taking religious freedom cases dealing with "esoteric facts," such as the right to use peyote or sacrifice animals, instead of issues such as zoning, which most churches grapple with. "Even federal judges ignore the Supreme Court rulings, because they are all just dicta, advisory statements," he says. "The Supreme Court needs to take a church zoning case and get itself into the real world."





# LIBERTY

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## Avoid Harm to Children

Since about 1961, *Liberty* has been sent to me by some kind person. I have read it avidly because of my multi-faith religious background and my strong belief in separation of church and state. Despite this I have rarely been tempted to write to you about your articles and have never succumbed to the temptation.

The article "Weeping and Gnashing of Teeth" in your January/February 1999 issue prompts me to break my silence. Since 1985 I have had many child-custody cases on my judicial docket. In many of them the religious beliefs or practices of the parties have been made known to me. However, not once has either party requested, directly or by implication, that I base a custody decision on such a consideration. Neither have I ever felt it necessary to admonish a party about some aspect of religious instruction of his/her child.

Perhaps this indicates how rarely these issues arise or perhaps it only demonstrates that religious fervor doesn't flourish in a rainy climate. Whatever the explanation, custody cases here very often raise the issue of denigration of one parent by the utterances of the other. This always requires the attention of the court because of the damage it does to the child who hears it. It is not easy to explain my concern to a parent in the jargon of a child-development professional so my courtroom explanation runs something like this: Each child is made up of one half of each parent, both in body and in spirit. To the extent you speak ill of the other parent you are hurting that one half of the

child. You are also failing to provide her with the example of the loving, caring person you want her to become when she grows up.

The language of my decree contains the prohibition against denigrating the other parent. This is sufficient for protecting children if further proceedings indicate one parent is failing to comply. Only if that parent justifies the violation by religious belief would I need to address the religious issue. Although not yet called upon to do so, I would have no difficulty in requiring the parent to protect the children from the harmful teaching (e.g., mom will burn in hell) regardless of what her own belief may be.

If the judges in these cases cited by Mr. Hegstad have offended against one party's religious freedom (I hesitate to find that they have without reading their full written decisions), then they also need our understanding. Almost every child custody case that reaches trial has one or both parties engaging in conduct that would try the patience of Job.

Finally, many thanks for the magazine. Someone's generosity has exposed me to many more voices on religious liberty than I could otherwise have hoped for. While I agree with most articles, the strength of the magazine is in the intellectual integrity and consistency of the editors. Keep up your good work.

JOHN M. DARRAH, Judge  
Superior Court, King County  
Seattle, Washington

## Name Calling

Clifford Goldstein makes some very good points in the matter of Christians loving their neighbor

when he writes, "Thus, loving even those whose views oppose yours is about as fundamental as fundamental Christianity can get . . . Jesus never said to love your neighbor's beliefs, only your neighbor—a big difference" ("The Logic of Hate," March/April).

Unfortunately in this age of "political correctness," religious ecumenism, and dialogue anyone who dares to take a stand on controversial topics will be attacked by those who resort to name calling as a substitute for solid arguments.

Colin Powell put it well in his book *My American Journey* when he writes, "Frankly, the present atmosphere does not make entering public service especially attractive. I find that civility is being driven from our political discourse. . . . Any public figure espousing a controversial idea can expect to have not just the idea attacked, but his or her integrity. . . . The slightest suggestion of offense toward any group, however innocently made, and even when made merely to illustrate a historical point, will be met with cries that the offender be fired or forced to undergo sensitivity training, or threats of legal action."

In the area of religion, religious organizations such as the Roman Catholic Church will resort to character assassination in which its apologists "bigot" their way out of a troublesome predicament, as they seek to create the impression that certain groups or individuals who disagree with its teachings are irresponsible and that sane men, sound men, men of goodwill would not associate with them.

Paul Blanshard wrote his controversial book *American Freedom and Catholic Power* because he



became greatly alarmed at how the American Catholic hierarchy was becoming so aggressive in the political arena pushing its authority into the fields of medicine, education, and foreign policy.

Blanshard wrote in regards to these areas, "These things should be talked about freely because they are too important to be ignored. Yet it must be admitted that millions of Americans are afraid to talk about them frankly and openly. Part of the reluctance to speak comes from fear, fear of Catholic reprisals. . . . Some of the reluctance of Americans to speak is due to a misunderstanding of the nature of tolerance. Tolerance should mean complete charity toward men of all races and creeds, complete open-mindedness toward all ideas, and complete willingness to allow peaceful expression of conflicting views. This is what most Americans think they mean when they say that they believe in tolerance.

"When they come to apply tolerance to the world of religion, however, they often forget its affirmative implications and fall back on the negative cliché, 'You should never criticize another man's religion.' Now, that innocent-sounding doctrine, born of the noblest sentiments, is full of danger to the democratic way of life. It ignores the duty of every good citizen to stand for the truth in every field of thought. It fails to take account of the fact that a large part of what men call religion is also politics, social hygiene, and economics. Silence about 'another man's religion' may mean acquiescence in second-rate medicine, inferior education, and anti-democratic government."

Blanshard was strongly attacked by the Catholic Church and its defenders with names like "bigot," "know-nothing," Ku Klux Klan," etc., because they could not refute his arguments. But Blanshard, who was rightly defined as "the dean of controversy," predicted such a reaction when he wrote "Any critic of the policies of the Catholic hierarchy must steel himself to being called 'anti-Catholic' because it is part of the hierarchy's strategy of defense to place that brand upon all its opponents; and any critic must also reconcile himself to being called an enemy of the Catholic people, because the hierarchy constantly identifies its clerical ambitions with the supposed wishes of its people."

JOHN CLUBINE  
Etobicoke, Ontario, Canada

#### Why So Coy About Age?

I like your magazine A LOT. Since it has been around for such a long time, how about letting others

readily know this by adding something like: "Established 19xx" to the masthead, or even front cover somewhere?

I think it would do nothing but add further credibility to an already highly respected publication, and give new readers a more lasting perspective.

There are so many new counterfeits coming out these days that it helps for us to further differentiate lasting truth from mere faddish propaganda. As you know, this will be even more true as we go into the next century.

COURTNEY CROWLEY  
via E-mail

#### Saints and Sinners

I find Peter M. Dyga's defense of his religion vigorous, but his reasoning not very convincing. In his effort to justify the Catholic Nine Commandments, he states that coveting a neighbor's wife is adultery, and the other part of the tenth Commandment is greed and envy;

so that justifies dividing the tenth in two. However, that makes God rather redundant, seeing He covered adultery in the seventh Commandment (sixth for Catholics).

I also wonder who decided that Augustine was a saint. And that the apostle Peter was a pope. My Bible stresses the equality of all of God's children, and that one should not be honored above another (Matthew 23:10).

MARY JANE EAKLOR  
Penrose, Colorado

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## DECLARATION OF PRINCIPLES

The God-given right of religious liberty is best exercised when church and state are separate.

Government is God's agency to protect individual rights and to conduct civil affairs; in exercising these responsibilities, officials are entitled to respect and cooperation.

Religious liberty entails freedom of conscience: to worship or not to worship; to profess, practice and promulgate religious beliefs or to change them. In exercising these rights, however, one must respect the equivalent rights of all others.

Attempts to unite church and state are opposed to the interests of each, subversive of human rights and potentially persecuting in character; to oppose union, lawfully and honorably, is not only the citizen's duty but the essence of the Golden Rule—to treat others as one wishes to be treated.



# FRUITED PLAIN AND SPACIOUS SKIES



A few decades ago, as a young teenager just barely arrived in the United States from my homeland of Australia, I first heard the words of my title sung by child actress Hayley Mills in the Hollywood tearjerker *Pollyanna*. With apologies to our Canadian readers, I must say that for me there has always been something boundlessly optimistic in those words from Katharine Lee Bates's "America the Beautiful." And every time I fly at 30,000 feet across the continent and look down on the patchwork quilt that makes up these United States, I still imagine I can see the "amber waves of grain," the "purple mountain majesties," and, of course, "the fruited plain." Never mind the smog that hangs low over New York, Los Angeles, and sometimes a few points in between; this remains a land dedicated to a very spacious view of freedom.

Far away from the damp and demoralizing influence of an Old World, where ethnic rivalry and religious compulsion stifled the spirit, the Framers of the American Constitution and this new republic sought to perpetuate their larger vision. In anticipating this first editorial of my tenure as editor of *Liberty* I went back and reviewed some of the comments made by

those great men. Thomas Jefferson's words given as part of his first inaugural address on March 4, 1801, still stake out this bold experiment for a new subcontinent. He proclaimed "equal and exact justice to all men, of whatever state or persuasion, religious or political; peace, commerce, and honest friendship with all nations, entangling alliances with none. . . . Freedom of religion, freedom of the press, and freedom of person under the protection of habeas corpus, and trials by juries impartially selected. These principles form the bright constellation which is gone before us, and guided our steps through an age of revolution and reformation. The wisdom of our sages and the blood of our heroes have been devoted to their attainment. They should be the creed of our political faith, the text of civil instruction, the touchstone by which to try the services of those we trust; and should we wander from them in moments of error or alarm, let us hasten to retrace our steps and to regain the road which alone leads to peace, liberty, and safety."

To the degree that these principles have remained fixed in the American legal and social consciousness, freedom has indeed flourished. I am composing this during a NATO bombing offensive in Serbia and Kosovo. But even this seemingly contentious compromise of Jefferson's commitment comes

from a national affirmation of freedom, equality, and tolerance for all peoples.

Of course, to quote again from that era, "these are the times that try men's souls." If that was true then, it is many times truer now—Oklahoma bombing and tornado, Los Angeles riots, Y2K panic and paramilitary survivalists, Columbine High School and teen violence—the very fabric of freedom seems to be unraveling and insecure.

In the aftermath of the shootings in Columbine, Colorado, there is much discussion of what a free society can do to restrict this "random" violence. Many suspect that it is not quite so random and is related to an underlying malice that must be dealt with legislatively. In fact, even high government officials are voicing the possibility of restrictions in freedom for the public safety. But where do these and other quick prescriptions stand in the light of Benjamin Franklin's admonition that "those who would give up essential liberty to purchase a little temporary safety deserve neither liberty nor safety"?

It seemed so right for Thomas Jefferson and his peers who signed the original compacts that define our freedoms to erect a wall between the responsibilities of the state and the very personal world of religious faith. The record of history in the Old World taught them



well. And most Americans recognize that careful adherence to this separation has allowed a diversity of religions to flourish and created a climate of freedom—not abstract freedom but personal, actual freedom.

But now as we come to these darkening days at the end of this century, far too many are grasping at some mandated morality to fix the ills in society. It remains my conviction that to deal with these real problems with the heavy hand of a dark yesteryear is to threaten the very basis of our freedoms in these United States.

We have seen the rise and fall of a U.S.S.R. premised on the religion of man and an opposition to all ancient faith systems. Its abuses were very real and their affects linger with us today. Some years ago I attended a Christian church in the hard-line Communist state of Bulgaria. In a "concession" to older people of faith the state did allocate meetinghouses for believers. But the people were to meet only within very strict time frames and forbidden outside that public meeting to discuss their faith with anyone—even at times their own children. I will not easily forget the pleas of an older man that we somehow help in his efforts to keep his family together. Because of the family's religious faith the state was about to remove his daughter from the household. The charge was that she was attending church services rather than school. Of course this was a conflict that the state had implicitly built into the timetable and school requirements.

Those days are gone and that

"evil empire" has collapsed, but it is worth considering that in a singularly perverse reverse logic we may fall into the same despotic era by enshrining "mainline" Christian faith and observance into our laws and then restrict and persecute those worshipers of other faiths or non-worshipers who refuse to comply. This is not an adequate response to national trauma or to the need to solve the moral wounds of a desensitized television generation.

Am I running ahead of reality here and of church-state relations in the overall "liberty" issue? I think not.

The United States remains a unique example in the world of freedom and idealism. True! But never before has freedom been so under attack and the very foundational principles so deeply questioned.

I believe that *Liberty* magazine has an indispensable role to play in proclaiming that true liberty is for all, and that religious liberty under our Constitution is protected and guaranteed by a very circumspect separation of powers.

A few months ago my predecessor departed via an editorial and a rather interesting illustration of him as a cherub in midheaven (an act of hubris which I choose to assign to the artist!). I think it appropriate that this, my first editorial, has the accompanying illustration of yours truly taking the high road in those spacious skies. (And speaking of editorial egomania, this painting was once the cover illustration for a periodical published by

a previous employer.)

To my mind, religious liberty must always be a high and exalted concept. With it we truly walk in the high places above the sometimes dark and mundane world. It is worth preserving. And while I may personally believe that all true liberty ultimately derives from the Creator-God, in maintaining true liberty in these United States and under our well-proven Constitution it is absolutely vital to follow the prescription of Roger Williams in his letter to the town of Providence (January 1655): "It hath fallen out sometimes that both Papist and Protestants, Jews, and Turks may be embarked in one ship; upon which supposal I affirm that all the

liberty of conscience that ever I pleaded for turns upon these two hinges—that none of the Papists, Protestants, Jews, or Turks be forced to come to the ship's prayers or worship, nor compelled from their own particular prayers or worship, if they practice any." That is the true practice of liberty. That will continue to be the overriding emphasis of *Liberty*.



LINCOLN E. STEED



ILLUSTRATION BY LARS JUSTINEN





# International Religious Liberty Association

P R E S E N T S A

## WORLD CONFERENCE ON RELIGIOUS FREEDOM

*Freedom of Religion: A Fundamental Right in the 21st Century*

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