



L I B E R T Y

BUBBLE ZONE FREEDOM *page 2*

OLDER AND WISER—page 8

THE LIMITS OF CIVIL AUTHORITY—page 14

VOUCHERS: A POISONED CHALICE—page 16

THE FAITHFUL PREY—page 24

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BUBBLE



The young woman walks down a sidewalk toward the downtown abortion clinic. Her head is down, her eyes are focused on the pavement, and her heart is pounding with apprehension. Then, as she approaches the clinic entrance, a grandmotherly woman steps forward and says, “I know why you came here, but you don’t have to do it. Your baby wants to live.” • Is this counseling? Or is it harassment? • The young woman, like so many others before her, brushes past the older woman on the sidewalk, averting her eyes from a sign with a baby’s picture and the

ZONE

By
TRUDY J.
MORGAN-
COLE

Freedom

while there are maybe 100 babies killed per week.”¹ • As the young woman edges past Gibbons and into the clinic, police move in to arrest the protester. Arrest is nothing new to Gibbons, who has spent a total of 66 months in jail since a 1994 Ontario court injunction outlawed pro-life protests outside three Toronto abortion clinics. • Is this a violation of Gibbons’s right to free speech? Or is it a necessary measure to protect that young woman’s freedom to choose abortion? • As with so many other issues in the complex and emotionally charged abortion debate, the answers depend on whom you ask. To pro-choice activists, injunctions like the one in place in Ontario are the only way to ensure that women have free access to medical care, without harassment. These injunctions, says the Canadian Abortion Rights Action League (CARAL), “ensure the patient’s health and protect them from risks and complications, ensure that doctors and their families are free from harassment and intimidation, and ensure that abortion

words “Why, Mom—When I Have So Much Love to Give?”

• “We have only about seven seconds to try to make a contact with them,” says 52-year-old pro-life activist Linda Gibbons of this scenario. “And we save maybe three babies per week—in a good week—

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as a medically necessary service continues to be available in the province.”²

At the crux of the debate is a seemingly unresolvable conflict: what one group sees as a “medically necessary service” is labeled “murder” by those on the opposing side. But in recent months in Canada, debate has centered not on the issue of abortion itself, but on the question of freedom of speech. Are laws that restrict pro-lifers from promoting their views actually violating the fundamental right to freedom of expression?

Jason Kenney, the federal member of Parliament for Calgary Southeast, says yes to this question. He is a member of the Reform

Party, Canada’s official opposition, a right-wing party known for supporting “family values.” So it was no surprise that on December 3, 1999, Kenney made a statement in the House of Commons declaring that the arrests of pro-life demonstrators like Gibbons constituted an attack on freedom of speech. “Freedom of speech is meaningless if it doesn’t protect the rights of those expressing controversial and unpopular views,” Kenney said. “If we do not stop these attacks, all Canadians will see a fundamental right imperiled.”³

Linda Gibbons’s arrest in front of Toronto’s Scott abortion clinic in October 1999 had an unusual twist. Arrested along with the veteran protester were three journalists: Sue Careless, Steve Jalsevac, and Gord Truscott. All three represented pro-life, pro-family publications or organizations. They were charged with obstructing police, although, according to Gibbons, they were simply recording her arrest, not interfering in any way. Their cameras and film were confiscated. “If they had not been from the Christian media,” Gibbons says, “if they had been from the *Star*, the *Globe*, or the *National Post*, they would never have been arrested.”⁴

The Canadian Association of Journalists condemns the arrest of Careless, Jalsevac, and Truscott as a violation of freedom of the press. “While we understand the journalists are pro-life supporters, that in no way gives police the right to infringe upon freedom of the press,” says Boni

Fox, president of the Canadian Association of Journalists. “This is the kind of muzzling that limits the coverage of important events as they unfold and ultimately threatens public debate.”⁵ The CAJ called for the charges to be dropped and asked for apologies from the police. According to their online newsletter, the incident at the Scott clinic “is only the latest example of police efforts to silence journalists involved in reporting controversial or sensitive stories.”⁶

The 1994 Ontario injunction that has landed Linda Gibbons in jail so many times creates a 60-foot “bubble zone” around Toronto abortion clinics, inside of which pro-life demonstrators may not stage any kind of protest or engage in sidewalk counseling. Pro-choice supporters argue that injunctions like this have become a necessity in the wake of recent attacks and threats against doctors who perform abortions.

“These injunctions were not set in place to prohibit those who oppose abortion from expressing their views. They were set in place for public safety,” says Cyndy Recker, information officer for CARAL. She cites examples of clinic bombings, harassment, and intimidation against patients and health-care workers. “Any limits injunctions may impose are justified in the interests of public safety. We feel it is acceptable for people to hold whatever view they want on abortion, but they do not have the right to intimidate or harass people about their views. Words and posters of hate create acts of hate. If you call a doctor a murderer long enough, someone will eventually think it is lawful to impose the death penalty on that doctor. This is not speculation: we know it is happening in Canada and the U.S. right now.”⁷

Jason Kenney dismisses such concerns. “It’s a completely groundless myth invented to justify this violation of freedom,” he says. “In isolated cases some protesters may have been verbally abusive. The vast majority have been peaceful, civil, and not disruptive.”⁸ He points out that while pro-life protesters in the late 1980s and early 1990s sometimes blocked access to abortion clinics “in the tradition of civil disobedience,”⁹ most of the pro-life demonstrations in Canada’s cities today are much less obstructive: many are silent protests.

As an example, Kenney cites two cases in Vancouver, British Columbia—a province that has legislated 165-foot (50-meter) “bubble zones” around all its abortion clinics. One young woman was arrested for handing out car-

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nations to women entering a clinic. Another pro-life activist, Jim Demers, was arrested for silently standing outside a clinic with a sign that quoted the United Nations Declaration on the Rights of the Child. When told that he was intimidating the women entering the clinic simply by looking at them, Demers returned to the Everywoman's Abortion Clinic blindfolded and gagged, still holding his sign.

Sidewalks in front of abortion clinics are not the only places where pro-life demonstrators claim their freedom of speech has been violated. Jason Kenney is appalled that two of the incidents took place on university campuses—ironic, he says, since “a university campus is supposed to be a haven of free speech.”¹⁰ At the University of Victoria, British Columbia, a pro-life student club had its anti-abortion signs torn down; the university's student association deregistered the club.

The pro-life club Students for Life on the campus of the University of British Columbia faced a similar experience. In the fall of 1999 the club invited the U.S.-based Genocide Awareness Project to set up a display on campus featuring “two-meter-high photos of bloody, dismembered fetuses.”¹¹ University officials were concerned, especially when they heard that pro-choice counterprotesters planned to overturn cars, throw paint on the photos, and burn the U.S. flag if the display went ahead. They suggested moving the display to a less central location on campus and asked the sponsors of the Genocide Awareness Project to pay a \$20,000 security deposit. The group refused, and the display was canceled. They did hold a public lecture on campus, which was disrupted by pro-choice demonstrators who apparently pulled the fire alarm during the presentation.

The university administration claimed their decision to restrict the planned display was based not on the content of the display itself, but on the rumored counterprotest. This appears to support Jason Kenney's theory that “what the general public sees on TV at anti-abortion protests is pushing, shoving, acrimony—but 90 percent of the time this is coming from the counterdemonstrators on the other side.”¹² Though pro-choice advocates would certainly debate that claim, the threat of counterprotest was enough to concern University of British Columbia authorities.

Craig Jones, president of British Columbia's Civil Liberties Association, says that the university's decision restricted the pro-lifers' right to

free expression. The university, he says, seems to have bought into a “troubling drive to inoffensiveness” that afflicts many Canadian university administrations. “I personally think that UBC students are tough enough that they wouldn't break down into a mass of sobbing jelly if they saw these things.”¹³

Stephanie Gray, an 18-year-old UBC student with the Students for Life group, agrees that “these are not pleasant images. But we have the right to show them—because they're the truth.”¹⁴

A month later Gray was in the news again when Students for Life erected its own pro-life display on the UBC campus. About two hours after the display, featuring posters of aborted fetuses, was erected, three student officers of the university's student association, the Alma Mater Society, destroyed the display and ripped up the posters. “The complete dismissal of this [display] by the AMS is telling us that if we, as students, hold a different opinion than they do, then we're in trouble,” says Stephanie Gray.¹⁵ Police launched a criminal investigation into the incident after Students for Life reported it.

Many Canadians might agree that universities ought to be arenas for open discussion and debate, and perhaps would agree with Craig Jones's observation that university students should be able to deal with graphic depictions of aborted fetuses in the name of free speech. But what about a woman entering a clinic to have an abortion? Is she more vulnerable? Should her rights to privacy and choice be protected, even at the cost of denying protesters their freedom of speech?

Linda Gibbons, veteran of so many protests, does make a distinction. “I don't disapprove of signs that show the products of abortion, blood-and-gore signs,” she says. “I think they have their place, such as at a political protest, in front of a legislative building. But I don't use those kind of signs in front of a clinic.”¹⁶ Instead she carries her “Why Mom?” sign, and sometimes uses another



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striking visual aid—a detailed life-size model of a 12-week fetus. “I’ll show it to them and say, ‘This is what a 12-week baby looks like,’” she says. “What we aim for is to get the woman to identify herself as a mother, to speak for the child who is voiceless.”¹⁷

According to CARAL’s Cyndy Recker, what sidewalk counselors like Gibbons are actually doing is posing a health risk to the women entering the clinics. “The anxiety created by harassment by anti-abortion protesters outside clinics could make the procedure riskier for women, who need to be relaxed,” she says.¹⁸

Naturally, the pro-life protesters see their role quite differently. Robert Hinchey is a spokesperson for Aid to Women, the pro-life center where Gibbons has worked for many years. Aid to Women is located next to the

Cabbagetown Women’s Clinic, and its picketers regularly attempt to speak to

women entering the abortion clinic. To Hinchey, watching

a woman enter an abortion clinic is like watching

a woman about to drop her baby off a

balcony. “If you were driving by . . .

wouldn’t you holler up to her, ‘Please,

don’t kill your baby. Let me help you?’”¹⁹

For Linda

Gibbons and others like her, there’s no question

what they would—and will—do. Gibbons,

who had always been pro-life, felt a call to become more actively

involved in the movement when she attended a church showing of the anti-abortion

film *The Silent Scream*. Gibbons is a devout Christian who clearly believes she is doing

God’s work. In a *National Post* editorial about Gibbons and her latest arrest, University of

Western Ontario law professor Ian Hunter says, with tongue firmly in cheek, “I do not suggest

that Gibbons is a model prisoner. Admittedly she was a pain when she asked to have a Bible.

And she sometimes leads her cellmates in prayer. Guards have commented that the jail-

house language markedly improves in her presence. Such is the nefarious control that one

devious criminal mind is capable of exerting over others.”²⁰

To pro-life supporters, Linda Gibbons, with her cumulative total of more than five years in jail, is as much

a martyr to the cause of life as were the early Christians hiding in catacombs. To those who support the pro-choice view, she is a nuisance, an incorrigible lawbreaker who has no respect for others’ rights and deserves every day she has spent behind bars. But one thing everyone can agree on is that Gibbons and others like her are igniting anew an age-old debate: Where do one person’s rights end and another’s begin? When a government acts to protect women who are seeking abortions, does it at the same time limit its citizens’ fundamental right to free speech? When pro-lifers exercise their freedom of speech, are they in fact stirring up the kind of hatred that can lead to clinic bombings and the murder of doctors? Where should the line be drawn?

Despite Jason Kenney’s attempts to shine a spotlight on what he calls “the most gross systematic violation of any group’s freedom of speech in Canada,”²¹ Canadian legislators are not likely to resolve these disturbing questions anytime soon. And Linda Gibbons, currently free after serving a minimal sentence, may soon be on her way back to jail. □

FOOTNOTES

¹Linda Gibbons, interview with author, Feb. 24, 2000.

²Cyndy Recker, CARAL information officer, interview with author, Feb. 9, 2000.

³“Kenney Assails Attacks on Pro-Lifers’ Freedom of Speech,” news release, office of Jason Kenney, Dec. 3, 1999.

⁴Gibbons interview.

⁵“CAJ Condemns Arrest of Journalists,” Canadian Association of Journalists, Dec. 2, 1999 [online: http://www.caj.ca/news/99_dec3_arrests.html].

⁶*Ibid.*

⁷Recker interview.

⁸Jason Kenney, interview with author, Feb. 23, 2000.

⁹*Ibid.*

¹⁰*Ibid.*

¹¹Todd Douglas, “UBC Imposes Restrictions on Anti-abortion Campaign,” *Vancouver Sun*, Oct. 1, 1999, pp. B1, B4.

¹²Kenney interview.

¹³Douglas.

¹⁴*Ibid.*

¹⁵Michelle Simick, “RCMP Probe Razing of UBC Anti-abortion Ads,” *Vancouver Sun*, Dec. 2, 1999, p. B1.

¹⁶Gibbons interview.

¹⁷*Ibid.*

¹⁸Recker interview.

¹⁹Kathy Friedman, “Pro-choice Students Unite,” *Toronto Star*, Nov. 9, 1999, p. E3.

²⁰Ian Hunter, “Ontario’s Speech-free Bubbles,” *National Post*, Nov. 11, 1999, p. A14.

²¹Kenney interview.

Identity Politics



PHOTO: BYRON LOGAN

If people who claim to follow Jesus are to act as rocks in the midst of swirling change—if they are to bring eternal perspectives to shifting debates—they must be sure of their identity, which is not rooted in politics or the power games of this world. And, by the way, that identity is not only about knowing who they are, but what the wider culture thinks when looking at them. Are they known for “loving one another” and obeying the commands of Jesus, or are they known as petitioners in the corridors of power, standing no higher than others with grievances they seek to have addressed by the state?

“If they are but another voice in the crowd, their power comes only from the ability to shout down the others—and they shall never prevail, because after they shout them down, the others will assemble a larger crowd next time and shout them down. And the contest becomes a never-ending struggle for what is presumed to be ‘power’ but is not. . . .

“The church has a source of authority and standards beyond politics, beyond the tides of passing fashion. It bears witness to a transcendent vision.”

—ED DOBSON, *Blinded by Might*, p. 148.

Older &

By
BARRY HANKINS

*The
maturing
of a religio-
political
movement.*

Religious Right watchdogs may remember the flap in late 1996 and early 1997 over a symposium in Richard John Neuhaus's journal *First Things*. I argued in the pages of *Liberty* (September/October 1997) that two constituencies of what could be termed broadly the Religious Right were demonstrating very different loyalties. Neuhaus and his fellow Christian neo- or theo-conservatives were suggesting the time might be right for resistance to what they called "the regime," meaning the American government.¹ At the same time, the Christian Coalition and its former head Ralph Reed had become an integral part of the Republican Party. Just a few months after the *First Things* fiasco, Religious Right leader James Dobson proved to be the consummate insider in the Republican Party by threatening to bolt and take Christian conservatives with him if the party didn't straighten up and heed his and other Religious Right leaders' mandates for change.² In other words, while Neuhaus was sounding like some sort of resister in the tradition of Dietrich Bonhoeffer, Dobson, Reed, and the Christian Coalition showed clearly that they had become something akin to ward bosses for the Republican Party.³

Then, during the spring of 1999, the fracture in the Religious Right seemed to grow more serious when some major voices declared that the Religious Right had lost the "culture war" and should now withdraw from, or at least substantially scale back, its political activism. Three key Religious Right players called for a retreat from the type of political activity that had marked the Moral Majority of the 1980s and the Christian Coalition and other like groups in the 1990s.

While many interpret both the *First Things* controversy and this more recent debate as a sign that the Religious Right is

coming apart and perhaps showing signs of demise, it is just as likely that what we are seeing is the maturing of a religiopolitical movement. No longer do all members of the Religious Right feel the need to speak with one voice lest their strength be diluted by internal disagreement.

Comfortable with their secure place on the American political landscape, the Religious Right now appears to have at least three major wings—sophisticated thinkers of the *First Things* genre,



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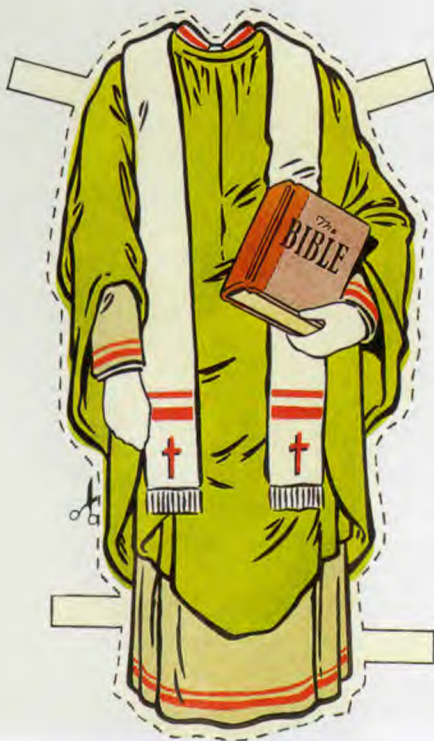
Wiser

conservative activists in the mold of Jerry Falwell or Pat Robertson, and those who are now advocating that conservative Christians build their own alternative institutions and to some degree separate from the mainline culture.

The 1999 controversy began with a letter written by Paul Weyrich, a conservative Catholic political activist who has been involved with Religious Right causes from the very beginning. In fact, he was present at the formation of the Moral Majority in 1979 and was the one who suggested to Jerry Falwell that the organization take that name. In February 1999 Weyrich wrote an open letter to like-minded Christian conservatives in which he repudiated the political approach to cultural transformation that the Religious Right had been taking for two decades. That approach, wrote Weyrich, was based on two premises: the assumption that there was a moral majority that agreed with the basic views of

Christian conservatives, and the belief that if the Religious Right elected enough conservatives to political office, the agenda of the Religious Right would be enacted and the culture saved.⁴

Weyrich now rejects both of those premises. He sees Christian conservatives as a minority who must withdraw and live separately while the culture collapses all around them, much like "a band of hardy monks [in the early middle ages] who preserved the culture while the surrounding society disintegrated."⁵ Moreover, while he continues to believe that politics is important, he now rejects the belief that cultural transformation can be the result. The withdrawal he advocates is already happening in some quarters. Specifically, he cites home schoolers who have dropped out of the educational system and others who have gotten rid of television sets. He also cites the Southern Baptist call for a boycott of Disney and urges that the success of such



resistance be measured not by whether Disney itself is crippled financially, but in terms of the number of people who have decided to forgo “the kind of viciously anti-religious, and specifically anti-Christian, entertainment that Disney is spewing out these days.”⁶

Weyrich’s strategy is a three-part variation on the rallying cry of sixties radicals. Christian conservatives should “turn off” (the television sets), “tune out” (“create a little stillness”), and “drop out” (of the culture).⁷ He concluded by calling for a roundtable meeting to discuss his new strategy.

Coming out at roughly the same time as Weyrich’s letter was *Blinded by Might: Can the*


In *Blinded by Might* Thomas and Dobson wrote, “If the so-called Religious Right focuses mainly on politics to deliver us, we will never get that right because politics and government cannot reach into the soul.”⁹ Even more pointedly, the authors challenged, “Those conservatives who argue that liberals used government to undermine what the Founders began should not now seek to grab the reigns of government from liberal hands in order to use government solely to fix problems that are beyond its reach and power to solve.”¹⁰ Throughout the book Thomas and Dobson argue that the Religious Right, of which they were both part, was seduced by its proximity to power and thereby compromised

in its ability to serve as a prophetic voice within American culture. As an alternative, they, like Weyrich, advocate that conservative Christians seek to be salt and light within the darkness that pervades American society, rather than the ones

who control the reins of political power.

For more than a decade now, Dobson has consistently lived out this apolitical stance, admittedly to a fault. After being feted on the Phil Donohue show and many other television and radio programs of the 1980s, he became haunted by the belief that he was really called to preach and pastor, not to hobnob with political and media elites. Eleven years ago he left Falwell’s church and the Moral Majority and became pastor of Calvary church in Grand Rapids, Michigan. Since then he has studiously avoided all political alliances and eschewed political activism. Instead he has led his church in a variety of ministries that combine evangelical evangelism with a serious concern for the poor and marginalized of the Grand Rapids community—all while maintaining conservative theology.

Perhaps the degree to which Dobson has broken ranks with the Religious Right can best be seen in how he now deals with the issue of homosexuality. While much of the Religious Right pours its energy and resources into fighting the gay lobby, he and Calvary church have developed a ministry to victims of AIDS. Much like Jim Wallis’s Sojourners Community in Washington, D.C., an organization that could be classified as part of the Evangelical Left, Dobson’s Calvary church has several different



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Religious Right Save America? a book co-authored by syndicated columnist Cal Thomas and pastor Ed Dobson. The two authors argued a theme similar to Weyrich’s and, therefore, quickly became linked with Weyrich against the Religious Right political activists. Television host Lesley Stahl even called the book “an obituary for the Christian Right.”

Like Weyrich, both Thomas and Ed Dobson were associates with Jerry Falwell in the early days of the Moral Majority. Thomas was vice president for communications, then executive director of that organization in the 1980s. Dobson served as an associate pastor at Falwell’s Thomas Road Baptist Church and was coauthor with Falwell of *The Fundamentalist Phenomenon: The Resurgence of Conservative Christianity*.⁸ For many years since leaving the Moral Majority, Thomas has been affiliated with the *Los Angeles Times*. Those who read his widely circulated columns should not have been surprised by the book *Blinded by Might*. Several years ago Thomas began to criticize what he called “trickle-down morality,” the belief that culture could be changed through political activity geared toward electing Christians and passing the right kind of legislation. This was the underlying premise of the Moral Majority in the 1980s and exactly what Weyrich had criticized in his letter.

programs that reach out to the inner-city, poverty-stricken community, including basketball leagues populated by players who are gang members and mentoring programs for recovering crack addicts and urban children.¹¹ These are the sort of salt and light activities that Dobson believes are biblically countercultural and more consistent with the message of Christ than attempts to take over the machinery of politics.

Weyrich's letter and the Thomas-Dobson book immediately became *the* topic of discussion in the Religious Right and even secular right, and both received blistering rebuttal from some of the Religious Right's heavy hitters. In the April issue of Focus on the Family's magazine *Citizen*, political activist and family counselor James Dobson (no relation to Ed) took issue with Weyrich's assessment of the culture. Dobson argued in a very measured tone that the situation was not nearly as dire as Weyrich had argued and that there still was a real chance that moral Americans could be stirred to political action that would make a difference in the culture. The same issue of *Citizen* also carried rebuttals by Chuck Colson, Charles Donovan of Gary Bauer's Family Research Council, and Religious Right activist Connie Marshner.¹²

Just a short time later James Dobson's tone was markedly different. In his own "Dear Friends" letter to supporters that appeared in his June newsletter, he characterized the call for cultural withdrawal this way: "Some have concluded that Americans no longer care about right and wrong, and that believers should throw up their hands and surrender."¹³ This time the object of Dobson's wrath was not primarily Weyrich. Rather, Dobson was taking aim at Cal Thomas and Ed Dobson. Characterizing the Thomas-Dobson message as "this resurgence of isolationism," James Dobson said that while the authors are Christian men, "they are dead wrong in their perspectives about public policy." "Furthermore," Dobson wrote, "what they recommend for the Christian community would accelerate the decline of America if the ideas they espouse become widely accepted."¹⁴ While agreeing with Thomas and Ed Dobson that the church should never be married

to politics, Dobson lashed out at the two authors as if they were part of the liberal enemies he so often excoriates. In discussing a recent key vote in the Senate concerning abortion, he boasted, "I was there on that day, but I didn't see Cal or Ed. And I wonder if Pastor Dobson mourned the tragedy in his sermon the following Sunday." Then, after listing some recent Religious Right political successes, Dobson wrote, "And I have to tell you that I deeply regret Cal Thomas' and Ed Dobson's disparagement of these precious people who are steadily winning the battle for the hearts and minds of their fellow countrymen."¹⁵

As the letter progressed, Dobson became increasingly agitated. "Dietrich Bonhoeffer, a Lutheran pastor and theologian, stood against the Nazi regime and its oppression of the Jews, for which he paid with his life," Dobson wrote. "Would Cal and Ed have suggested that he accommodate Hitler's henchmen just because he had no chance of winning?" Then, shifting to American history, Dobson wrote, "Who would dare criticize those courageous pastors today, who were undoubtedly maligned at the time, for speaking out against the Confederacy?"



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No one did, and yet Cal and Ed now offer this ill-considered advice to today's churches, urging them to ignore the current moral issues in government and society." Dobson called the authors' title "a low blow" because "it implies that the sacrifices made to defend righteousness in the culture have been products of egotism and naivete." Linking authors Thomas and Ed Dobson with Weyrich, James Dobson closed his letter by asking, "Is the culture war really lost, as Paul Weyrich recently asserted?"¹⁶ Clearly Dobson believes that conservative Christians can and must win the culture war.


A few months after Dobson's scathing critique of the Weyrich-Thomas-Dobson thesis,

Christianity Today brought together the views of seven conservative evangelical Christians in a series of short essays answering the question "Is the Religious Right Finished?"¹⁷ Included among the seven were Thomas and Weyrich, along with former head of the Christian Coalition Ralph Reed, Jerry Falwell, former Reagan aide Don Eberly, James Dobson, and Charles Colson. Weyrich's piece was a slightly condensed version of his February letter, and Dobson's was his June letter of rebuttal. Reed defended Christian political activism from a historical perspective (he has a Ph.D. in his-

more than politics. They must also penetrate the other gatekeeping institutions of society such as law, journalism, the arts, and entertainment. While the individuals did not iron out all disagreements, there emerged a consensus that there is much to be done and that politics was only one part of the equation.

Taken together, the various voices represented in the mini-symposium in *Christianity Today* and in the C-SPAN roundtable discussion answer the question "Is the Religious Right finished?" with a resounding "No!" To be sure, the Religious Right is not finished. Rather, it is

maturing. While this was not the acknowledged consensus in either forum, this is what the exchange in *Christianity Today* and on C-SPAN



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tory), arguing that much good has in fact come from such activities and that the culture would be in much worse shape than it is had Christians of the Religious Right not been active in recent years. In short, he refuted the Weyrich-Thomas-Dobson argument that the culture war is being lost. Rather, as with other sociopolitical movements such as abolition and women's rights, it will take decades of incrementalism to transform the culture.

Following the written exchange in *Christianity Today* several Religious Right leaders met at the Library of Congress in Washington, D.C., to discuss the Weyrich-Thomas-Dobson thesis. Participants in the discussion that was covered by C-SPAN included the three principals, along with Charles Donovan, Ralph Reed, Christian Coalition executive director Randy Tate, Republican representative from Pennsylvania Joseph Pitts, Don Eberly, and some others.

Weyrich passionately rebutted the suggestion that he had ever encouraged people to withdraw from politics. Rather, he argued, his message was that he wanted more honesty. "We better be honest about what we are saying," he urged his fellow Religious Right leaders. "Frankly, some of the organizations that put out information that suggests to the people who are coming across with the dollars, that in fact they're on the verge of a brand-new era of winning in the political process and in the cultural era, they are not being honest. . . . There is a limit to what can be done in the political arena."¹⁸ Likewise, Eberly, Thomas, and others supported the notion that conservative Christians must be involved in

revealed. There are some who believe that infant movements cannot afford to give the impression that there is diversity in their ranks, let alone dissension. Under this interpretation of group dynamics it is only as they mature and become comfortable with their status in the larger scheme of things that they can begin to turn inward to reflect on what might be the best way to advance the cause. Moreover, it is only when movements mature that they can become self-critical. While in infancy or adolescence they go to great lengths to present a united front against the enemy. Their own sense of insecurity in the face of enemies, real and imagined, precludes them from realistically facing their weaknesses. All members must walk in lockstep in the early years of the revolution.

Thomas himself acknowledges this in *Blinded by Might* when he tells of his resistance to the negative mailouts that the Moral Majority used in the early 1980s. In fact, a good part of Thomas's criticism is that Religious Right political organizations use deceptive, and therefore un-Christian, methods to raise money. After reviewing a Moral Majority mailout that contained the standard litany of powerfully evil forces that were opposed to traditional morality, Thomas asked one of the direct-mail fund-raising gurus who advised the Moral Majority, "Why don't we ever send out a positive letter on what we've accomplished with people's money?" The fundraising expert responded, "You can't raise money on a positive."¹⁹ Indeed, James Dobson's critique of *Blinded by Might* used this negative everyone-is-against-us style, then asked, not for money *per*

se, but whether or not Focus on the Family supporters were willing "to stand with us" against the Weyrich-Thomas-Dobson wing of the Religious Right. "Are you there?" Dobson wrote. "Do you care? I really need to know. It would be helpful if you would write us a note or a letter to explain your position."²⁰ Clearly Dobson was seeking to intensify support, if not financial contributions, by portraying the enemies of the "pro-family" movement as now within the gates of the kingdom itself. Charles Donovan ended a similar letter to Family Research Council supporters with a standard postscript asking for contributions. "If you can make a gift to FRC to bolster our efforts, now would be a perfect time to do so," he wrote.²¹

Still, tempers, egos, and fund-raising letters aside, the fact that Weyrich, Thomas, and Ed Dobson are now engaged in a dialog with those who are responding to their critique of the Religious Right reveals a level of diversity in the movement that would have been considered dangerous to the Religious Right's health just a few years ago.

Make no mistake, neither the *First Things* flap of 1997 nor the Weyrich-Thomas-Dobson thesis of 1999 mean that the Religious Right is cracking up or going away. Rather, as is the case with the feminist movement, which is nearly its contemporary, we will need now to start discussing various wings of the Religious Right. The one-size-fits-all era of uniformity is over.

The Religious Right has matured into a movement that will grapple inwardly with how best to transform culture while at the same time continuing as a presence in electoral politics and cultural transformation. Moreover, anyone looking for evidence of the latter need only make a cursory overview of the early presidential race, in which George W. Bush and Al Gore were falling all over themselves to see who could connect best with evangelicals. Bush claimed that Jesus was his favorite political philosopher "because He changed my heart," while Gore trumpeted his own born-again status.

The leading candidates were clearly appealing to a Religious Right constituency that has been identified, organized, and mobilized during the past 20 years. As long as that voting block exists, there will be politicians appealing to it and Religious Right activist leaders organizing it. This will continue even as the *First Things* intellectuals contemplate resistance to the regime and the Weyrich-Thomas-Dobson

wing of the Religious Right movement attempts to keep everyone sober about the limits of politics. □

FOOTNOTES

¹"The End of Democracy? The Judicial Usurpation of Politics," *First Things*, November 1996, pp. 18-42.

²See Rob Boston, "Family Feud: Focus on the Family's James Dobson Dares to Discipline Wayward Members of the GOP—And Maybe America, Too," *Church and State*, May 1998, pp. 9-14. Ironically, while playing the role of GOP insider, Dobson also applauded the *First Things* consideration of resistance to "the regime." See "The End of Democracy? A Discussion Continued," *First Things*, January 1997, pp. 21-23.

³See, for example, David Neff, "Outsiders No More: How Conservative Christians Scrapped, Wheedled, and Bargained for Their Place at the Table," *Christianity Today*, April 28, 1997, pp. 22-25. The article carries a photo of Pat Robertson and Bob Dole together. The most thorough and up-to-date history of the Religious Right also argues that the movement has become a staple of the American political scene. See William Martin, *With God On Our Side: The Rise of the Religious Right in America* (New York: Broadway Books, 1996).

⁴Paul Weyrich to "Dear Friend," Feb. 16, 1999. As late as November 1999 Weyrich's letter could be accessed at the Web site www.rfcnet.org/archives/weyrich.htm. This is the Web site for the Religious Freedom Coalition. Weyrich's own organization is called Free Congress.

⁵*Ibid.*, p. 2.

⁶*Ibid.*

⁷*Ibid.*

⁸Jerry Falwell, Ed Dobson, and Ed Hindson, *The Fundamentalist Phenomenon: The Resurgence of Conservative Christianity* (Garden City, N.Y.: Doubleday-Galilee, 1981).

⁹Cal Thomas and Ed Dobson, *Blinded by Might: Can the Religious Right Save America?* (Grand Rapids: Zondervan, 1999), p. 9.

¹⁰*Ibid.*, pp. 9, 10.

¹¹*Ibid.*, pp. 15-20; and Jim Wallis, "Hostage to an Illusion: An Interview with Cal Thomas and Ed Dobson," *Sojourners*, November-December 1999, pp. 18-21. For a full article on Dobson and Calvary church, see Dean Merrill, "The Education of Ed Dobson," *Christianity Today*, Aug. 11, 1997, pp. 26-30.

¹²James Dobson, "Our Faith Compels Us," *Citizen*, April 1999, p. 15. The other articles were on pages 15 through 19.

¹³James Dobson to "Dear Friends," June 1999, p. 1. As of November 1999 Dobson's letter could be accessed at the Focus on the Family Web site address www.family.org/docstudy/newsletters/A0006398.html. A version of this letter also appeared in Jerry Falwell's journal. See Dr. James Dobson, "Christians Must Remain Involved," *National Liberty Journal*, July 1999. This version can be accessed at www.liberty.edu/chancellor/nlj/july1999/activism.htm.

¹⁴Dobson to "Dear Friends," pp. 1, 2.

¹⁵*Ibid.*

¹⁶*Ibid.*, pp. 3, 4.

¹⁷"Is the Religious Right Finished: An Insiders' Conversation," *Christianity Today*, Sept. 6, 1999, pp. 43-59.

¹⁸"Conservatism and Cultural Change," C-SPAN2 Today.

¹⁹Quoted in Thomas and Dobson, *Blinded by Might*, p. 54.

²⁰Dobson to "Dear Friends," p. 5.

²¹Chuck Donovan to "Dear Friend," *Monthly Letter*, Apr. 2, 1999, p. 3. This newsletter can be accessed at www.frc.org/letters/april.html.

We live in an era of change. So many of the assumptions of the past have been swept away, and it is increasingly easy to question such once-settled principles as the separation of church and state. After all, some reason, if we are to remain more than a nominally Christian society, it might be necessary to use the power of the state to reinforce morality. Liberty magazine has not changed in its principled enunciation of the separation of powers, as this excerpt from April 1906 shows. Editors, 2000.

The Limits of CIVIL

There are limits to the authority of the civil power, and these limits should be clearly understood by the people. A republican form of government, as contrasted with an absolute monarchy, implies a limitation to the powers of the government beyond which it cannot rightfully go.

Civil government is not the custodian of the souls of the people. Upon all the pages of human history the truth is written plainly that there are two spheres of life within which man moves, with one of which—the higher sphere of conscience and of his relation to God—the civil power can rightfully have nothing to do. Again and again the Almighty has vindicated the course of those who, in order to be true to Him, have refused obedience to unjust mandates from the civil authority. The darkest pages of history are those recording the results of the invasion by the civil power of the realm of conscience. The early history of most of the leading religious denominations of this day was marked by their resistance to the dictates of the civil power outside the sphere of its legitimate authority.

The true sphere of civil government was well defined by the men who founded the American republic. The Declaration of Independence, justifying the separation from Great Britain that led to the founding of this nation, says: "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. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed." This is the principle of government upon which this nation is established.

Governments are instituted among men to preserve the natural, unalienable rights that men have by creation, that is, as individuals; and not to curtail these rights, or to take them away. When civil government invades these rights, it does exactly the opposite of that which it is instituted to do. This is a perverted and illegitimate use of its power.

Legislatures cannot create natural rights, neither can they make right wrong, or wrong right. The law of right and wrong is a law antedating and wholly independent of any legislative enactments. Legislators are bound to shape their legislation by their knowledge of this law of justice which is inherent in the human mind, and their legislation will be excellent in proportion as they approximate to this ideal standard. It is proper to say, therefore, that the province of the legislature is not to create law, but to ascertain and define it. Righteousness is a law, and has been such from the foundation of the world. It is

LIBERTY

claim liberty throughout all the land unto all the inhabitants thereof. Lev. 25:10.

APRIL, 1906

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PHOTO/NEUTENS



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AUTHORITY

binding upon men everywhere, and at all times. All men are bound, always, to do right.

The question What is the law? is therefore not the question lying at the foundation of one's duty in any religious or spiritual matter which is brought before him. There is another question lying deeper than this, and that is the question What is right? Sometimes injustice becomes enthroned in law; but this does not put upon any person an obligation to do morally wrong. He is still bound to do right, still bound by conscience to the higher law of God. This higher law must be obeyed at any cost.

A statute commanding one to commit murder on certain occasions, or to steal, or to swear falsely, would not be binding on anyone, and would not be obeyed; and the reason given for disobedience to it would be that it was unjust. No one would claim that it ought to be obeyed simply because it was "the law"; and what would be true of such a statute would be true of every enactment that is contrary to the law of God. Unjust enactments do not derive any sanctity from being on the statute books. They ought to be repealed, not enforced.

In secular affairs the principle of majority rule is at the foundation of government; and this is proper and necessary. But in matters of conscience majority rule has no place. An individual's duty toward God cannot be determined by a

majority vote. Every individual's relation to God is a direct relation, not sustained through any other individuals or through the government. "Every one of us shall give account of himself to God."


Faith, which is the essence of Christianity, is individual belief of God's Word, irrespective of the belief or opinions of any or all other persons. In religion the majority have always been on the wrong side. It is the majority that through the broad way leading to destruction, and only the small minority who travel the narrow way leading unto life. Thus the spheres of religion and of civil government must be wholly separate from each other.

Within its legitimate sphere the civil power should have the unhesitating obedience of all persons. Only the higher claims of duty toward God can justify anyone in refusing obedience to the civil ruler. Only a plain conflict with the higher law of God can justify any disobedience to the laws of men. The legitimate realm of the civil power is that of preserving the rights of the people, and within this realm it has the sanction of God. No one can, under a plea of conscientious conviction of duty, be permitted to invade the natural rights of another person. These rights do not conflict, and each one must respect the rights of others. □

L. A. Smith, editor of Liberty magazine in 1906.

The Poisoned Chalice

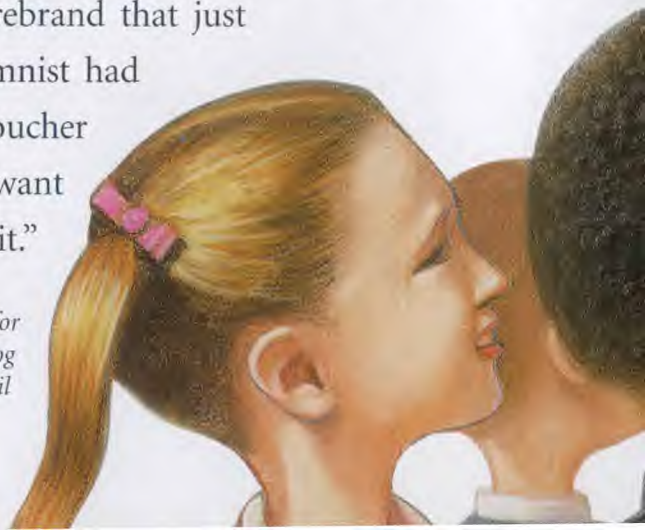
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BARRY W.
LYNN

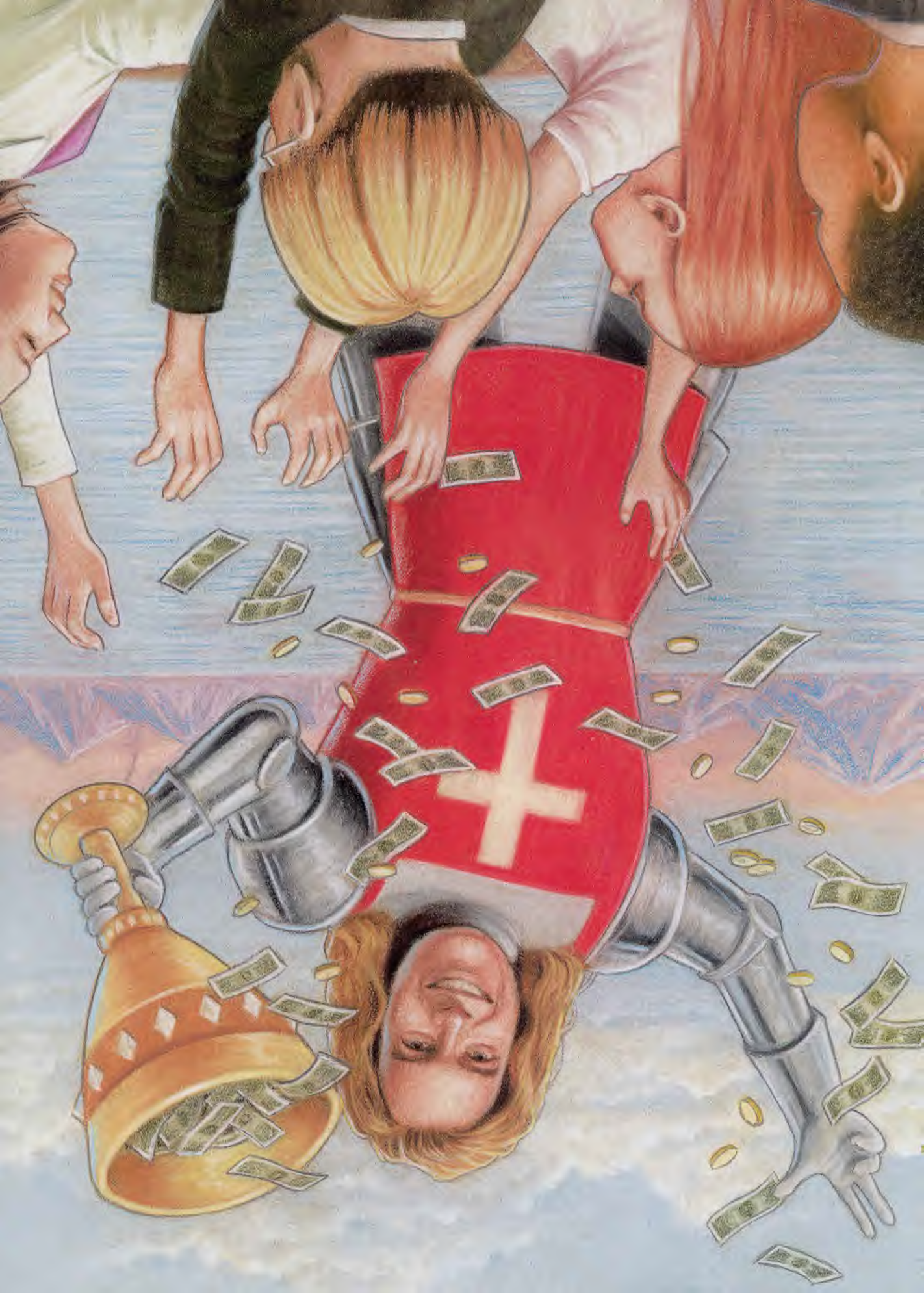
An illustration in the top right corner shows several pieces of US currency, including a gold coin and several green banknotes, appearing to fall or float through the air.

The cable television talk show featured a heated debate over vouchers for religious schools. Cohost Pat Buchanan, an aggressive voucher advocate, was insisting that taxpayer-financed tuition at private religious schools would be the ideal solution for everyone involved in the process of reforming the educational system—kids would be exposed to religion and get a better education, families would feel safer, and public schools would improve because of the increased competition.

Pat continued to stake out that position. But as a guest on that show back in 1998 I felt duty-bound to remind the conservative firebrand that just four years earlier a nationally syndicated columnist had written, “The reason voters in 16 states rejected voucher proposals on the ballot was because they didn’t want the ‘poisoned chalice’ of what would come after it.”

The Barry W. Lynn is executive director of Americans United for Separation of Church and State, a Washington, D.C.-based watchdog group that monitors religious liberty concerns. Lynn is a longtime civil liberties attorney, as well as an ordained minister.





The columnist who had so eloquently identified this facet of the voucher debate was none other than Pat Buchanan!

Recognizing an opportunity, Bill Press, Buchanan's cohort and ideological adversary on that show, punctuated the point with a comment of his own. "I graduated from . . . a great Catholic high school in Wilmington, Delaware," he said. "If I were principal of that high school today, I'd tell [voucher supporters] to get lost. Because, if I may say, right now without you, I'm free to hire the teachers I want, fire the teachers I want, buy the textbooks I want, set the curriculum I want. Why should I allow you to come in and destroy my freedom?"

It was an embarrassing moment that Buchanan would probably prefer to forget. But the issue raised in the exchange highlights a part of the broader voucher debate that is frequently overlooked. The "poisoned chalice" Buchanan warned of, and the "destruction of freedom" Press alluded to, is the inevitable regulation that comes with public funds—and that will adversely affect houses of worship.

Once private religious schools begin accepting public tax dollars from the state, there is inevitable scrutiny of the use of those funds to ensure their proper use. Many believe it is only a matter of time before these schools will lose their independence and bow to increased government control. This of course will undermine the religious mission of such schools.

No wonder that while many supporters of the voucher movement view public funds as a financial boon for private schools, other leaders in the religious community are increasingly cautious. They wonder if the practical risks outweigh the potential financial benefits.

Actually, the most frequently used argument against the use of private school vouchers is the constitutional one, and it must be resolved before this touted "reform effort" can get very far. The First Amendment guarantees government neutrality on religious matters, a "separation" of church and state. While it was

common in the early days of the American colonies to tax citizens to pay for churches and clergy, such practices were seen to undermine religious freedom and were eventually abandoned. Donating one's money to a house of worship should be an individual choice. Therefore our constitutional and democratic principles mandate that such contributions be voluntary.

When the government uses the state treasury to write checks to be delivered to religious schools, directly or by action of parents who transfer the "vouchers" themselves, taxpayers are burdened with paying for religion, whether they agree with the religious mission of a particular school or not. Naturally, supporters of church-state separation see vouchers in direct conflict with the First Amendment.

Private religious schools are what the Supreme Court labels "pervasively sectarian." In other words, religion permeates every aspect of the school and its curriculum. Unlike private universities, which often have historical ties to a religious denomination, private religious elementary and secondary schools are academic extensions of the houses of worship with which they are affiliated.

Americans United for Separation of Church and State has been involved in legal challenges to religious school aid for decades. During the course of litigation, AU has deposed dozens of operators of religious schools. Never once has a representative claimed to create a school in the interest of lowering class sizes, or because the house of worship had money left over from the collection plate. Just the opposite is true. Religious school administrators are proud of the fact that they build and run schools for the propagation of their faith. While there's nothing wrong with this form of pedagogy, legal problems arise when taxpayers are asked to finance it.

Indeed, these constitutional arguments have been consistently persuasive in courts in which the cases have been litigated. For exam-



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ple, on May 27, 1999, the U.S. 1st Circuit Court of Appeals considered a controversy over financing religious education in Vermont. The three-judge panel delivered a tremendous victory for church-state separationists when it ruled unanimously that taxpayers cannot be forced to finance private religious school tuition.

"Writ simple, the state cannot be in the business of directly supporting religious schools," observed Chief Judge Juan Torruella, writing for the court. "The historic barrier that has existed between church and state throughout the life of the Republic has up to the present acted as an insurmountable impediment to the direct payments or subsidies by the state to sectarian institutions, particularly in the context of primary and secondary schools," added Torruella in the ruling.

The Maine Supreme Court expressed a nearly identical sentiment in April of that year. In a 5-1 ruling, the state supreme court rejected the very idea of public subsidies for religious schools. "The purpose of the [First Amendment's] establishment clause," wrote Justice Leigh Saufley, "is reflected in the often repeated words of Thomas Jefferson: to build 'a wall of separation between church and state.' . . . Distilled to its essence, the establishment clause prohibits the government from supporting or advancing religion and from forcing religion, even in subtle ways, on those who choose not to accept it."

As recently as December 1999 a federal court in Ohio found Cleveland's voucher program unconstitutional. Judge Solomon Oliver, Jr., found that public funding of private religious schools "has the effect of advancing religion through government-supported religious indoctrination."

These cases are just a few of the recent decisions. It is worth noting that voucher programs have also been rejected by the Supreme Court of Vermont, the Supreme Court of Puerto Rico, and two state courts in Pennsylvania.

Of course there has not been unanimity among all courts on this issue. State courts in both Ohio and Wisconsin have ruled that vouchers do not run afoul of religious freedom principles. But the growing body of case law shows these decisions to be anomalies. Every federal court that has considered the issue has ruled the same way: Vouchers force taxpayers to finance religion and are therefore in conflict with the First Amendment.

While the U.S. Supreme Court has not yet taken the opportunity to hear a voucher case, justices have laid out specific principles that the court may adhere to in the future.

For example, in the landmark *Everson v. Board of Education* ruling in 1947, Justice Hugo Black said the First Amendment means at least this: "Neither a state nor the federal government can set up a church. Neither can pass laws which aid one religion, aid all religions, or prefer one religion over another. . . . No tax in any amount, large or small, can be levied to support any religious activities or institutions, whatever they may be called, or whatever form they may adopt to teach or practice religion."

To circumvent constitutional problems, a religious school may be tempted to sacrifice a significant part of their sectarian character in exchange for tax dollars. But nothing

could be more damaging to a religious body than a "watering down" of its message. A religious school should never deny its purpose or hide its mission for financial gain.

The idea that a religious institution might be "forced" to abandon part of its religious identity in exchange for public aid is anything but abstract speculation. On the contrary, Our Lady of the Americas, a Catholic school in Kansas City, Missouri, removed each classroom's crucifix in order to qualify for funding under the "Title I" remedial education program. The same thing occurred at a Catholic school in Jefferson Parish, Louisiana.

So the constitutional debate rages on, pending a final ruling from the Supreme Court. But in a sense establishment clause vio-



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lations are almost irrelevant to the practical and philosophical concerns faced by people of faith and houses of worship. Conventional wisdom might suggest that people of faith would want and approve of public funding for religion, whether through vouchers or some other mechanism. But many religious people, while enthusiastic supporters of their own faith, are justifiably hesitant about the government giving their money to every faith group with a school, whether they believe in the religion taught there or not. Yet this is exactly what occurs with religious school aid programs, as taxpayers are effectively and literally purchasing holy texts, religious icons, and religious classes.

Our constitutional ideals buttress the commonsense understanding that forced support for religious indoctrination is oppressive and a violation of freedom of conscience. It is ultimately no different than forcing taxpayers to place their money in a collection plate.

Troubling too is the likelihood of interreligious strife as religious institutions battle for scarce public resources. Once public funds are made available to any church with a school, all religious institutions will have to battle before state legislatures over who should get public funding and who shouldn't. To pit Methodists against Lutherans or Baptists against Muslims for support is divisive—and more than a little unseemly.

The result would be an intolerable prospect. Many religious groups that a taxpayer might find frightening, offensive, or just theologically wrong, such as the neo-Nazi World Church of the Creator, would likely be in line for a check.

The regulatory concerns for religious institutions and their schools are just as serious, if not more so.

Under existing law, houses of worship are free from government control or oversight, as they should be. In education matters, religious schools are largely exempt from the many laws that govern public schools, with the exception of clear health and safety regulations.

The most obvious choice left to unregulated schools is religious neutrality. Parents are not only aware of the religious education that their child will receive at one of these private schools—they expect and in many instances demand it. Public schools, meanwhile, represent diverse communities and student populations, and are required to stay out of religious matters altogether, neither advancing nor hindering religion.

But the differences only begin there. Private schools are free to discriminate when accepting incoming students and faculty. It is not uncommon for these schools to segregate on the basis of gender. They can apply strict standards for interested “applicants” and test children to see if they qualify for admission. Of course, they can choose only—or mainly—children whose parents are of a particular faith.

Further, a private school's curriculum is not specified by government officials, nor are its financial records audited by government administrators. Private schools, in other words, are hardly accountable to the public at all. They are truly independent facilities.

Though the reason may be obvious, it is important to note that these schools are accorded the luxury of such independence because of the distance they have placed

between themselves and the government.

There is nothing wrong with this relationship. Once a house of worship creates an educational institution, few would disagree they should be permitted to run that school as they wish, free of government aid or interference. That is part of the basis for the separation between the church and the state.

But consider how the dynamic of that relationship changes once the two institutions are brought closer together by way of financial ties.

The government is expected by its constituents to spend public funds in a wise and effective fashion. The state's money, it is frequently noted, is the taxpayers' money, and as such, we demand accountability.



Most religious people, while enthusiastic supporters of their own faith, are justifiably hesitant about the government giving their money to every faith group with a school.

Under these circumstances it becomes increasingly difficult for a religious body to be asking for money with one hand while trying to sever the attaching strings with the other.

Consider what occurred a year ago when the American Civil Liberties Union of Wisconsin sent letters to 112 private religious schools that accepted voucher funds in Milwaukee, asking if the schools would agree to guarantee basic civil rights public school students enjoy. The response from the schools ranged from silence to hostility.

"We do not believe that you have standing or any basis to seek the information requested," replied Dr. John Norris, superintendent of schools of the Catholic Archdiocese of Milwaukee.

But Norris's position appears inconsistent, as the schools he oversees take in millions of tax dollars from those doing the asking. We'll take your money, Norris seems to imply, but not your questions about how it's spent.

When rights that parents have come to expect from public schools go ignored by private ones, it becomes easy to imagine the onslaught of litigation from taxpayers who seek justice. How will a judge react when a private school on the public dole is sued for denying admission to a bright young woman who seeks entrance to an excellent all-boys school? Or what about complaints from a Protestant family objecting to Catholic services for students at a Catholic private school?

Understandably, families would feel that as taxpayers, they should have an opportunity for redress, and they would have a point. Americans have come to expect some "representation" to go along with "taxation."

Elected officials and state agencies are therefore given a choice: monitor and regulate the recipients of the money to ensure responsible fiscal management or write a sizable check and hope (and pray) for the best.

In the first two voucher "experiments" attempted in the United States, Cleveland and Milwaukee, the state chose the latter.

Millions of dollars were spent on publicly financed tuition at private religious schools, and in the interest of preserving the independence of those schools, very little regulation was tied to the tax dollars. The results were less than satisfactory for both the public and private institutions.

In Cleveland financial mismanagement has been common. By 1998, just three years after the program had been initiated, the city's voucher experiment suffered from a \$2.9 million overrun, which constituted nearly half of the program's entire \$7.1 million budget.

Further, while the program was advertised as a benefit to impoverished children in Cleveland's innercities, Ohio state auditor Jim Petro discovered after an audit that dozens of families earning between \$50,000 and \$90,000 received tax dollars for private school tuition. The audit also discovered that the voucher project was overbilled \$419,000 by taxicab companies that had been hired to transport students to the private schools—and then even discovered that some of the funds went for nonexistent rides for nonexistent students.

Making matters worse, the vouchers also failed to deliver the academic improvements that had been virtually guaranteed by the program's sponsors.

A comprehensive study completed in 1998, commissioned by the state of Ohio and conducted by researchers at Indiana University, reported that Cleveland students receiving vouchers did not achieve better test scores than their counterparts in public schools. After one full academic year under the program, the report concluded there were "no significant differences" in achievement for students in math, reading, or science between students who had used vouchers to go to private schools and those still in public schools. University researchers examined two groups of third graders with nearly identical socioeconomic backgrounds. The groups were tested before the voucher program began and a year after the program was implemented, and the



Cleveland students receiving vouchers did not achieve better test scores than their counterparts in public schools.

test scores in the various subjects remained roughly equivalent.

Not to be outdone, the Milwaukee program also has had its share of problems and "invisible" students. For example, Adrian T. Hipp, founder and former executive director of a Milwaukee "alternative" school, was found guilty of falsifying attendance records to receive a \$42,000 overpayment under the Wisconsin school voucher program.

Circuit court judge Michael J. Barron decided in an August 1997 ruling that 90 students that Hipp said attended his Exito High School did not exist. In addition, Hipp supplied state officials with names of teachers and courses that were entirely fictional, and as the school's financial difficulties escalated he garnished bank accounts and paid school employees with money orders. Hipp, meanwhile, claimed that he knew nothing of the fraudulent documents.

Unfortunately Hipp wasn't the only example of voucher fraud in Milwaukee. Frederick Hampton, the founder of Milwaukee Preparatory, a school participating in the voucher program, was charged with defrauding the state of thousands of dollars by lying about the age of 10 students so they would remain eligible for reimbursement from the state. As a result, authorities issued an arrest warrant for Hampton, who himself went into hiding for a year, leaving his school to close in February 1996 and the school's students left temporarily in the cold.

The state said the school received more than \$317,000 in public funds for 275 students, 10 of which were ineligible because they were too young. One parent told authorities she attended a meeting at which Hampton advised parents of 3-year-olds to misrepresent their children's ages as 4 so the school could get the voucher aid.

Further complicating the voucher controversy, some of the few regulations that were imposed on the private schools in Milwaukee appear to have been ignored.


That became clear this August after an audit of schools participating in the voucher program by the Metropolitan Milwaukee Fair Housing Council, a government agency that seeks to ensure compliance with civil rights laws. When the voucher program was written into law in 1995, the law required that schools accepting the funds could not impose additional fees on students, had to accept students randomly, and had to allow students the opportunity not to attend the school's religious activities.


Despite these limited and unambiguous requirements, the council's audit discovered a number of instances in which schools illegally charged excess fees to voucher students, examples of improper screening and selection of applicants, and the violation of the religious freedoms of students' families by discouraging parents from opting their children out of religious services.

The more common the cases of fraud and legal transgressions become, the greater the certainty that the government will feel it necessary to regulate the religious institutions that receive public money. Effective governing and public accountability would require nothing less.

The answer is not to ask the state to be less accountable for our tax dollars and maintain a high tolerance for fraud and abuse. Rather, the answer is for religious institutions to avoid feeding at the public trough, severing the ties between the two institutions for the benefit of both.

Perhaps those who prefer to remove a brick or two from the wall that separates church and state in the United States would do well to remember the prudent observation of Benjamin Franklin nearly two centuries ago.

"When a religion is good, I conceive it will support itself," Franklin said, "and when it does not support itself, and God does not take care to support it so that its professors are obliged to call for help of the civil power, 'tis a sign, I apprehend, of its being a bad one." 

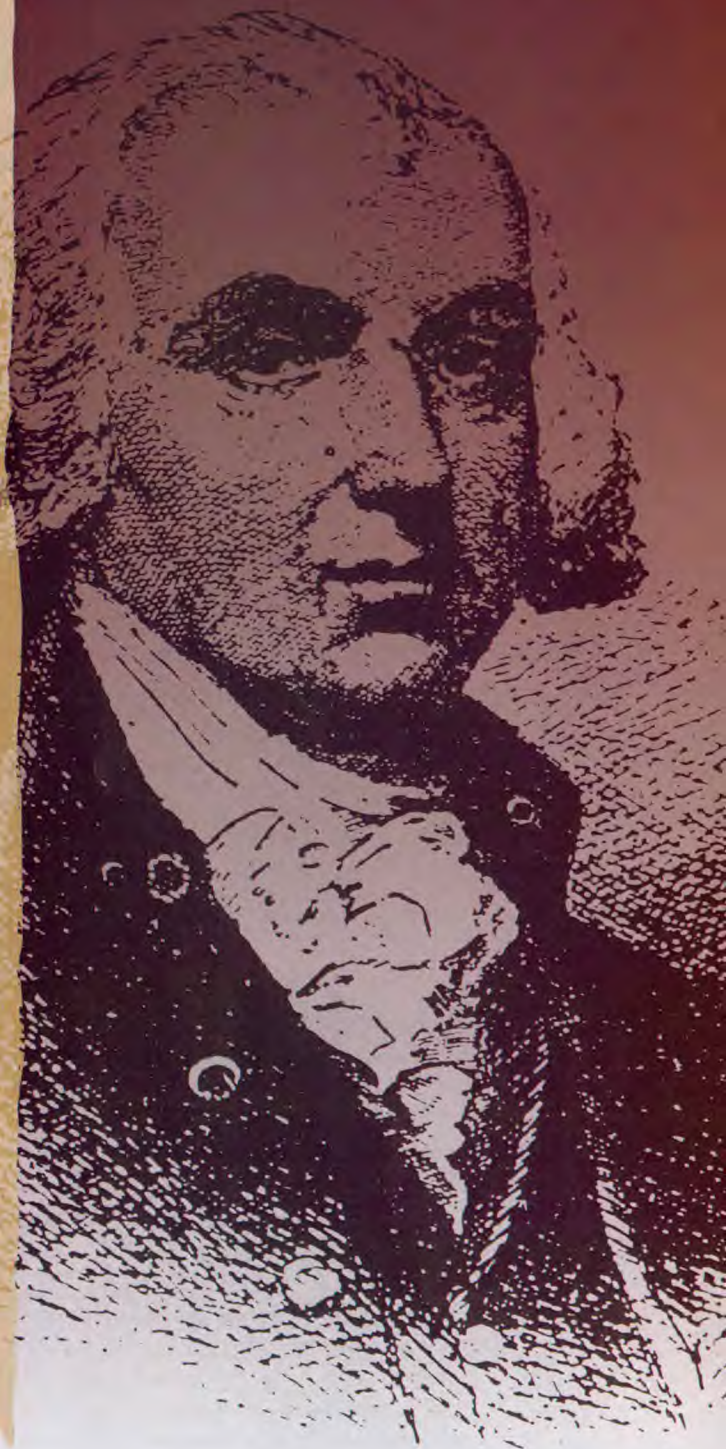


**"When
a religion
is good,
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—BENJMIN FRANKLIN

“**T**o cherish peace and friendly intercourse with all nations having correspondent dispositions; to maintain sincere neutrality toward belligerent nations; to prefer in all cases amicable discussion and reasonable accommodation of differences to a decision of them by an appeal to arms; to exclude foreign intrigues and foreign partialities, so degrading to all countries and so baneful to free ones; to foster a spirit of independence too just to invade the rights of others, too proud to surrender our own, too liberal to indulge unworthy prejudices ourselves, and too elevated not to look down upon them in others; to hold the Union of the States as the basis of their peace and happiness; to support the Constitution, which is the cement of the Union, as well in its limitations as in its authorities; to respect the rights and authorities reserved to the States and to the people, as equally incorporated with, and essential to the success of, the general system; to avoid the slightest interference with the right of conscience or the functions of religion, so wisely exempted from civil jurisdiction; to preserve in their full energy the other salutary provisions in behalf of private and personal rights, and of the freedom of the press.”

—JAMES MADISON, *First Inaugural Address*,
March 4, 1809.



“I thought he was a good Christian man,” said one woman.

“I knew him through church,” explained a man who lost his \$119,000 IRA. “He seemed honest and smart, and had lots of assets and a happy family.”

“He was a pillar in the church and the community,” agreed the woman, who with her husband lost \$123,000, 80 percent of their retirement funds. “He was a success.”

These people were talking about Philip Harmon, a genial salesman from Camano Island, Washington. Unfortunately, their experience was shared by hundreds of other churchgoers.

They were all mistaken in their judgment of this “good” man. Harmon was a “crook,” who stole more than \$30 million from several hundred investors. Many of his victims were in his own congregation, the independent Camano chapel, where the losses included \$48,000 from its school fund and almost \$40,000 from the pastor’s family. Harmon used the money to buy a yacht, an estate overlooking Puget Sound, beachfront condos in Maui, numerous antique cars, and other luxuries.

Harmon did not spare his own relatives. He took his brother for \$96,000 and a sister for \$59,000. Then there was Norma Beebe, of Eugene, Oregon. After her husband died, her son Terry, married to Harmon’s daughter and working for him, persuaded his mother to put most of her inheritance into Harmon’s investments. She lost \$135,000.

In October 1997 Harmon pleaded guilty to fraud charges, and he is serving an eight-year sentence in federal prison. Terry Beebe later pled guilty to a similar charge.

Unfortunately, church members “make good victims” for scam artists, according to Steve Schroeder, the veteran federal prosecutor on the Harmon case. When I first heard this statement I wasn’t sure I believed it. But my work since then has made it clear Schroeder is right. The evidence is overwhelming.

In March 1998 Priscilla Deters, a 63-year-old California woman, was convicted of defrauding churches and individuals in 21 states of more than \$4 million. She had told them she could double their money for church projects in a year, using the profits from other vaguely described lucrative businesses. But there were no other businesses. Like Harmon, she was running a classic Ponzi scheme.

In a Ponzi scheme, investors are promised quick large profits from some usually mysterious business—and at first they get them. But in fact there is no mysterious business; the “profits” are really paid out of the funds put in by later investors, rushing to cash in. The cycle continues until the supply of new investors dries up. Then the scheme collapses, and most later investors lose their money.

That’s exactly what happened to Priscilla Deters’ operation. She was sentenced to eight years in prison for the fraud implicit in such a scheme.

I am a churchgoer myself, and much about these two cases was hard to take. I spent four months investigating the Harmon and Deters cases, and two weeks covering Deters’ trial in a Wichita federal court. It was depressing to discover how easily many church leaders and members greedily succumbed to quick-money schemes presented in “Christian” garb. Since then I have reported on several more such fraud cases, most involving much larger sums. Among these are:

■ Quoting from Luke 6:38 (“Give, and it shall be given unto you”) Pastor Gerald Payne and his cronies at Greater Ministries International Church, of Tampa, Florida, promised thousands of donors from all 50 states they would get back more than double their “gifts” to the church in less than two years. They claimed that profits would come from fabulously rich diamond and platinum mines in Liberia and elsewhere. Greater Ministries took in more than \$400 million. With this Payne and his cohorts planned to start their own country, “Greaterland,” in which they would be safe from prosecution. The mines didn’t exist, the money disappeared, and the plans for Greaterland went aglimmering when Payne and six other church officials were indicted in March 1999 on numerous fraud and conspiracy charges.

■ The Baptist Foundation of Arizona was set up a half century ago to raise money for church charities. Instead it turned into a massive real estate investment Ponzi scheme that made a few insiders rich and gave only a pittance to charity. When the foundation filed for bankruptcy in November 1999, 13,000 investors, mostly elderly church members from several Southwestern states, stood to lose more than \$640 million.

Chuck Fager is a reporter and writer who lives in central Pennsylvania. He has covered church-based financial frauds since 1997.

The Faithful

By
CHUCK FAGER



Prey

Lawsuits alleging fraud and conspiracy have been filed, and state investigators are pursuing possible criminal charges.

■ Run by Jonathan Strawder, a charismatic, Bible-quoting young college graduate, Sovereign Ministries, of Orlando, Florida, took in more than \$12 million in a year, with a double-your-money pitch very similar to that of Greater Ministries, where Strawder once worked. State authorities arrested Strawder on charges of fraud in December 1998.

Crime experts call such church scams “affinity group frauds,” since they are based on some bond of trust between perpetrator and victim. Professional, ethnic, and family groups are other targets for this type of crime; but nothing seems to beat religion as a bait for suckers. In fact, the North American Securities Administrators Association has named “affinity group fraud” as number one on its “Top Ten” list of frauds threatening the public today.

While my investigations showed these frauds to be widespread, it is troubling to observe how weak the typical law enforcement response is. Cases like these are notoriously hard to investigate—complicated, far-flung, expensive. Priscilla Deters’ victims were scattered across the continent. Moreover, she intimidated many into silence, threatening that those who talked to investigators would never see their money again.

Other victims have been too ashamed to talk. As Dick Johnston, head of the National Center on White Collar Crime, told me: “The situation with white-collar crime today is not unlike the under-reporting of rape a few years ago, when we couldn’t get many victims to come forward.”

Another obstacle is that these cases are not “sexy” mediawise. They are tough to explain and seldom draw more than local media interest. With low public attention comes a low law enforcement priority. After all, white collar criminals usually look and talk like their victims—and who gets elected being tough on grandparents?

When North Dakota securities officials issued a cease and desist order against Deters in 1991, Roger Wegner, a Nazarene district superintendent, was quoted in a daily paper there openly ridiculing it. “I happen to believe people that are in the church,” he said. “I happen to believe Priscilla Deters.” Wegner also knew who not to believe: “It’s not illegal. I don’t care what [the] Securities [Commissioner] says. . . .” Then he simply ignored the order and sent Deters \$600,000 of his churches’ money, almost all of which was lost.

The official response? Seemingly none.

South Dakota issued a similar order against Deters in 1995. But when I called in

1998 to ask about it, the staff only vaguely remembered it, and nobody could even find a copy to send me.

California was somewhat tougher. Its Department of Corporations issued a “desist and refrain” order against Deters’ operation in 1991. She ignored it for four years. Finally in 1995 the state noticed and obtained an injunction ordering her to stop. Again she ignored it. In early 1997 Deters was cited for civil contempt and fined \$2,000. She paid the fine and kept going until her federal criminal trial.

Is this law and order? Are the slick crooks out there stealing the millions of dollars really supposed to fear such Keystone Kops routines and slaps on the wrist?

Effective white-collar crime enforcement involves cooperation. In Tampa last August, a task force involving local police and several state and federal agencies joined in a raid on the Greater Ministries International Church headquarters. They acted because Gerald Payne had bragged he was busy destroying possibly incriminating records. Priscilla Deters was finally stopped when the Kansas Securities Commission teamed up with federal authorities. In the Philip Harmon case, Washington State insurance investigators worked with agents from the FBI, IRS, and Department of Labor in a task force they dubbed “Operation Island Scam.”

Steve Schroeder, prosecutor in the Harmon case, is very proud of this cooperative investigation and considers it a model for the prosecution of white-collar crime. “State agencies by themselves have a hard time stopping these frauds,” he says. “Most don’t have the enforcement clout. So unless you get the attention of the feds, it’s hard to get convictions.”

So where does that leave us, the folks in the pews? I think we have two main courses of action:

First, if you are victimized this way, refuse to be a “good victim.” Don’t take the loss in silent shame: Speak up. Make the so-called “tough on crime” politicians and prosecutors take notice.

Second, understand that prevention is unquestionably our best protection.

The first step in protection is requiring outside audits. Many of the church groups I covered had no audits. They trusted their leaders, as persons chosen by God, to handle the financial affairs of the church or agency honestly and responsibly. So the accountability was spotty at best.

And most of those leaders were in fact “honest,” in the sense that they were



Crime experts call such church scams “affinity group frauds,” since they are based on some bond of trust between perpetrator and victim.

not diverting church funds into their own pockets. On the other hand, many were neither responsible nor professional in performing what lawyers call "due diligence" about investments. Too many were also just plain gullible. Further, it was extremely rare to find one who was ready to stand up and sound the alarm about a fraud scheme, whether from embarrassment or guild loyalty. Many more were anxious to hush the scandals up and divert their flocks' attention to happier topics.

Outside audits are a basic institutional precaution. They are well worth the cost. As a recent auditor's report for a Philadelphia church group put it, "we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatements." Put even more plainly, auditors are paid to look for fraud, and thus they can deter much of it.

The second ingredient in meaningful prevention must be self-education. But this should not be left to individuals. Con artists target groups, and deterring them is a group responsibility. Indeed, fraud education should be a standard part of every denomination's adult education efforts, for leaders, clergy, and laypeople alike. For Christians, this education program could be built around a single motto: "Trust in Jesus, and check out everybody else."

Checking everyone out does not require taking on worldly cynicism. It means learning about, and insisting on, items as basic as a prospectus (Phil Harmon didn't have one), and verifying the securities licenses required by every state (Harmon didn't have one of them, either, nor did Deters, or Gerald Payne of Greater Ministries).

To these checks should be added regular reminders of the cliché that if something financial sounds too good to be true, it probably is. One of Priscilla Deters' early brochures for her matching program anticipated and tried to neutralize this caution: "Isn't the [matching] concept too good to be true?" it asked. To the contrary, it declared, "It is not too good to be true—it is GOOD BECAUSE IT IS TRUE!"

None of these preventive measures is foolproof, of course. Prospectuses and licenses can be faked. Auditors can be fooled, at least for a while. The Baptist Foundation of Arizona managed to get a clean bill of health from their auditors for years, even as the fraud mushroomed right under their noses. But such measures are much better than nothing.

Unfortunately, if such fraud prevention programs exist in the churches, I haven't heard of them; and the reluctance to engage the topic is itself a sign of continuing vulnerability. As Professor Arthur Leff, of Yale Law School, noted in an excellent book, *Swindling and Selling*, "There are structural

My reporting on church frauds persuades me that unless we study to be wise, we will not succeed in being harmless as doves.



components in a religious context which make the job of the conscientious swindler very much easier." One component is a reluctance to deal with the topic at all. Another is the refusal to believe one could be victimized by one's own. As Norma Beebe, who lost \$135,000 to Philip Harmon, admitted to me, "The hardest thing has been to recognize that such a trust could have been broken in Christian circles." But it was.

In 1993 one Kansas church leader who had invested church funds with Priscilla Deters was confronted by a member of his board of trustees. The board member, a banker, brandished a Dun and Bradstreet report that clearly pointed out the shady character of her operation. In rebuttal, the leader indignantly declared that his wife had prayed and wept with Deters, and God had assured her of Deters' probity. Thus inappropriately pitted against God, Dun and Bradstreet had no chance.


In a similar manner R. J. Wegner, the North Dakota Nazarene superintendent, defiantly declared he would take the word

of people "in the church" over worldly interlopers such as the state securities commissioner. Wegner's devotion provides a prime example of such folly. It was five years before he sheepishly and furtively admitted that the \$527,000 he had so enthusiastically collected for Priscilla Deters, from nearly twoscore North Dakota churches and individuals, was lost. Only in October 1996 did he finally file a claim with California authorities.

A shrewder Dakota Nazarene, whose church had opted out of the Deters "project," summed up such studied, all-too-common gullibility for the Grand Forks *Herald* this way: "Like Billy Sunday said, 'Sinners can always repent, but stupid is forever.'"

A kinder way to put this is to stress the aptness of Jesus' admonition "I send you out as sheep in the midst of wolves: be ye therefore wise as serpents, and harmless as doves" (Matthew 10:16). My reporting on church frauds persuades me that unless we study to be wise, we will not succeed in being harmless as doves. Instead, we'll be more like the sheep, ready to be shorn or turned into mutton.

In the cases I have followed, some perpetrators have been brought to justice and others will soon come before the bar. But even if all the money taken in these scams is recovered and all the crooks locked up, new "affinity group" con artists will take their places.

Indeed, new swindlers are already planning to use our deepest beliefs as ways to target our life savings and our churches' bank accounts. This is as sure as sunrise tomorrow. We had better be ready. 

LIBERTY

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Back to Creation

From time to time I've come across a copy of your magazine and have enjoyed several of the articles in its pages. A recent article, "Monkey Fever in Kansas" (March/April 2000), was of particular interest to me as I do workshops for teachers and am a consultant with public schools concerning the topic of teaching about religion.

On the one hand, this article was a fine presentation of the complex history and the varied facets of the conflict between creationists and evolutionists. I appreciated Derek Davis's clear and astute presentation of the essential court cases concerning this topic. On the other hand, I perhaps did not understand his suggestions for handling this controversy "more effectively than it has been in the past."

Yes, both sides could better appreciate the other's claims for "diametrically opposed approaches to apprehending truth." No one who has studied the issue would disagree that our schools have the legal freedom, some would say the responsibility, to teach about religion in the public schools. But this is the difficulty. It seems Professor Davis is suggesting creationism, as a different perspective on approaching truth, could naturally be a topic for discussion in the science class. There are two problems with this approach.

First, the biblical story of creation is not the only creation story in the myriad of religious traditions (each with its perspective on truth), nor is the fundamentalist creation interpretation universally held by readers of the Bible. Thus those who argue for creationism in the schools are not actually arguing for

the subject of creationism, they are arguing for a particular type of creationism. As a rabbi and reader of Hebrew Bible I have no problem with Darwin, or evolutionary approaches such as the big bang. On the other hand, I have several problems with biblical creationism as presented by the likes of Jerry Falwell, or the ICR, and their followers. As a subject for academic study, I don't have a problem with creationism that includes the Native American, ancient Mesopotamian, ancient Chinese, or a myriad of other approaches to truth; I do have a serious problem with the singular approach that I fear would be the result of following Professor Davis's suggestions. Whose perspective on approaching truth do we leave out?

The second problem is the issue of mixing the two topics of science and creationism. By following Professor Davis's suggestion it would seem that health science instructors should take time out of their classes to instruct their students in the perspective of Mary Baker Eddy or those who practice the ancient and venerable Chinese "medical science" of acupuncture. Frankly, I want my child who suffers from diabetes to take his insulin, and I don't care to have his health class spend precious instruction time balancing the scientific view of health with that of Ms. Eddy. Science is about the inductive reasoning process, drawing conclusions based on the highest degree of probability given the empirical evidence. It is about the physical universe. Religion, on the other hand, is about the metaphysi-

cal universe, about abstract truth and spiritual claims. As regards theism, one can debate the merits of the cosmological, teleological, or ontological arguments in support of the existence of God, and then turn to the atheist responses to each. But these arguments are hardly the topic of a class in the sciences. Conversely, from Maimonides and Aquinas to Spinoza, Kant, and Kierkegaard, each has, in some form, argued that ultimate truth requires something pure reason and science cannot provide us. In the final analysis the core of religion requires that famous "leap of faith" in the face of a science that cannot provide the ultimate answers for the followers of religion. Would Professor Davis have us interject an elaborate discussion of carbon-base theory into Kierkegaard's leap of faith or Spinoza's monism?

I have one other area of difference with Professor Davis. He says, "One of the greatest tests of any free society is its willingness to allow dissent about important issues of the day." One can hardly object to what seems to be a noble observation. And I agree, allowance for dissent is a cornerstone of a free society. The questions are Where? What kind of dissent? Holocaust revisionists use the same argument for courses in history. Do we give them balanced time in the public education of our youth? Does the rabbi, in total dissent from the creationist reading of the Bible, get equal time for his view of the creation story in the science class? When will the science teacher get back to science?

I teach courses in world religions, philosophy, and ethics at the local junior college. I find young people are starved for stud-

ies in these vital areas. It is a shame so few public schools include courses in the awe-inspiring world of comparative religions, or that survey the complex, wonderful worlds of philosophy and ethics. Yes, great religious, philosophical, and ethical questions might arise in a math class or a science class, but the objective of that math class or science class has enough to fill the curriculum without adding an entirely different agenda. And a shallow treatment of such complex issues by simply giving the briefest recognition that there is a different way of perceiving the issues raised hardly qualifies to be called educational.

So let our students learn that there are many ways of perceiving ultimate truth in this world; let them learn that there are those who read the same sacred texts who have diametrically opposed views about what those texts say and mean. But of course this won't please the creationists.
RABBI LESTER G. SCHARNBERG
 Bayside, California

[A well-thought-out reply by the good rabbi, which underscores the perils of any religious instruction in a secular environment. We do need a balanced presentation of evolution that acknowledges its own deficiencies and required leaps of faith. We also do not need generic or, worse, partisan views on creationism forced on students in public schools!—Editor.]

A Warning

Imposition of a particular religious faith is hardly the way to prevent school carnage. Some would require their version of religion to be part of every public

school curriculum. They would do this by mandatory religious laws and amendments to the Constitution. Some, I am sure, would change this democratic republic into a theocracy. Religious rites required in public schools can only polarize a community that needs more than ever to be held together.

In this nation, with our separation of church and state, the government cannot tell us what to worship, when to worship, where to worship, or how to worship. The fourth R, religion, is a function of the home and church. Religion is personal, private, and, most of all, divisive. Have we learned nothing from religious history, past and especially present?

MELVIN S. FRANK
 Poland, Ohio

[Yes, we should be accommodating to the spiritual sensitivities of others. We should not expect the state to formalize by general decree the holy days of any group, however.—Ed.]

Let Us Know

One of the big rewards in editing a magazine like *Liberty* is hearing from our readers. Sure, sometimes you send us your opinions packaged in verbal cudgels. But how could we object, given our commitment to freedom of belief? Other times there are heartwarming affirmations of the big principles that we are covering in *Liberty*. Either way the bottom line is that we need to hear from you to keep the relationship vital and healthy.

After all, there's never been more to discuss. The topics are wide: ranging from vouchers and other forms of state aid to schools, prayer in public places, charitable choice, church zoning challenges, the societal tension from increasing religious diversity, the dynamics of Supreme Court deliberations on religion, the politicization of the religious community, and so on.

So get on the horn, computer, or whatever information highway you prefer and let us know your opinion on what we say and what we should be saying. We promise to

read the letters and will try to print your comments where possible.

We are easy to reach. Try writing to us at *Liberty*, 12501 Old Columbia Pike, Silver Spring, Maryland 20904, e-mail me at **steeli@NAD.adventist.org**, or fax us at 301-680-6695.
LINCOLN STEED, Editor

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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.

PLAY IT AGAIN, SAM

So far this millennium has packed a sprightly pace of events into the opening months (I choose to begin it with this year and not the next). The purists are out of step with public perception, which is, after all, the only meaningful measure to something that is an artifice of convenience). Perhaps it is primarily because of the irritant of a presidential election year, but I cannot remember so many remarkable changes in such a short time, even allowing for the fall of the Soviet Union a decade ago.

Days ago Israel unilaterally pulled out of Lebanon, precipitating a collapse of the Christian militia there and bringing taunting Hezbollah fighters right to the border fences. The lingering war between Ethiopia and breakaway Eritrea suddenly seems to be near settlement. Farther south the implosion of Sierra Leone has sucked in United Nations troops and concerned internationalists with the implications for spreading anarchy (and yes, anarchists seem to have reappeared here in North America with nihilistic notions). Robert Mugabe in Zimbabwe has incited retribution against White farmers and sent jitters throughout South

Africa. In Sri Lanka the Tamil Tiger insurgency has cut off an entire area of the country and now threatens the government. Western peace negotiators fled the Solomon Islands under a hail of gunfire. In Fiji ethnic Fijians still hold their prime minister, an ethnic Indian, hostage . . . But why go on? This is already a proven time of change and upheaval!

How to make sense of it. Someone once observed that while history does not repeat itself, it does rhyme. Clearly the past is a good guide; often a salutary warning in dealing with the present. Human nature being what it is, there are clear patterns that will repeat in similar circumstances.

I just returned from a week in Guatemala, Central America. Over the years I have been there about a dozen times and have seen it change from a rather ominous military dictatorship battling insurgency in a brutal way to a palpably free and more secure society. The benefits of that change are obvious in the way that people now feel free to voice political dissent, in the building boom, the business expansion, the sight of indigenous Indian children enjoying a water park alongside families of the oligarchy.

But some things remain. There is fear of violence. Guards stand out front of any major business and wealthy residence with pistol-grip

short shotguns at the ready.

Some years ago, in the midst of the guerrilla war and right-wing death squads, a dictator named General Efraín Ríos Montt came to power with the promise of ending the conflict. In spite of his ardent evangelical faith (one hopes not because of it) Ríos Montt quickly created a brutal scorched earth policy toward the Mayan Indians he believed were aiding the rebels. Villages were destroyed and people routinely lined up against the wall and shot. It is a testimony to the inherently civil nature of the traumatized people of Guatemala that they removed him, and without violence.

Incredibly, this general has made a political comeback, now heading a major faction in the parliament. And as people worry about escalating crime his appeal as a tough law-and-order candidate is growing. Incredible! This lesson of history seems to have failed to take in public memory.

Back in the United States at the Miami airport I picked up a copy of the *Miami Herald*. And couldn't help but feel a certain sense of *déjà vu*. One front-page story told of three DOT police officers disciplined for purchasing assault rifles to use in off-duty traffic assignments. Early



ILLUSTRATION BY RALPH BUTLER

shades of right-wing paramilitary and death-squad justice perhaps!

Another front-page story was titled "Battling for Vouchers From Brickell Avenue." It told the tale of Patrick Heffernan, a onetime seminarian and church school official who "sees himself as David fending off the Goliath of public schools" and is taking action as founder of the state's largest pro-voucher group, Floridians for School Choice.

In the words of Sabrina Walters, the *Herald* reporter, "His is a story of what happens when a civic organizer's politics happen to align with those of the influential and the wealthy—people with a willingness to give money and who seemingly have an endless supply of it." The voucher issue has gathered quite a head of steam this election season, after Milwaukee and Cleveland school districts approved the pub-

licly funded private school vouchers. It is sure to be a major campaign issue, with Republican governor George W. Bush strongly pro-voucher, and so far Vice President Gore very much opposed. (Interestingly, a recent fund-raising letter from the Hillary Clinton for New York senator campaign is quite forthright in her opposition to school vouchers.)

"Critics," according to the article, "contend Heffernan is part of a bigger right-wing crusade seeking to undermine public schools and divert state funds to private, religious-based schools." One of his critics is Howard Simon, president of the American Civil Liberties Union. "To steer children into

parochial schools is constitutionally impermissible," he says.

Perhaps it was the juxtaposition of my trip to what once was called a banana republic, and all the right-wing abuses implied by the history of such systems, that colored my reading of the Miami headlines. Perhaps it was just a series of recollections from my history studies. But I don't think a get-tough free-lance paramilitary approach will work any better here than in Guatemala or Kosovo. And I do think that the voucher movement, while clearly toying with constitutional constraints, is also a disturbing attempt by a privileged class to use the government for its benefit, and the public school system be damned—another step toward an oligarchy in my heavy-handed interpretation of historic tendencies. Quite apart from the fact that it will also tend to institutionalize the power of one or more major churches and create a very unholy union of church and state. And the history of such in Latin America is chilling. Let's not go down that path—ever.

I started off my comments with a patchwork reporting of a world in flux to show the revolutionary times we live in. Don't think for one moment that I'd forget to mention the United States. I think it self-evident that it faces its greatest challenge since its founding and the

cold war. It's not proper for *Liberty* to take politically partisan positions: but without fear of that I can say that in the past few months we have witnessed either a creeping coup d'état, perhaps by a "vast right-wing conspiracy," or the exposure of the most corrupt, manipulative, lawless administration ever. God help us if both of these are anywhere close to a reality.

God help us to maintain a decent and fair society. God help us to learn the lessons of history—and not just of our own country. God help us to uphold the constitutional liberties so clearly established by people in awe of past mistakes. Liberties cherished by people determined not to repeat the horrors of past ages.

LINCOLN E. STEED



"If I could have entertained the slightest apprehension that the constitution framed in the convention, where I had the honor to preside, might possibly endanger the religious rights of any ecclesiastical society, certainly I would never have placed my signature to it; and, if I could now conceive that the general government might ever be so administered as to render the liberty of conscience insecure, I beg you will be persuaded, that no one would be more zealous than myself to establish effectual barriers against the horrors of spiritual tyranny, and every species of religious persecution."

—GEORGE WASHINGTON, in a letter sent in response to an address of the General Committee of the United Baptist Churches in Virginia, May 1789.