

RELIGIOUS FREEDOM: Why and How in Today's World

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It is very probable that some persons may think inwardly and perhaps contend overtly, especially after exposure to the key documents looking to the advocacy of religious freedom written during the centuries from the fifteenth through the seventeenth, that the validity and relevance of the classic arguments for religious freedom belong to the age in which they were formulated, but not necessarily to the last quarter of the twentieth century.

Perhaps such persons would express themselves as follows: The classic arguments for religious liberty indeed were valid during earlier epochs of human history. They were desperately needed to bring relief from centuries of oppression—the Crusades, the Inquisition, the wars of religion, recurring grievous bodily persecution—and were indispensable to the attainment of that human freedom so basic to the modern democratic societies. By reading the English Reformation classic, Foxe's *Book of Martyrs*, and/or the Mennonite classic, van Braght's *Martyrs' Mirror*, one can see what great changes came with the securing of toleration and ultimately of genuine freedom. But ours is a very different age. We live in a complex technological society whose intricate societal problems call for the best efforts of government and of religion. Governments are no longer merely to repress evildoers and maintain civil order; they have assumed a plethora of functions in education, health, economic management, and social welfare—what we call the “welfare state.” Moreover, the Christian churches and the Jewish synagogues have assumed a more active role in contributing to human welfare and in seeking to influence the political decisions that so largely shape the society. On a worldwide scale, atheism, secularism, humanism, and godlessness have spread in unparalleled fashion, partly under the sway of militant advocates, and now claim the

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loyalty of multiplied millions. Ours is a radically different age from that of our spiritual and political predecessors, and it calls for radically different answers. Most all the classical advocates of religious toleration and freedom believed in one God and the final accountability of all men to him. Today many advocate freedom of religion so as to be able to practice irreligion. The very religious and moral foundations of society, especially in Western Europe and North America, seem to be crumbling under the impact of rapid human and social change. Does not religious freedom permit, or even encourage, the loosening of the breakdown of these foundations? Is not the cooperation of state and church in meeting human needs much more imperative than the old case for “soul freedom”? Is there really a case for religious freedom today? So goes the argument.

Such an argument deserves very careful attention. The very fact that it exists points to the need for reexamining familiar postures in succeeding generations. The argument challenges the abiding validity of freedom of religion vis-à-vis the civil state and seeks to attach such freedom to the needs of a particular historical age. Any serious response to the argument must be in some sense a guest for an apologetic for religious freedom in 1976.

I

Why religious freedom in today’s world? Is it valid in certain nations but not in others? Was it formerly much needed to combat authoritarianism but now must be modified or displaced in the face of libertarianism? Is there truly a present-day case for religious freedom? If so, what specific considerations constitute the case?

First, at least for Christians, Jesus and the early Christians practiced religious freedom. They did not persecute others, whether Jew or Gentile, on account of their religion. Jesus’ most severe strictures against the scribes and Pharisees (Matt 23) were verbal but not violent, prophetic but not coercive. Repeatedly Jesus taught his disciples to expect to be persecuted: in the Beatitudes (Matt 5:10–12), in the sending out of the Twelve (Matt 10:17–23), in connection with the woes against the scribes and Pharisees (Matt 23:29–36), and in the discourse on the Mount of Olives (Mark 13:9–13). Recent advocates of the theory that Jesus was a Zealot¹ or would be a violent revolutionary in today’s world have sought to make Jesus a

¹Oscar Cullmann, *The State in the New Testament* (New York: Charles Scribner’s Sons, 1956), who rejected the view that Jesus himself was a Zealot, traced the modern advocacy of the view (11) to R. Eisler, *The Messiah Jesus and John the Baptist* (London: Methuen & Co., 1931).

man of the sword, citing especially the text wherein Jesus enjoined his disciples to “buy” a “sword,” the disciples reported that they had “two swords,” and Jesus declared, “It is enough” (Luke 22:35–38). But his word to the impetuous and violent Peter, “Put your sword back into place; for all who take the sword will perish by the sword” (Matt 26:52, RSV), seems clearly and unambiguously to represent the teaching of Jesus. Jesus and the apostles sought to persuade men, not coerce them. “O Jerusalem, Jerusalem, killing the prophets and stoning those who are sent to you! How often would I have gathered your children together as a hen gathers her brood under her wings, and you would not!” (Matt 23:37, RSV). Jesus and the early Christians obeyed the Roman government on civil matters. Jesus’ “Render to Caesar the things that are Caesar’s” (Mark 12:17a) was followed by Rom 13:1–7 and 1 Pet 2:13–17. They refused, however, to give to the Jewish hierarchy or the Roman state the allegiance that belongs only to God. “Render to God the things that are God’s” (Mark 12:17b). “We must obey God rather than men” (Acts 5:29). The Apocalypse described a “beast” that blasphemes God, makes war on “the saints,” and receives the worship of all except the Christians (Rev 13:5–8). The issue had been joined: Caesar or Christ! Not until the fourth century AD or later did the Christians sanction the use of civil power to enforce religious uniformity.

Second, religious freedom is consistent with great motifs of the Bible, especially the New Testament. A. F. Carrillo de Albornoz was surely correct when he asserted that religious liberty “*is not a revealed truth*”² that is, “not explicitly revealed as an integral part of the biblical revelation,”³ but rather is “an *implication* of the Christian faith.”⁴ We do well to recognize the differences between ancient biblical and modern settings. Indeed,

... the setting of the Old Testament is a theocratic kingdom forged by an ex-nomad people and falling to regnant imperial powers, first in exile and later in restoration. Likewise, [most of] the writers of the New Testament ... belonged to that company of early Christians who left the matrix of Judaism and lived their lives under the might and coercions

²A. F. Carrillo de Albornoz, *The Basis of Religious Liberty* (New York: Association Press, 1963), 56.

³James Leo Garrett, Jr., “The Biblical Basis of Religious Liberty,” *The Truth That Makes Men Free: Official Report of the Eleventh Congress, Baptist World Alliance, Miami Beach, Florida, U.S.A., June 25-30, 1965*, ed. Josef Nordenhaug (Nashville: Broadman Press, 1966), 282.

⁴First Assembly of the World Council of Churches, Amsterdam, 1948, “Declaration on Religious Liberty,” quoted by Carrillo de Albornoz, *The Basis of Religious Liberty*, 56.

of the Roman Empire.⁵

To state the matter negatively in the words of Niels H. Sørensen, “*The basis of religious liberty* is the very fact that Christ did not come in heavenly splendor and worldly majesty to subjugate any possible resistance and force all and everybody to subjection.”⁶ More positively, religious freedom is consistent with the biblical concepts of man’s answerability to God; of faith as persuasion; of the suffering of Jesus as the Messiah; of the church as a gathered, witnessing, servant community; of the limits to the competence of the state; and of the lordship of Christ and the sovereignty of God.

Third, present-day persecution for the sake of religion, as well as persecution and wars of religion during past centuries, calls for the attainment, the preservation, and the practice of religious freedom. Despite the great constitutional guarantees and widespread advocacy of religious freedom, the twentieth century has been and is an age of persecution. The German Church Struggle and the Jewish Holocaust under Hitler’s Third Reich—now the subject of such intensive scholarly study⁷—serve as continuing reminders of man’s inhumanity to man and the barbarous constrictions and the ghastly genocide of the totalitarian state. In the People’s Republic of China more than a quarter century of total suppression has seemingly greatly reduced the number of Christians. In the Soviet Union both Jews and Christians, whether Russian Orthodox, Old Believer, Roman Catholic, Lutheran, Evangelical Christian-Baptist, Adventist, or otherwise, continue to live under severe restrictions upon the exercise of their faith as well as under the indoctrination of state-sponsored atheism. The limitations on the emigration of Soviet Jews, especially to Israel, are well known and evoke widespread popular concern and political action. The restrictions upon and the imprisonments of leaders such as Georgi Vins⁸ among the *Initiativniki*, the resistant and unregistered group of Evangelical Christians and Baptists that separated from the All-Union Council fifteen years ago, are less well known in the West and evoke only modest church sympathy and even less political action, but constitute nevertheless a major chapter in

⁵Garrett, “The Biblical Basis of Religious Liberty,” 282.

⁶Niels H. Sørensen, “The Theological Basis of Religious Liberty,” *The Ecumenical Review*, 11 (January 1958): 40.

⁷See, for example, Franklin H. Littell and Hubert G. Locke, eds., *The German Church Struggle and the Holocaust* (Detroit: Wayne State University Press, 1974).

⁸See Georgi Vins, *Testament from Prison*, trans. Jane Ellis and ed. Michael Bourdeaux (Elgin, Ill.: David C. Cook Publishing Co., 1975)

the contemporary denial of religious freedom. The Christians who appear as characters in the novels of Aleksandr Solzhenitsyn and Solzhenitsyn's own "Lenten Letter to Patriarch Pimen" (March 1972) form additional evidence of the plight of Christians in the Soviet Union. One need not espouse the view of Pastor Richard Wurmbrand that only in underground churches are true Christians to be found. Nor must one accept the opposite implication of the policy of détente between the USA and the USSR, namely, that religious persecution is of minimal importance. Ernest A. Payne's sympathetic, yet critical, posture in *Out of Great Tribulation: Baptists in the U.S.S.R.*⁹ seems to be somewhat more adequate. In Eastern Europe, restrictions upon religious freedom persist in varying degrees, ranging from total suppression in Albania and very severe restrictions in Bulgaria and East Germany to the constitutionally guaranteed and practiced freedom of worship in Yugoslavia. Religious restraints continue in Cuba. In Uganda, the regime of President Amin discriminates against Christians and other non-Muslims, and in Zaire the regime of President Mobutu has virtually outlawed all religious instruction. In certain African nations, especially Malawi, Jehovah's Witnesses are facing expulsion for nonconformity to the new national governments. Burma and India have curtailed the entry of Christian missionaries or certain types of missionaries. In Afghanistan, the burning of a Protestant church building goes unchallenged. Indeed, religious freedom, so lacking for many today, is needed, and those who deny its need should make certain they have "walked in the moccasins" of the persecuted.

Fourth, the pluralistic nations or societies that are emerging demand the recognition and practice of religious freedom—not only freedom of worship but also of witness, education, ministry, publication, and conversion—without civil penalties. Such freedom is essential if pluralistic societies are to have either civic stability or religious peace. George Huntston Williams insisted a decade ago that only one genuine pluralistic society existed, namely, the United States of America.¹⁰ Admittedly, the American "melting pot" is more universal in its components. Yet the pluralistic society, especially the existence of several diverse religious communities within one political entity, is increasingly to be found. Moreover, the tragic conflicts in Northern Ireland and Lebanon, which are indeed much more than religious

⁹Ernest A. Payne, *Out of Great Tribulation* (London: Baptist Union of Great Britain and Ireland, 1974).

¹⁰Quoted in James Leo Garrett Jr., "The 'Free Exercise' Clause of the First Amendment: Retrospect and Prospect," *Journal of Church and State* 17 (Autumn 1975): 398.

struggles but from which the religious factor cannot truly be eliminated, point to the need for full religious freedom rather than militant religious polemics or negotiated constitutional settlements between major religions.

Fifth, since majority religions tend to repress or to discriminate against minority religions within a given society or at least to seek and to take special political advantages for themselves, constitutional guarantees and judicial protection of freedom of religion are often necessary to secure religious freedom for the adherents of minority religions. The advantages of and sometimes the repressions by state churches, or established churches, are familiar to the student of church history or of Western civilization. Less familiar is the fact that it was not Protestants, Roman Catholics, Eastern Orthodox, or Jews, but rather the Jehovah's Witnesses whose frequent cases before the United States Supreme Court during the 1930s, 1940s, and early 1950s—from *Lovell v. Griffin* (1938)¹¹ to *Fowler v. Rhode Island* (1955)¹²—led to the delineation by the Court of the meaning of the “free exercise” clause of the First Amendment. The latest issue seems to be between religious groups such as the Unification Church, the Children of God, and Krishna Consciousness and the parents of young people who have become members of such groups; the parents are alleging that the youths have been “brainwashed” and need to be “deprogrammed,” and the young members are claiming the “free exercise” of religion. Many have said that Baptists have never persecuted others. But does this mean that Baptists, where a major segment of the population, have not sought advantages for themselves? What of the deacon in the rural church who asks the county commissioner to pave the church's parking area, or the pastor who vigorously defends his housing allowances on the federal income tax, or the administrator who is sure that religious freedom can be maintained even though his Baptist institution accepts government grants or subsidies? However, committed theoretically any religious group may be to universal religious liberty, it ought never to allow itself to be deceived about its own capacity to seek special privilege or to practice discrimination.

Sixth, present-day international travel, commerce, immigration, and communication are such to make religious freedom highly desirable and genuinely beneficial. As in no previous century and because of the vast new means of rapid transportation and extensive communication, human beings are able to leave their cultural, linguistic, ethnic, and national settings

¹¹303 U.S. 444.

¹²345 U.S. 67.

by means of travel and thereby to become exposed to new and different settings. The same new conditions in transportation and communication make possible more extensive contacts in international trade and open the door, where laws permit, to considerable immigration. Even without geographic movement television, radio, and the press make possible the coming of new ideas in cross-cultural as well as intra-cultural communication. Through such media religious communication has been extended in unparalleled fashion. To be able to engage in such geographical movement and to utilize such media of communication but to be bound by laws that prohibit a change of religious persuasion or any profession and practice of religion places contemporary man in a difficult and unfortunate situation. Twentieth-century technology has made anachronistic as well as unjust the legal and governmental constrictions upon religion.

Seventh, the Christian world mission, divested of attachments to colonialism and committed to a six-continent base and field perspective, would be enhanced by the possibility of worldwide religious freedom. Perhaps it is a paradox that Christianity has both produced great religious persecution and has provided, along with Judaism, the primary stimulus to religious freedom. Where would one find an Islamic or a Buddhist movement actively working for universal religious freedom? Ever since the resistance of the Jewish youths, Shadrach, Meshach, and Abednego, to Babylonian emperor worship in the sixth century BC (Dan 3), the Judaeo-Christian heritage has known the possibility of conscientious religious objection to the mandates of the civil state. Now in the latter part of the twentieth century AD, during what some are calling the “post-Constantinian age,” conscientious religious dissent and non-dependence on government for the support of religion are being experienced. Christianity, because it both claims and works toward a universal mission and fosters universal religious freedom, is generally able to thrive where religious freedom exists. To say this is, of course, not to deny that also the “blood of Christians” in martyrdom has been the “seed” of the church.¹³

Eighth and finally, the practice of universal religious liberty helps to make more evident to Christians that Christianity is truly dependent upon the gospel, the Bible, and the power, gifts, and leadership of the Holy Spirit. Christians need not only to read that Jesus’ “kingship is not of this world” (John 18:36) but also to resist the nationalization, the politicization, and the acculturation of the Christian faith, no matter what

¹³Tertullian, *Apology*, ch. 50 (ANF, 3:55).

its form. The weapons of the Christian warfare are not “worldly” (2 Cor 10:4). The church cannot rightly expect unbelievers to be the bearers of its mission. It is truly dependent upon its suffering yet triumphant Lord, and it may indeed have to suffer with him if it is to share his triumph.

These eight historical and contemporary considerations hopefully constitute a case that would tend to convince serious and concerned Christians today, and indeed others, that the espousal and practice of universal religious freedom constitute a much needed and very important goal.

As to the realization of such a goal, we should recognize that in North America, in northern and southern Europe (despite the lingering of legally established “state” churches and what some Germans now differentiate as *Volkskirchen*, or people’s churches), in Australasia, in most nations of Latin America (especially since Vatican Council II), in several nations of East Asia (Japan, Taiwan, Hong Kong, and Singapore),¹⁴ and in many nations of sub-Sahara Africa there now exists a considerable degree of religious freedom with respect to the national governments. Such nations are by no means free from problems in the implementation of religious freedom. On the other hand, the Soviet Union, the eastern European nations, Cuba, the Peoples’ Republic of China, certain Muslim nations of Africa and the Middle East, and Asian nations such as Nepal and Tibet restrict rather severely the free exercise of religion, though usually they grant freedom and privilege to state-sponsored atheism or to the predominant or traditional religion.

II

In turning from the why of religious freedom to the how of religious freedom in today’s world, from apologetic to implementation, it is necessary concerning religious freedom to differentiate, as in the case of world food supplies, between the “have” and the “have not” nations or peoples.

Respecting the exercise of religion in the “have not” nations, it is imperative to give ample stress to the role and responsibility of the citizens of the “have” nations. First, those who enjoy the blessings of religious freedom have an obligation to advocate repeatedly and responsibly for religious freedom for all the citizens of the “have not” nations.

Such advocacy can be undertaken through political channels. The

¹⁴On the contrary, religious freedom, at least in respect to Christian social action, has been recently curtailed in South Korea, and in the Philippines martial law and the tensions with Mindanao Muslims have led to church-state tensions.

United Nations, despite its limitations, is still a forum that shapes world opinion. Through international diplomacy, some efforts can be made in behalf of those who are overtly persecuted for religious beliefs and practices. National policies of international trade and travel can be made to reflect the concern of its citizens for the human rights of citizens of other nations. But political action in behalf of repressed, discriminated against, and even tortured people will not come automatically; it likely will depend on a groundswell of concerted citizen action.

The cause of the persecuted also can and ought to be championed by the religious bodies, especially the Christian churches. The World Council of Churches has been active in the cause of religious freedom, in respect both to study and to action for the oppressed, but the membership of Russian Orthodoxy in the WCC has served to limit that action in the socialist nations. The national councils of churches in various lands can, should, and sometimes do act in the cause of the oppressed. World confessional families, such as the Baptist World Alliance, the Lutheran World Federation, the World Alliance of Reformed Churches, and the like, have special responsibility for religious liberty, since most of these international bodies have member churches in nations wherein religious freedom is seriously constricted. The denominational bodies within nations enjoying religious freedom have a similar opportunity and duty. Their strengths ought to be placed in the service of those who are weak. The Southern Baptist Convention, it would seem, has yet to make any major effort or any real sacrifice in behalf of oppressed peoples, particularly the unregistered churches in the USSR. The recent appeal of Albert Boiter of Radio Liberty to Southern Baptists has seemingly been ignored.¹⁵ Grassroots efforts by Christians who form *ad hoc* groups can be surprisingly effective. Christians in Great Britain, a land often described in terms of its spiritual decline, have been more active in behalf of Georgi Vins and other dissidents than have Christians in the USA.¹⁶ Jesus' words were not addressed to the rich and favored—to those with two boats, three bathrooms, and four cars—when he said, “I was in prison and you visited me” and “I was a stranger and you welcomed me” (Matt 25:36c, 35c).

The mass media have a role to play in securing greater religious freedom for all men. Television documentaries, radio and television coverage of

¹⁵John Rutledge, “West Ignores Plight of Russian Baptists,” *Baptist Standard* 87 (17 September 1975): 12–13.

¹⁶The Durham Committee, formed in 1971, petitioned the Soviet Embassy in London in 1974.

the events of persecution, investigative newspaper reporting and in-depth analysis, magazine and journal articles, and pertinent books can help to awaken interest in and action for those who are denied freedom of religion. Second, the citizens of the “have not” nations should be encouraged to utilize whatever limited religious freedom they do have, and the citizens of the “have” nations should be active in assisting them. In some instances constitutional freedom of worship within church buildings does exist, and usually believers gather regularly in such places, though police actions sometimes inhibit even such worship. The printing and distribution of vernacular Bibles can also assist the free exercise of Christianity in “have not” nations. It is a moot question whether the activities of Bible smugglers are truly more effective than the limited distribution through legal channels. Among the most effective means of propagating religious beliefs among those in the “have not” nations seems to be vernacular broadcasts on powerful international radio stations located in the “have” nations. Reports of assistance in resettling refugees and immigrants in the “have” nations can encourage those still restricted in the “have not” nations. In Muslim lands, medical missions, disaster relief, and other humanitarian projects can be both legal and productive of good will for the faith of those who serve.

What now can be said about implementing religious freedom in the “have” nations, especially the USA? Six areas of reply seem pertinent. First, the broad base of support for religious freedom needs to be strengthened. Politically, that support can be identified on three levels: constitutional, legislative and executive, and judicial. Guarantees of religious freedom for all citizens may now be found in the constitutions or primary documents of many nations and political subdivisions. The First Amendment to the US Constitution has served as the model or guide for other similar provisions. A very few would still amend the US Constitution to specify the establishment of Christianity, and others would amend it so as to specify the legality of prayer in public schools. But there seem to be no persuasive reasons for tampering with the First Amendment. Legislative and executive powers sometimes pose the most serious threat to genuine religious freedom, particularly on the provincial or local level. The judiciary, on the contrary, usually affords protection against the infringements of freedom of religion. Such has clearly been true in the USA, wherein the Supreme Court has consistently acted, particularly during the middle third of the twentieth century, to protect “the free exercise” of religion

by its minorities.¹⁷

Broad-based church support of religious freedom is also important. Baptists have historically been in the vanguard of those contending for and supporting universal religious freedom. Baptists still make important contributions to the cause. Let us not underestimate what Baptists have gained under religious freedom. Would there be a theological seminary with 2,800 students in a nation in which there were no enforceable guarantees of religious freedom? But is it not possible to acknowledge that where and when Baptists have become a majority or near majority denomination—when they have become numerous, prosperous, but not necessarily so wise—they have entered into church-state entanglements or have almost unwittingly married culture-religion so as to dampen their testimony to religious freedom? Seventh-Day Adventists have been and are strong and consistent advocates of religious freedom for all. Most of the Protestant bodies in the USA have formally subscribed to religious freedom. Since Vatican Council II, the Roman Catholic commitment to religious liberty, though not to church-state separation, has become official and genuine, with important consequences for Latin America. Eastern Orthodoxy in the USA and in western Europe has tended to learn the value and worth of religious freedom from the consequences of the Bolshevik Revolution. Unitarians and Jews have generally been firm supporters of religious freedom, providing some of its leading recent spokesmen.

Muslims, Hindus, Buddhists, and others operate under the American guarantee of “free exercise” of religion; their own views thereupon are less clear. Humanists and secularists generally espouse freedom of (or from) religion, and the libertarian movement ordinarily embraces it or at least tolerates it. Certain atheists strongly contend for religious freedom, while their contentions seem to imply the establishment of secularism in public schools.

Second, the corollary of religious freedom, the institutional separation of church and state, needs to be implemented, wherever possible. We do well to learn from the legacy of William of Ockham, Marsilius of Padua, Petr Chelčický, the Anabaptists, especially Roger Williams, and Thomas Jefferson. Established churches still survive in western Europe, though their privileges have in most cases been reduced. The persistence of such establishments parallels the decline in church attendance and participation in the same nations. The free churches of Britain knew in the late nineteenth

¹⁷Garrett, “The ‘Free Exercise’ Clause of the First Amendment,” 394–97.

and early twentieth centuries exactly why they favored the disestablishment of the Church of England, and they said so in no uncertain terms. It now seems strange to hear from leaders of the British Baptists that they now oppose disestablishment lest it accelerate the process of secularization. Legal provisions for the separation of church and state in socialist nations are often seriously eroded by the refusal of government officials to allow the churches to function. Consequently, separation means in practice suppression of church life. In the United States the constitutional prohibition of an “establishment of religion” has been somewhat eroded by legislation and executive actions that tend toward plural establishment. Parochialism, the military chaplaincy, and human welfare are particularly acute areas. Despite the grave apprehensions of Protestants during the presidential candidacy of John F. Kennedy (1960) as to the actions of a Roman Catholic president, President Kennedy’s record on church-state separation was much more consistent than the subsequent records of Presidents Lyndon B. Johnson and Richard M. Nixon. To maintain the delicate balance between the two religion clauses of the First Amendment—“no ... establishment”¹⁸ and “free exercise”—separation is necessary.

Third, in a pluralistic society such as the USA, new consensuses need to be formed in the sociopolitical order, to which consensuses religions and religious bodies may contribute, on the basis of which specific problems and issues can be dealt with and hopefully solved and resolved. The late Jesuit theologian John Courtney Murray reminded Americans of the importance of the political consensus.¹⁹ Deists and Protestant Christians, it should be remembered, formed the political consensus that brought forth the American Declaration of Independence and the US Constitution. All who are alarmed about the increase of crime and of disrespect of law ought to recognize the fact that a moral consensus is essential to the enactment and the enforcement of criminal law. After all, why should a given act be reckoned as a crime against the state? Why should the citizenry so regard it? The abortion issue points clearly to the need for a moral consensus. Roman Catholics and libertarians set forth their contradictory cases. The outcome is likely not to be that either case will completely prevail. Let the religious bodies make their contribution to the forming of a consensus according to which such an issue can be politically and legally resolved.

¹⁸See James Leo Garrett Jr., “The ‘No ... Establishment’ Clause of the First Amendment: Retrospect and Prospect,” *Journal of Church and State* 17 (Winter 1975): 5–13.

¹⁹John Courtney Murray, *We Hold These Truths: Catholic Reflections on the American Proposition* (New York: Sheed & Ward, 1960), esp. chs. 3, 4.

The teaching and practice concerning abortion within any denomination or religious community is, it should be clearly noted, an entirely different issue. If the word of the present author regarding the need for moral consensus in the American political order seems to be sobering, one should examine the much more critical hypothesis of Robert Nisbet in his recent volume, *The Twilight of Authority*:

I believe the single most remarkable fact at the present-time in the West is neither technological nor economic, but political: the waning of the historic political community, the widening sense of the obsolescence of politics as a civilized pursuit, even as a habit of mind. By political community I mean more than the legal state. I have in mind the whole fabric of rights, liberties, participations, and protections that has been, even above industrialism, ... the dominant element of modernity in the West.²⁰

Fourth, if religious freedom for all is to be maintained, every safeguard must be utilized to insure that the cooperation of churches and religious bodies with governments does not produce an undue interlocking of the religious and the civil or a governmental subsidization of religion, whether in the singular or the plural. In education, the care of the sick and of the aged, aid to the poor, disaster relief, resettlement of refugees, and many other areas both government and organized religion are presently involved. Churches will need to continue to reassess their diaconal responsibilities and priorities. Some forms of cooperation, such as the Central Intelligence Agency's utilization of foreign missionaries, are inherently illegitimate and should be terminated. Moreover, Christians need clearly to differentiate the hand of Caesar, even when covered with the velvet glove of Washington bureaucracy, and the hand of Christ extended by those who believe in, love, and serve him.

Fifth, the free exercise of religion in the present-day United States may well depend on the clear detection and resolute avoidance of the dangerous and maleficent form of what many identify as "civil religion." Admittedly the term is used with a variety of meanings, some of which are contradictory. Russell E. Richey and Donald G. Jones have helpfully identified five principal usages or meanings: "*folk religion*," "*the transcendent universal*

²⁰Robert A. Nisbet, *The Twilight of Authority* (New York: Oxford University Press, 1975), 3.

religion of the nation,” “*religious nationalism*,” “*the democratic faith*,” and “*Protestant civic piety*.”²¹ Perhaps more helpful is Robert D. Linder’s differentiation of two principal types: the “Deistic” type deriving from Rousseau, “in which the state is transcendent and embraces ultimate values and reality,” and the “Theistic” type, “in which the state itself is subject to transcendental judgment and cannot claim ultimate values and reality.” This may help to explain why Robert Bellah and D. Elton Trueblood commend as good and Richard V. Pierard and Mark O. Hatfield deplore as evil what all call “civil religion.”²² Any tendency toward absolutizing the state not only affords the danger of totalitarianism but also threatens the viability of historic religions other than the “civil religion.” Can the malevolent form of “civil religion” be an attempted life jacket for a sinking political order or a sinking religion?

Sixth and last, the “free exercise” of religion, to be more than legal fiction or paper promises, calls for the existence of vital religion. Christians in particular are faced with the challenge of avoiding culture-religion on the one hand and exclusivist, other-worldly withdrawal on the other. Discipleship, as never before, needs to be essential to membership. Indeed, the “free exercise” of religion can only be truly meaningful where there is genuine, vital, and significant exercise thereof. High on the list of priorities is the question as to whether and which of the religious bodies in the United States will have the purpose, the religious and moral dynamic, and the motivated, loyal, and equipped personnel to make significant new advances in ways that are fully constitutional. Freedom of the press, for example, would be a relic of the past if there were no thriving newspapers and magazines in the nation. Similarly, the future significance of the “free exercise” of religion in the pluralistic society of the United States may depend as much or more on the vigor and vitality of the religious communities as on the verdicts of the judiciary.²³

We have examined in detail the key documents advocating religious toleration and freedom during the classical period.²⁴ We have, amid the

²¹Russell E. Richey and Donald G. Jones, eds., *American Civil Religion* (New York: Harper & Row, 1974), 14–18.

²²Robert D. Linder, “Civil Religion in Historical Perspective: The Reality That Underlies the Concept,” *Journal of Church and State* 17 (Autumn 1975): 419, 421 (fn. 50).

²³Garrett, “The ‘Free Exercise Clause’ of the First Amendment,” 398.

²⁴These documents were examined in the first two of the three Day–Higginbotham Lectures. Tapes of these lectures are on file at Southwestern Baptist Seminary. (Editor: These lectures are now also available printed form in Wyman Lewis Richardson, ed., *The Collected Writings of James Leo Garrett Jr.*, 1950–2015, vol. 7 [Eugene, OR: Wipf & Stock, 2023], 97–122, 123–36.)

objection of obsolescence, sought to restate for 1976 the case for universal religious freedom and to deal responsibly with the problems and issues of its attainment and its continual implementation. One more thing remains. You and I must decide whether we are willing to give ourselves to the cause of religious freedom, not merely for ourselves but for all humankind. From the student body and faculty of Southwestern Seminary could come a groundswell of concern and action for oppressed peoples that would be felt around the world. We can shirk or make excuses or become preoccupied, or we can give ourselves without stint that we and others may be able “to obey God rather than men.”

Faith of our fathers! living still
In spite of dungeon, fire, and sword,
O how our hearts beat high with joy
Whene'er we hear that glorious word!
Faith of our fathers, holy faith!
We will be true to thee till death.²⁵

²⁵Frederick W. Faber, “Faith of Our Fathers,” in *Baptist Hymnal* (Nashville: Convention Press, 1975), stanza 1.