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"THE MEANING OF "CONVERSION/TURNING" IN JUDAISM

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Kaufmann Kohler, in his work "Jewish Theology", writes: "The brightest gem among the teachings of Judaism is its doctrine of repentance or, in its own characteristic term, the return of the wayward sinner to God." Indeed, the concept of the "return" of the sinner in Jewish tradition is at the same time one of the most fundamental, and one of the most characteristic of Judaism. It is an idea which has undergone a long history and yet has remained remarkably intact, retaining its basic configuration for Jewish thinkers very disparate in time, space and cultural milieu.

In Hebrew the concept is aptly expressed in one word, "Teshuvah", which means "return". Basically, as used both in the Old Testament and in the Rabbinic literature, it refers to the return of the sinner from his evil ways. In the Old Testament it is met with frequently: 'O Israel, return unto the Lord thy God;...take with you words and turn unto the Lord (Hos.14:2)"; "Turn Thou us unto Thee, O Lord, and we shall be turned; renew our days as of old (Lam. 5:21)." The Prophets often speak of the "return" of the evil man from his ways, which will elicit God's forgiveness. The evil ways generally referred to (though not exclusively) are acts of moral turpitude, oppression of the weak, and the like, or waywardness in loyalty to the Lord. Thus, the two broad categories of sin, which were more specifically defined by Rabbinic Judaism, those between man and God and those between man and man, were adumbrated in the biblical writings, and for both the way to atonement lay in "return".

There is to be found in the Old Testament also a cultic way of achieving atonement for sin, through sacrifice, fasting and prayer. This is no doubt the most primitive understanding of the way to repair the breach that has been caused in man's relationship to God by man's waywardness; on the other hand, the Prophets boldly denounced those who would think that by mere ritual one could achieve atonement for sin. It is often overlooked by modern critics of ancient Judaism that the Rabbis not only recognized but also preserved that prophetic stance. One of the most striking features of the ritual for the synagogue for the Day of Atonement (Yom Kippur), the most solemn day on the Jewish Calendar, is the fact that after the prescribed reading from the Pentateuch concerning the order of sacrifices which were brought in the Temple on that day, and the injunction to fast and to afflict the soul, the Prophetic reading is taken from the book of Isaiah; the people have asked, "Wherefore have we fasted and Thou seest not? Wherefore have we afflicted our souls, and Thou takest no note thereof?" and the Prophet replies:

"Behold, in the day of your fast ye pursue your business,  
And exact all your labors.  
Behold, ye fast for strife and contention,  
And to smite with the fist of wickedness;  
Ye fast not this day  
So as to make your voice be heard on high.  
Is such the fast that I have chosen?  
The day for a man to afflict his soul?  
Is it to bow down his head as a bulrush,  
And to spread sackcloth and ashes under him?  
Wilt thou call this a fast,  
And an acceptable day to the Lord?  
Is not this the fast that I have chosen?  
To loose the fetters of wickedness,  
To undo the bands of the yoke,  
And to let the oppressed go free,  
And that ye break every yoke?  
Is it not to deal thy bread to the hungry,  
And that thou bring the poor that are cast out to thy house?  
When thou seest the naked that thou cover him,  
And that thou hide not thyself from thine own flesh?  
(Is.58:3-7)

There is throughout the biblical and rabbinic literature the theme of "cleansing" oneself of sin in the physical sense of bathing or baptism; but for the rabbis this act alone could never suffice for the cleansing of sin. The Talmud teaches (Taanith, 16a): "If a man is guilty of a



transgression and makes confession of it but does not amend his behaviour, to what may he be likened? To a man who holds a defiling reptile in his hand; even if he immerse his body in all the waters of the world, his immersion is of no avail to him. Let him however, cast the reptile aside, and should he immerse in forty seah of water, it immediately avails him, as it is said, 'Whoso confesseth his sins and forsaketh them shall obtain mercy (Prov. 28:13).'

Teshuvah, "return", is thus essentially an act of human will. In the rabbinic view, it cannot be accomplished by an act of grace on the part of God; it cannot be obtained by prayer, by sacrifice or baptism alone; it can only be sought by active purgation from one's life of the offensive behavior and a transformation of one's way of life. Accordingly, it cannot be seen as "repentance" in the sense of mere regret of one's deeds. Nor can it be associated with penance or penitence, which imply a self-inflicted punishment or penalty for the expiation of one's evil. Indeed, death itself is no guarantee of atonement, as the Talmud teaches: "Death and the Day of Atonement expiate together with Teshuvah (Mishnah Yoma 8:8)."

Rabbinic Judaism, as mentioned above, clearly delineated between sins which are by their nature committed against God, and those which are committed against one's fellow man. From the point of view of teshovah, those committed against one's fellow man were considered the more grave, since "For transgressions that are between man and God, the Day of Atonement effects atonement, but for transgressions that are between a man and his fellow the Day of Atonement effects atonement only if he has appeased his fellow (Mishnah Yoma 8:9)." It is a characteristic of rabbinic doctrine that "return" is available to everyone, Jew and Gentile. For the Gentile to "return" does not imply his conversion to Judaism or to any form of it, but to "return" to the standards of conduct laid down by his own society. This is exemplified in the biblical book of Jonah, in which a Jewish prophet is commanded by God to prophesy to a Gentile people, the city of Nineveh, and ultimately is successful: "And God saw their works that they turned from their evil way; and God repented of the evil that he had said that he would do unto them; and he did it not. (Jonah 3:10)"

For the Jew, "return" is always available, no matter how deep he may have sunk into sin. There are, however, some to whom the way to teshuvah contains some self-imposed difficulties. Those who contemplate sinning and then "returning" will find true "return" so much the harder (Mishnah Yoma 8:9); obviously, they have created for themselves the illusion that there is some sort of mechanical "return" possible, on performance of some prescribed ritual, and this will blind them to the actual requirements of teshuvah. Those who cause others to sin



are faced with especially difficult teshuvah (Mishnah Aboth 5:18), for they bear not only their own guilt, but partake in that of their victims. On the other hand, God desires the "return" of the sinner rather than his punishment. (Ezek. 33:11).

The specific understanding of the nature of the act of teshuvah has, of course, varied through the course of time. However, the fundamental nature of the concept and its significance in Jewish religious thought has remained remarkably intact. In the modern era, there seems to have been in general an aversion or reluctance on the part of Jewish theologians to dwell on the themes of sin and sinfulness. They have tended more to focus their attention on metaphysical questions, on the nature of religious existence, the ontology of God and revelation, the philosophical basis of the Jewish law and ritual observance, and the religious significance of Jewish peoplehood. Nevertheless, when the question of sin and sinfulness and the act of repentance comes up, there does not appear to be too much deviation from traditional patterns.

An example of this tendency may be seen in the work of a quite untraditional Jewish theologian, Mordecai M. Kaplan. In his book, "The Meaning of God in Modern Jewish Religion" (1937), Kaplan characterizes the meaning of teshuvah, which he translates as 'repentance', as follows: "Repentance stands for nothing less than the continual remaking of human nature." (p. 178) In a way which is characteristic of his entire religious thinking, Kaplan relies very heavily on the behavioral sciences to understand the ways in which "human nature" are formed and how it can be changed. Mere introspection is for him insufficient; in fact, it can lead one into the dangerous path of religious asceticism: "Self-hate does not lead to love of our fellows, but to contempt and envy of them." On the other hand, a psychological analysis is equally insufficient, for it is descriptive rather than normative. The indispensable ingredient is the act of will to leave what the traditional texts call the 'evil way'. Thus, repentance is "not merely a sentiment to be experienced when the awareness of sin rouses us to remorse. Repentance is part of the normal functioning of our personality in its effort at progressive self-realization."

Kaplan distinguishes three types of human failure which the act of repentance should seek to correct: 1) the failure to integrate both individual impulses and habits and communal activities and institutions into the "ethical ideals that make God manifest in the world"; 2) the failure to grow in character and maturity; and 3) the failure to realize our fullest potentialities for doing the good. Yet through the twentieth-century terminology can be seen the traditional substance: "The sacramental efficacy of the ritual of atonement is nil,



and its symbolic power of no value, unless the sense of sin leads us to seek the reconstruction of our personalities in accordance with the highest ethical possibilities of human nature; only then can we experience teshuvah, the sense of returning to God." (ibid., p. 187)

For the man who has achieved "return", rabbinic tradition accords the highest regard, for "the place occupied by those who have achieved teshuvah cannot be occupied by even those who are perfectly righteous (Berachot 34b)." Judaism postulates a scheme of divine commandments, but within that scheme the act of "return" stands so high that it occupies a class in itself; for while it was taught that "one hour of bliss in the World to Come is better than all the life of this world," on the other hand, "one hour of teshuvah and good deeds in this world is better than all the life of the World to Come (Aboth 4:17)."

It is worthy to note that Rabbinic Judaism in no way subscribes to a doctrine of Original Sin. In rabbinic tradition the story of the Fall and the expulsion of Adam and Eve from Paradise is interpreted to mean that from that moment man was "on his own"; every succeeding generation and every individual man would have to make his own way in life, whether for good or for evil. Thus, theoretically no man is doomed to sin. Yet the Rabbis felt that it was nevertheless inconceivable that there would be men on earth who would be entirely without sin; a modern man would say that although they considered perfect sinlessness to be possible, they calculated that the statistical probability of this happening was miniscule. Hence, they declared that God had created "teshuvah" even before creating the world, for God in his wisdom could foresee that without the healing possibility of "return" the world could not endure (Genesis Rabbah 1:4; Pesachim 54a).

A contemporary Jewish theologian, Abraham Joshua Heschel, has given a modern version of the traditional concept: "In stressing the fundamental importance of the mitsvah [divine commandment], Judaism assumes that man is endowed with the ability to fulfill what God demands, at least to some degree. This may indeed, be an article of prophetic faith: the belief in our ability to do His will....The idea with which Judaism starts is not the realness of evil or the sinfulness of man but rather the wonder of creation and ability of man to do the will of God...That is why despair is alien to the Jewish faith.

It is true that the commandment to be holy is exorbitant, and that our constant failures and transgressions fill us with contrition and grief. Yet we are never lost....His compassion is greater than His justice. He will accept us in all our frailty and weakness...The world is in need of redemption, but the redemption must not be expected to happen as an act of sheer grace. Man's task is to make the world worthy of redemption, His faith and his works are preparations for ultimate redemption." ("God in Search of man - A Philosophy of Judaism", 1956, pp. 378-380.



PREJUDICE AND SOCIAL JUSTICE  
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Without doubt anti-Semitism has significantly shaped Jewish history and influenced the attitude of Jews towards themselves and the world. But uniquely the potentially violent psychic consequence of prejudice has been blunted, frequently transformed by Jewish spiritual ideals. Thus while anti-Semitism has taken its toll in the usual manifestations of self-hate, paranoia and withdrawal, or arrogant self righteousness and, certainly, in the inordinate attention that Jews have given to this problem, the predominate effect of Jew-hatred is that this violence has strengthened Jewish conviction to repair the world. Instead of bitterness, or an increase of reactive-hate Jews have identified with the weak and the oppressed. Paradoxically, the evidence of the unredeemed nature of the world has firmed our faith that God's world may yet be redeemed, were men to live their lives more faithfully, more righteously. Marked out by nations and religions as the object of discrimination, we in turn, have understood ourselves to be chosen by History's God as a people who might, thereby, play a crucial role in illuminating the darkness. There is, therefore, a dialogic relationship between prejudice as we have experienced it and our unshakable involvement in the work of social justice.

#### The Sources of Anti-Semitism

As we know, by now, prejudice has many sources: It is a method for coping with individual psychic aberration, it is the consequence of historic inter-group rivalry and conflict, it is a power program by in-groups to preserve the bias of the economic, political and social structures of their society. It is man's denial of the divine within himself through blindness to the human in the other.

Anti-Semitism is all of these, as is prejudice against Blackman, Mexican, Indian, Catholic, Puerto Rican or WASP in our American society.

But there are unique characteristics to anti-Semitism. It has its own history. We need to respond specifically to that particular phenomenon if we are to deal with it. Generalized calls for tolerance and understanding, even for conversion and faith are inadequate. In their history, Jews have experienced the Inquisition and pogrom brought about through sainted leaders of Christianity.

We have already learned much that will help us understand how and in what circumstances, some Christians use their religion as a sanctifying justification for hatred, whereas others touched by a saving spirit reach out in love, even sacrifice themselves for their fellow man.

Anti-Semitism in western civilization has its primary source in certain Christian beliefs, it is the ugly weed of a centuries long Christian nurture of the black soil of contempt for Judaism and Jews.<sup>1</sup> Although a pagan rivalry with Judaism and a form of Jew-hatred was to be found among some Greek and Roman intellectuals, such hostility never became state policy, nor did it interfere with the excellent social intercourse between Jews in Europe and their pagan neighbors-until the predominance of Church over State in the fourth century onward.<sup>2</sup>

Church-influenced policies antagonistic toward Jews were first legislated as pastoral programs, in the battle for the soul of Europe, in order to provide the Church with a superiority over the Synagogue. Justification for discriminatory policies were provided by Church theologians and historians: Jews are accursed, they are deicides, they are prototypes of the anti-Christ, their religion is deficient, they are not to be trusted, they are doomed to suffer, their pain is sign of the truth of Christian belief, they will be forgiven when at last they recognize Jesus as the messiah.

Quickly enough, lord and peasant, prince and pauper found in anti-Semitism a political, economic and social policy ideally suited for their secular purposes. The history of Jewish wandering, the paradox of welcome into one land in one century and expulsion from it in another century, is more frequently to be explained as a phenomenon of economics than as a Christian zeal for a homogeneous culture. Particularly with the emergence of secular nationalisms, technological know-how and authoritarian systems, of economic and political organization, a Jewish population--that had become the classic "no-sayer" to all forms of coercion--suffered outrageously.



Through all our existence Jews have demanded of society that it allow for difference, that it be open to economic opportunity, that it safeguard human dignity, and that it seek political unity within pluralism by righteousness and justice. Both Church and State, when violating these social ideals, have found the Jew to be their enemy. The Lord of history has used this people as a witness to His truth, even when we were not always worthy of the task nor conscious of his purpose.

### Christian Beliefs and Anti-Semitism

Our evidence indicates that even in this secularized society, certain Christian beliefs still remain a major source of prejudice against Jews; and that religious bigotry reinforces antagonistic secular images of the Jew.<sup>3</sup> Charles Glock and Rodney Stark in their now historic study conclude that "One third of a national sampling" scored in the highest category on the Anti-Semitic Belief Index" (p.201), and "at least one-fourth of these have a religious basis for their prejudice" (p. 205). Years after Vatican Council II, 58% of Protestants and 61% of Catholics still believed Jews "most responsible for crucifying Christ." (p.54); 33% of Protestants and 14% of Catholics affirmed a conviction that "Jews never can be forgiven for what they did to Jews until they accept Him as the true Saviour" (p. 62); 13% of Protestants and 11% of Catholics explained Jewish troubles "because God is punishing them for rejecting Jesus." (p.64)

Christians who held such theological convictions were thought to be "high" in "Religious Bigotry." The research disclosed that 65% of those Protestants and 83% of those Catholics who scored high on religious bigotry also maintained malicious, secular, anti-Semitic stereotypes of the Jewish people exemplified by canards such as these: Jews are more likely to cheat in business; Jews are less likely to be loyal to America; Jews control international banking, etc. p. 146).

In this research which disclosed a wide response, depending upon denominational allegiance, Southern Baptists were particularly vulnerable. Thus while 11% of Unitarians and 35% of Methodists believed all of the stereotypic conceptions of the Jew set before them, say to say, 43% of Southern Baptists answered such questions affirmatively: and only 8% were completely free of any anti-Semitic taint. (p. 202)

Southern Baptists were harsh in their response to the religious questions. For example, 66% of Baptists as against 47% of Methodists believed Jews most responsible for crucifying Jesus; 80% of Baptists as against 12% of Methodists believed that Jews would not be forgiven until Jews accepted Jesus as Saviour; 35% of Baptists as against 4% of Methodists understood Jewish suffering to be punishment for the crucifixion.



Although we must not underestimate the provocative significance of this research-that there is a large quantity of latent anti-Semitism within Baptist ranks-in all fairness we must also acknowledge that with regard to the Southern Baptists, the conclusions of Glock and Stark are in some ways seriously flawed. Additional research must be undertaken-perhaps by the Baptists-that will take into account other variables.

I have in mind the following:

- 1) The figures themselves verify that 16% of those who scored high in the "Religious Bigotry" index, nevertheless still scored medium low or revealed no taint at all of anti-Semitism beliefs. (p.203) Research is necessary, perhaps along the lines first suggested by the late Gordon Allport to account for these exceptions.<sup>4</sup> Is it not possible that fundamentalist Christianity, when made an integral part of personality, affirmatively transforms character? Even though the content of teaching material may suggest hostility toward Jews, the salvific power of the Christian faith may overcome prejudice and create a loving personality. Rather than focus alone on the content of the faith, can we discover in the ways that people use their faith the secret to prejudice? In other words, can it not be that certain kinds of psychological and social aberrations will lead an individual to pervert religious material, or select from it, that which sanctifies the prejudice required to satisfy his non-religious aims?
- 2) In the social context of Baptist-Jewish relations there are also congruences not measured by Glock and Stark, which may mitigate against the acting out of anti-Semitism, despite the literalism of Baptist biblical interpretation. For example, because of their fundamentalism, Baptists also hold Jews quite precious, as the people precursors to Christianity, the source of Christian values and Testament.

So Billy Graham at the World Evangelical Congress in Berlin in 1967 cried out at the opening session "... of the Jewish people we ask forgiveness. We must remember that our Saviour was born of a Jewish mother and it to this people we owe our Bible."<sup>5</sup>

When one evangelist in Berlin at a formal session I attended, suggested that Jews were no different than the Gentiles, in that we were lost without Christ, I responded in increasing anger that such remarks were "horrendous, blasphemous, and un-scriptural." Informed of this exchange, Billy Graham answered: "Rabbi Gilbert is correct. Jews, unlike Gentiles, are privileged to live by the light of the Old Testament."



Later, at Montreal, where I was Billy's guest for two days, he elaborated: "It is my conviction," he said, "that Christ is the way to God's forgiving love, but it ill behooves me to judge Jews as a people lost to salvation. God in His own time and way will judge all men by the light according to which they live. We must distinguish he who lives by no revelation from one who knows that God is revealed in nature, in the world, and in history. The believing Jew's whole approach to life is testimony to his faithfulness to the God of his fathers. Christians must respect such devotedness to God."

This kind of sympathetic attitude toward Jews of old has its affirmative consequences, too, so I have noted, in a favorable attitude among Baptists toward the Jewish resettlement of its historic birth-place. Baptists may be more supportive of Israel than other denominations. Again Billy Graham may be prototypic. When I met with him after the six-day war, Billy pointed out that he was in Canada during that period and in a one hour TV interview had articulated his "total and whole sympathy with Israel." Elaborating on his views, he told me:

"The Jews are God's chosen people. We cannot place ourselves in opposition to Israel without detriment to ourselves." While Billy is a great admirer of King Hussein and has many friends in Jordan, he is convinced that Jerusalem will be united again as a Jewish city, he supported Israel's right to seek direct negotiations with the Arabs, and he agreed that if he were an Israeli official he would not yield to pressure that could jeopardize Israel's physical security. Billy concluded: "Israel has a meaning for Jews apart from any New Testament hopes. It is a promised condition of their existence, revealed by God in Scriptures, that Jews be connected to this land. It is there that Jews must struggle to live a national existence that will hopefully reflect the glory of God and serve as a sign to man that the God of Abraham is a God faithful to His promises."

3) There are additional factors too. Baptists and Jews are both vigorous supporters of Church-State separation. They hold precious the freedom of individual conscience. Baptists and Jews are among the historic leaders of Southern cities. In some places, they share in status and prominence. Baptists and Jews are white. And a considerable part of the Southern white man's need to hate, tragically is projected on to Blacks and white civil rights "agitators." Those who disturb the status quo arrangements of the society are the victims. Many a Baptist will distinguish between "his Jews" and the New York pinko."<sup>6</sup>



### Secular Factors in Anti-Semitism

This last insight leads me to my next set of observations, that is the political, economic and social structures of the society may in greater measure determine the active nature of prejudice rather than the alleged faith ideals of believers within the society.

We are aware, for example, that in all periods of history attacks on Jews were influenced by the economic and political conditions. Anti-Semitic Christians beliefs, after all, have been prevalent for many centuries throughout all Europe. Yet during the Black Plague, the Crusades, the Inquisition and even during the last unmatched holocaust, Jews did not suffer uniformly everywhere. The Dutch, the Italians, the Scandinavians, during the Hitler period tried to save their Jews. The Poles, Slavs, Balkans, betrayed them. In the Middle Ages, Jews were welcome during periods of economic growth, and then when the economy required the cancellation of debts and the displacement of Jewish entrepreneurs they were robbed and expelled, only then to be welcomed by another country seeking the industry and imagination of Jews, their international contacts, their investment capital.

Truly, there is a close relationship between Christian myths about the Jews and secular canards: Jews are a treacherous people, they killed Christ; Jews are not to be trusted in business, they maintain an international conspiracy. As punishment for the crucifixion Jews are doomed to wander, a homeless people; they are unpatriotic-you cannot count on their loyalty. Jews are anti-Christ, they desecrate the host; by their influence over movies, the press, theatre, the arts, Jews are the corruptors of the morals of our society.

Undoubtedly, Christians must repudiate those religious beliefs that feed the fires of the ovens of hate. They must be certain that Christian beliefs are properly understood, Biblical texts interpreted with a more sophisticated sensitivity, and references to the Jews in sermons more carefully formulated. Yet as importantly the Church must encounter those structures within the society that make it tempting for Christians to misuse their Christianity in order to cloak their anti-Semitism with sanctimonious approval. They must see in secular anti-Semitism the bastard offspring of a former religious infidelity and protect a new generation from this awful sin.



In America, the anti-Semitism that hurts is secular not religious. It is maintained at the executive suite level, within the country club, the country club church and the upper strata of industry. The polite violence of social discrimination and enforced second class status by the elite allows for the swastika daubings, the Synagogue bombings and desecrations and the fantastic sale of hate literature to the primitive illiterate who are on the economic and social ladder. It is hypocritical for the culture leaders of a city to decry a Synagogue desecration when they themselves bar Jews from their inner world. One act of violence, however sophisticated, stimulates the forces that destroy, even crudely.

Sixty seven percent of a sample of 1152 clubs, practice religious discrimination one survey recently revealed. In banking, insurance, the automotive and shipping industry, it was similarly disclosed that Jews have been granted but a miniscule part of the corporate power, although we are 8% of the college graduates of America. Systematically Jews have been excluded from leadership in the basic industries of this economy. In response, Jews have tended to protect themselves within Jewish sponsored commercial enterprises and magnificent community centers and country clubs. Some Jews wonder why Jewish community relations agencies should care at all about social discrimination, so comfortable are they in their gilded ghettos. When crisis erupts, however, these same ghettoized Jews look about and realize that they are without friends or allies, and they are terrified.

During the period of synagogue bombings in the South, when the professional hate-mongers were able to wield undue influence over a fearful Southern population who suspected a Jewish plot behind the Supreme Court desegregation decisions, it was my task to tour the South as a trouble shooter. I was assigned to introduce Jewish Southerners, Rabbis and Synagogue leaders to their Christian counterparts, clergy, layleaders and Seminary officials. It was amazing how few Jewish leaders had maintained contact with Christian leaders and how rigidly the five o'clock business hour separated our peoples. When one or two Jews were found to serve on the Community Chest Board or Hospital Board, they had been so selected, I was informed by Christian contacts, because as wealthy Jews they had access to the money in the Jewish community. The individual Jews, on their part, however, felt that they had been signally honored as men, for their own worth. Frequently, therefore, they refused to use their influence

to reach out to other Southern leaders on behalf of the Jewish community on those controversial issues where Jews were at odds with the white Southern community - such as, prayer and religion in the public school, the expenditure of public funds in support of white citizens' councils or anti-Communist research (meaning anti-civil rights activities), the closing down of schools or the loss of federal support for them rather than their desegregation, union busting, the failure to appropriate adequate funds for social welfare measures, particularly when they aid the black poor, etc.

Jews caught in the interstices of the Southern economy have been intimidated into silence. Many Jews in the South are involved in commercial enterprises or hold professional positions in which they are dependent on the good will of the population. They are thus particularly vulnerable to conformist pressures. They are caught between the conflicting demands of Blacks and Whites. They are "legitimate" victims for both sides. Jews can act upon their social action principles, therefore, only with the greatest courage and frequently at great sacrifice. Southern Jewish leaders within national Jewish organizations are often at odds with their organizations -- not on matter of principle but rather on the prudence of Jewish outspokenness. In a period of crisis and tension, we fear.

As the social scientists have demonstrated, the lack of significant communication among groups contributes to stereotyping and to misunderstanding; whereas meaningful contact and dialogue under proper auspices can aid in producing intergroup harmony. Communication makes it possible to maintain pluralism in viewpoint without threat to individual integrity. <sup>9</sup>

Jews may be more economically advanced in America than we have ever been before. We may be more favored with opportunity in this land than elsewhere in the world. Yet we remain terribly unsure of ourselves and frightened. We are a small people, there is a long heritage of anti-Semitism, and in a period of economic depression or political authoritarianism, or police state repression, we just know in our bones that we shall suffer. And in the South there has not been enough dialogue. This conference is a necessary and good beginning.



### Social Justice as a Response to Anxiety

As I have earlier indicated throughout all our history, Jews have tended to respond to prejudice and to their own anxiety by a more compulsive thrust toward social reform. By deeds of justice we hope to achieve a world where anti-Semitism might no longer claim the conscience of the Gentile. <sup>10</sup>

Of course, there are affirmative, universalistic, religious reasons one might give for the corporate Jewish community's and synagogues involvement in political issues, aside from this psychological explanation of self-interest. We can point easily to these facts: Jewish history begins with emancipation from slavery; God identifies Himself at Sinai as a God of History; Jewish law incorporates the social obligations to create a society where no man suffers want or deprivation, where all are equal before the law, where economic inequality is scandal. It is Jewish faith that all nations are called to the task of making peace and Israel, in particular, is reminded that ultimate security is to be found in God's righteousness and not in the power of arms.

The prophets were wrong in their simplistic conviction that Israel's inequity explained the destruction of Jerusalem and the Jewish dispersion. But in forcing the Jew to examine his own obligation to righteousness, the prophets intended to use the Jews as prototypes of all mankind. They affirmed this truth; only in a world where all men will be similarly concerned for the widow and the orphan, the poor and the homeless, the oppressed and the exiled, can there be peace. Only when men live their own lives by God's law can they experience their shared humanity. So the Jew learned to convert indignity into the conviction that man needs to repair his world.

The result of this historic psychological method for dealing with prejudice is that the Jew has assumed certain political postures that distinguish him in American political life. More than any other ethnic or religious group, a greater percentage of Jews are found to be among the supporters of international aid and assistance, governmental efforts to eradicate poverty, the enactment of legislation to eliminate discrimination, the fulfillment of justice for the Black. <sup>11</sup>

This classic claim of liberalism on the Jew--which now pits him against the predominant mood of the country and particularly that part of the South that has been numbered among the supporters of Goldwater, Wallace, and Nixon--this historic claim of liberalism now is also challenged by radical extremists within Jewish ranks and without and by Black power separatists. There is no time left in this paper to deal with all these issues. But the Black-Jewish encounter is an excellent case in point with which to conclude this paper and illustrate my theses.

### Black-Jewish Relations

Every survey reveals that Jews have been the most sympathetic religious group supporting justice for Blacks. And Blacks on their part have, in the past, expressed more affirmative feelings towards Jewish merchants, landlords and neighbors than towards their white co-religionists. <sup>12</sup>

In recent years, this historic alliance has been severely strained. Blacks realized that Jewish efforts to win anti-discrimination laws and to abate prejudice seemed to work out well for Jews, but not necessarily for Blacks.

Civil Rights laws did not end the poverty, the gross inequality, the deep built-in racism of American society. It could not repair the damage already wreaked upon the black man's soul. So the black man produced a new strategy. For his psyche he asserted the beauty of blackness. To achieve social change he demanded political and economic power and control over his own resources and institutions. Looking about him in New York City, a center of Jewish and Black power, and in other major urban areas, the Black man reached out for control over those institutions that most apparently touched his life, social welfare, education and the ghetto business. There he found Jews in predominant numbers. A clash was inevitable. In the violence of the moment, Black anti-Semitism and Jewish racism were both nakedly revealed. There has been a whiplash reaction in the Jewish community, assuredly not as large as that effecting other ethnic groups lower on the ladder. Poles, Italians, Irish Catholics, lower middle class Norwegians and German Protestants each has, in the North, demonstrated a counter-hostility to black demands for housing and employment integration, no less shocking than that with which Southern whites greeted initial orders to integrate schools. The bitter truth is that



our American minorities are now pitted against each other and racism is only part of the explanation. Profounder is the fear of each of those groups that integration will displace their meager hold on economic, political, and social power.

From the Black man's point of view, the situation is unconscionable. Despite steady gains into middle classness the gap between black and white remains far too wide. The median family income of blacks has moved in the past decade only from 54% of that of white families to just 59%--not fast enough. Although their unemployment rate has fallen from 10% to 6.7% it is still twice that of whites. If the percentage of blacks who have finished high school has jumped from 39% to 58%, it still must be contrasted with the fact that 75% of all whites now have completed high school.

One and a half million non-white families or 30.7% of all such families still live in poverty; 4.4% million children, or 42.7% of the black children are now being raised in poverty--four times the percentage of white children in such circumstances. <sup>13</sup> The black man does not discriminate--he wants all whites whatever the religion or ethnic background to move over and make room for him. My Jewish heritage insists that this is my duty as a man to help the Negro take his place.

The Jewish community is now confronted with two choices--to spend its energies in defensive Jewish status and position, a policy which I believe ultimately will lead to our hurt; or to find the ways with all minorities, indeed with all Americans to expend the economic and social scene so that there will be enough security and opportunity for all.

In a word, I am suggesting that social justice is the only effective response to prejudice. The Black man in his effort to achieve control over schools or social welfare or ghetto businesses is misdirecting his fire. Ultimately, his fate will be determined by the massive flow of funds into the reconstruction of cities, a major capital investment in new schools, more adequate support of colleges, a gigantic program of employment rehabilitation, economic expansion and the sophisticated use of investment capital, some radical program of guaranteed minimum income, more equitable taxation programs to relieve the burden on the lower middle class, and the opening up of our tightly-controlled political party system.

This requires a reassessment of our priorities--Vietnam war or war against poverty; man to Mars or children in clean city streets. More schools means better education and more principals, including black and Jewish principals. Cooperative economic investments, small businesses loans, and an expanding economy means more successful businesses for both black entrepreneurs and small "mom and pop" ethnic store owners. Guaranteed income wipes out the consequences of poverty for four million black children in one stroke and ends the humiliation of social welfare confrontations. I suggest that the fate of America itself hangs in balance on this issue. It is either social justice or the wrath of God will visit us. Thus says the Lord:

For three transgression of America

and for four, I will not revoke the punishment.

Prejudice is a denial of the divine within ourselves through blindness to the human in the other. Social justice is that response to the other's humanity as enables us to experience the living presence of God.





## FOOTNOTES

1. See, Jules Isaac, The Teaching of Contempt (New York: Holt, Rinehart and Winston, 1964).

Edward Flannery, The Anguish of the Jews (New York: The Macmillan Co., 1965).

James Parkes, The Conflict of Church and Synagogue (Cleveland and New York: The World Publishing Co., 1961).

Leon Poliakov, The History of Anti-Semitism (New York, Vanguard Press, 1965).

2. See, Solomon Grayzel, The Church and the Jews in the XIII th Century (Philadelphia, Dropsie College 1933).

Jacob Marcus, The Jew in the Medieval World (Cincinnati: Sinai Press, 1938).

Edward A. Synan, The Popes and the Jews in the Middle Ages (New York: The Macmillan Company, 1965).

3. See, Charles Y. Glock and Rodney Stark, Christian Beliefs and Anti-Semitism, (New York and London: Harper and Row Publishers, 1966).

Bernhard E. Olson, Faith and Prejudice (New Haven: Yale University Press, 1961).

Sister M. Rose Albert Thering, O.P., "The Potential in Religious Textbooks for Developing a Realistic Self Image," an unpublished dissertation submitted in partial fulfillment of doctoral degree requirements, Graduate School of Education, St. Louis University, 1961.

4. Gordon W. Allport, The Nature of Prejudice (New York: Addison-Wesley Publishing Co., 1954, 1958). See particularly Chapter 28: "Those who were considered the most devout, more personally absorbed in their religion, were far less prejudiced than the others. The institutional type of attachment, external and political in nature, turns out to be associated with prejudice" (p.421).

See also Gerhard Lenski, The Religious Factor (Garden City, New York: Doubleday and Company, 1961). Lenski reports, "the more highly the individual is involved in his church, the more likely he is to favor integration. By contrast, the more involved he is in his subcommunity the more likely he is to favor segregation" (p. 173). We see here the positive influence of the Christian teaching of love and brotherhood as against the property interests and the secular social values maintained by the sub community.

Lenski, also distinguishes a religious orientation that is "devotional," i.e. when the individual defines his faith in terms of his personal relations to God and prayer, faith and works, from that orientation that is "orthodox," i.e. when the individual measures his religiousity by loyalty to the norms and codes of his church. v He discloses that the "humanitarian strain" on social issues "seems to be linked with a high level of devotionism but seems unrelated to doctrinal orthodoxy." Among both White Catholics and Protestants support for school integration was positively linked with devotionism whereas there were no such links at all with regard to orthodoxy. So, for example 50% of southern born White Protestant and Catholic "devotionalists" favored school segregation as against 38% of the rest of the southern born population. Among Catholics the more devotional a Catholic the more likely he was to favor integration as against those who were orthodox in belief. (p. 183-184)

5. All of Billy Graham's quotations are taken from "Conversation with Billy Graham by Arthur Gilbert" A.D.L. Bulletin, New York, December 1967. Dr. Graham approved the text of this A.D.L. article.
6. For fuller dialogue on the Glock-Stark survey and Baptist reaction, see "Baptists and Anti-Semitism" The Baptist Program, Nashville, March 1969; "Toward a Jewish-Southern Baptist Dialogue" an exchange between Rabbi Arthur Gilbert and Prof. John Killinger, at the annual meeting of the Association of Baptist Professors of Religion, Nashville, Tenn., February 24, 1969. Available through A.D.L., New York.
7. For short summary of anti-Semitism in the United States, see Arthur Gilbert, A Jew in Christian America (New York, Sheed and Ward 1966).

G. Meyers, History of Bigotry in the United States (New York: Capricorn Books, 1960).

Carey McWilliams, A Mask for Privilege: Anti-Semitism in America (Boston: Little Brown 1958)

N. C. Belth, ed., Barriers, Patterns of Discrimination Against Jews (New York: Anti-Defamation League, 1958).

Benjamin Epstein and Arnold Forster, Some of My Best Friends (New York: Farrar, Straus 1962).



Charles Herbert Stember and others, Jews in the Mind of America (New York: Basic Books 1966).

Gertrude J. Selznick and Stephan Steinberg, The Tenacity of Prejudice (New York: Harper and Row).

A.D.L. research discloses that in 1960, following the desecration of a synagogue in Cologne, Germany, there were 890 similar anti-Semitic violations of Jewish property in America in that one year. Between 1962 and 1966 A.D.L. reports that there were 422 anti-Semitic incidents related to civil rights conflicts. These included cemetery desecrations, vandalism against synagogues, arson, swastika smearings and shootings.

See Arthur Gilbert, "The Contemporary Jew in America," Thought, Fordham University Quarterly, No. 169, Summer 1968, New York, p. 211-226.

The authors included in Stember's authoritative analysis of American public opinion on the Jews, op. cit., notice a "most amazing drop in anti-Semitic attitude. Whereas 63% of the Americans found 'objectional qualities' in Jews in 1940, only 22% did so in 1962." Nevertheless, several sociologists point still to the historic factor of Jewish-Christian conflict and caution Jews against optimism. "The Catholic sociologist Thomas O'Dea acknowledging the decrease in anti-Semitic attitudes refuses, nevertheless, to shout "Hurrah". "The subterranean psychological transfer of energy, the same coalescing of old and new imagery has so often occurred in the history of anti-Semitism that we dare not jump to over-optimistic conclusions." O'Dea points out that anti-Semitism in Western civilization is the consequence of "relationships of Christians and Jews throughout the long centuries of European history." It is a function of our religious relationship toward each other. "Out of this experience a rich and varied hostile imagery was precipitated in the minds of Christians. These images furnished the terms in which the Jews were usually perceived and defined. In addition, they were capable of arousing emotions serving as symbolic organizers of feeling and triggers of action. Jews for their part developed a complementary imagery of gentiles that was perhaps less rich but no less unfavorable."

O'Dea recognizes that America's frontiers were too open and the percentage of Jews in American society too few, prior to the Civil War, to make much difference. And when Jews started to come to America in larger numbers, as part of the East European immigration, America was in the throes of an anti-Catholic episode. O'Dea explains that "during the early 19th and 20th centuries anti-Catholicism came to fill the role in America which anti-Semitism played in Europe after 1870." But then, when the anti-Catholicism has spent itself, the nativists and extremists turned on the Jew as the more foreboding enemy; hence the increase of anti-Semitism particularly from the late 1800's into the mid-1940's. Now anti-Semitism appears on the decline. Does this reflect the openness of the new ecumenical era and the revival of religion?...Can it be that underneath the distinctiveness of the three religions of our democracy there lurks a consensus on secular values; and is it in this secularism that we find the answer to the decline in anti-Semitism? O'Dea, himself, concludes: "To the degree that adherence to a particular creed becomes less important than membership in any one of the three religious establishments, Judaism attains an equivalence with Christianity which it has not achieved elsewhere. The dichotomy between the two religions loses some of its salience and acceptance of Jews is facilitated."

"Less sanguine about the equalitarian relationship, the Jewish historian Ben Halpern adds: "In cold fact, the acceptance of Judaism as an American faith, when voiced by Christians, frequently implies a confidence that Judaism is progressing toward submergence." For Ben Halpern the development of a vital, contemporary, particularistic Judaism will inevitably trigger a renewed eruption of anti-Semitism.

"Certainly the rise and decline and the on-going prevalence of anti-Semitism is a primary factor in shaping Jewish attitudes and the basic condition that the Christian must examine if he is to understand the behavior of the contemporary Jew."

8. See, "Anti-Semitism in the Executive Suite," Report Bulletin 2 Personnel Management Policies and Practices (Englewood Cliffs, New Jersey: Prentice Hall, July 23, 1968). Distributed by American Jewish Committee, New York.
9. See Allport, op. cit., chapter 16
10. Ibid, Ch. 9. Allport demonstrates that while some Jews manifest some prejudice, particularly against the "majority or favored groups in our country" (p.419), "Jews, in fact, are on the average less prejudiced towards other minorities than are Protestants or Catholics" (p. 151).



Jews respond to "victimization" with far less counter hostility than do other minority groups, such as Blacks and Catholics. Allport also notes the psychological phenomenon among Jews of "enhanced striving". He says "to redouble one's efforts is a healthy response to an obstacle...This seems to be the style of life of many Jewish people...those who adopt this mode of adjustment often evoke grudging admiration. They may also evoke abuse for being too industrious and clever." (p. 153).

11. Lenski, op. cit, demonstrated in his Detroit Studies that although Jews "had an affinity for certain classical capitalistic patterns of thought and action" they overwhelmingly favored the welfare state. He explains, "under the capitalist system it has become evident to Jews that economic victories do not insure status victories...despite the remarkable success, even the wealthiest Jews frequently find themselves excluded from private clubs and organizations by their economic peers. Hence American Jews have... reacted against this elite, their political values, and the good institutions on which they depend..." (p. 141). Furthermore, he explains, "Democratic socialism, from its inception, has contained a strong utopian element which holds out the promise of social justice to all..." (p.142).

Jews were most likely to endorse the United Nations and the idea of world government (p. 143). Jews were least likely to advocate segregated schools (p. 148). Of the four kinds of issues Lenski measured: attitudes toward the welfare state, civil rights, school integration, the United Nations and foreign aid, "Only the Jewish group seems to be completely consistent with respect to the stands it takes in those four areas of political controversy. On all four issues, the group leans toward the liberal side when compared to the sample as a whole."

See also, Lawrence Fuchs, The Political Behaviour of American Jews (Glencoe, Ill.: Free Press 1956)

See also: Wesley and Beverly Allinsmith, "Religious Affiliation and Politico-Economic Attitude," Public Opinion Quarterly, XII (1948), 377-389; Michael Parenti, "Political Values and Religious Cultures: Jews, Catholics and Protestants, mimeographed, a paper presented at the Society for the Study of Religion, New York, October 1965. (Parenti is a member of the Department of Political Science, Sara Lawrence College.)

For the proposition that Protestant fundamentalism, in contrast, may lead to certain kinds of conservative political orientation see: Liston Pope, Millhands and Preachers (New Haven: Yale University Press 1942).

Charles C. Cole, Jr., The Social Ideas of the Northern Evangelists (New York: Columbia University Press, 1954).

Rene de Visme Williamson, "Conservatism and Liberalism in America Protestantism" The Annals of the American Academy of Political and Social Science (November 1962), 76-84.

Daniel Bell, ed., The Radical Right (Garden City, New York: Doubleday 1964).

12. Gary Marx, Protest and Prejudice (New York: Harper and Row 1967)
13. "Income in 1967 of Families in the United States," Series p-60, No. 59 Census Bureau's Current Population Reports.





RELIGION AND THE STATE: A JEWISH VIEW

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About a year ago, Marshall McLuhan was reported to have remarked that the church/state issue had outlived its uselessness. We can enjoy his witticism. We get his message. McLuhan was saying that those of us who have been concerned about preserving Jefferson's "wall of separation" have been grappling with a non-problem, that we have been chasing a will-o'-the-wisp, that it's all so much fluff. Most American Jews do not agree with him, nor, do I think, do most Americans of all faiths. In 1966 Dr. George Gallup's Public Opinion Surveys posed a question which is a pretty good barometer of broad public sentiment on this issue: "Do you think public taxes should be used to support religious schools?" The overall response was 38% "yes," 50% "No," 12% "Undecided." Parenthetically, it should be noted that this represents a slightly stronger "separationist" response than when the identical question was asked in 1952. But the breakdown by major faith groups was arresting. Somewhat surprisingly, perhaps, only a bare majority (55%) of the Roman Catholics polled in 1966 favored tax support for religious schools. 32% of Protestants favored such support. But Jews in favor were a meager 17%.

How did American Jews arrive at this pass? Clearly the ancient Hebrews did not subscribe to the precept that religion and government must remain separate. Quite the contrary. Ancient Israel was a monotheistic theocracy.

In the Mosaic code, civil laws and religious laws were fused, with the latter, of course, being paramount and all-embracing. It should be noted too that the ancient Hebrews were not renowned for their tolerance, either of their heathen neighbors or of their own backsliders.

In more recent centuries, Jews overwhelmingly were a religion-ruled people. In his definitive work, "Church, State and Freedom," Dr. Leo Pfeffer summed it up admirably:

"The Jewish state almost to the contemporary era was the ghetto; its head was the rabbi; its constitution the Bible of Moses (Torah), and its laws, the Talmud and later rabbinic commentaries. The whole of the life of a Jew in the ghetto was governed by religion; there was no line between the religious and the secular. Marriage, divorce, inheritance, commercial transactions - all were governed by religious laws. The Hebrew theocracy had been pure and complete in the Sinai desert before the Hebrews entered Canaan, and it became again pure and complete in the Diaspora after they had been expelled from Palestine."

Yet American Jews today, divided on countless issues, almost intuitively stand together philosophically in the conviction that government must keep hands off religion and religion must keep hands off government. This credo, to which a substantial majority of American Jews subscribe, flows directly from the long and bitter Jewish historical experience. In the words of Rabbi Arthur Hertzberg:

"The establishment of Christianity in the Roman Empire by Constantine, immediately accompanied by persecution of the Jews in the name of the true faith, seemed to fix the norm for the rest of Christian history."

Jefferson and Madison were painfully aware of what had befallen heretics, infidels and dissenters of all faiths in country after country in Europe where church and state were joined. Long before they had expounded their views, which culminated in the First Amendment religion clauses, Jews had learned firsthand the validity of Pascal's dictum



that "men never do evil so completely and cheerfully as when they do it from religious conviction." Indeed, the very first Jewish arrivals in New Amsterdam in 1654 were seeking sanctuary from the Inquisition. That most classic and most lethal illustration of marriage between throne and altar in effect had pursued them from Portugal to Brazil, the Portuguese having recaptured parts of Brazil from Dutch dominion.

Now we would all like to believe that the spirit of the Inquisition is dead and beyond any possibility of resurrection, at least in America today. Yet in 1961, I had a personal experience which came as quite a jolt. At that time I was working for a large national corporation. A colleague of mine, a college graduate, an attorney, a devout Roman Catholic and a generally amiable and kindly human being, remarked at dinner one evening while we were traveling together that he was so certain that his faith was the one true faith that he would be willing to compel all Americans, for their own good, of course, to convert to Catholicism - or face imprisonment. My former colleague represented an aberrant and thoroughly discredited ideological strain of his faith, even before Vatican II, but the fact that such views should persist at all in contemporary America, in any form, is cause for dismay.

Returning to the early colonial period in America, we are all familiar with the fact that our country was settled in large part by refugees from religio-political despotism, many of whom, quite ironically, were themselves infected with the virus of intolerance and denied to others in this country the very freedom of worship which they so passionately had demanded for themselves in Europe. The Anglicans, for example, drove the Puritans out of England. Shortly thereafter, the Puritans drove the Baptists out of Massachusetts Bay. How easy it is for the oppressed to become the oppressor. Subsequently, Roger Williams founded, not merely the first Baptist church on American soil in Providence, Rhode Island, in 1638, but more importantly, the first American colony to rigorously separate church and state and to grant total religious toleration to its inhabitants. Not surprisingly, Rhode Island soon became a haven for Jews, a few of whom, sad to relate, became involved in the slave trade, along with some of their pious Christian neighbors. The Touro Synagogue in Newport, erected in 1763, is today a national historic site, and Henry Wadsworth Longfellow wrote a moving poem about

of course.

the Jewish cemetery in that "fair seaport town."

Other American colonies were not nearly so enlightened as Rhode Island. Under the Maryland Act Concerning Religion of 1656, a Jewish physician named Jacob Lumbrozo was charged with blasphemy for admitting, in response to questions, his disbelief in Christian doctrine and was sentenced to death. When Cromwell became Lord Protector of England, there was a general amnesty and Lumbrozo was released. This same Maryland law, incidentally, provided fines and imprisonment for "the religious reproaching of all but Jews." Jews in Maryland were not permitted to hold public office until 1825.

Interestingly enough, one of the earliest recorded requests for public support of a sectarian school came from a Jewish religious body. In 1811 the Trustees of the Spanish and Portuguese Synagogue, Congregation Shearith Israel, memorialized the New York State legislature seeking state aid for their parochial school, on the same basis as that allotted for religious schools of other sects. Their petition was granted. By 1843, however, although there were several Jewish day schools in New York City, most Jewish children were attending the public schools, where religion was part of the normal curriculum. As a result of a protest by a group of Jewish parents who were concerned about the religious content of a textbook called "American Popular Lessons", the New York City Board of Education appointed a committee to look into the matter. The report of this committee, which rejected the Jewish protest, reads, in part, as follows:

"Your committee have examined the several passages and lessons alluded to by the said trustees, and they are unable to discover any possible ground of objection even by the Jews, except what may arise from the fact that they are chiefly derived from the New Testament, and inculcate the general principles of Christianity."

That kind of thinking has its present-day counterpart in the attitude of many well-intentioned Christians who simply cannot understand why



Jewish parents object to devotional Christmas observances in public schools.

The founder of Reform Judaism, Isaac Mayer Wise of Cincinnati, was deeply interested in church/state problems, especially as they related to education. Until 1867, Rabbi Wise was a staunch supporter of Jewish parochial schools and an opponent of public education. In that year, however, he shifted his stand and began to advocate public schools for all children, but with no prayers, Bible reading or other religious practices in such schools. His publication, The American Israelite, was widely distributed among Jews throughout the United States and helped appreciably to crystallize Jewish opinion on this issue along "separationist" lines. Wise was not entirely unopposed, however, in the Jewish community. For example, S. M. Isaacs, publisher of the more traditional Jewish Messenger, declared that it was a mistake to exclude Bible reading from public schools in Cincinnati. On the question of public aid to sectarian schools, in 1871, Wise reprinted in the American Israelite a New York Post article supporting a Methodist resolution against such aid.

The predominantly "separationist" proclivities of American Jews were again exemplified in 1892 when the Central Conference of American Rabbis, the rabbinical body of Reform Judaism, adopted a resolution which concluded as follows:

"RESOLVED, That it is the sense of this Conference that we, as a body of American ministers, while thoroughly recognizing the value of religious sentiment, do emphatically protest against all religious legislation as subversive of religious liberty."

Since time is limited, so much for the past. Where do we stand today? In June of 1968, in the case of Board of Education v. Allen, the U.S. Supreme Court rendered a decision of far-reaching significance for church/state and education. In a 6-to-3 ruling, the Court held that a New York law requiring public school systems to lend secular textbooks to pupils attending religious schools did not violate the Establishment Clause of the First Amendment. The rationale of the majority opinion, written by Justice White, was that the textbook program is of financial benefit to parents and children rather than schools, the so-called "child benefit" theory. Moreover, since sectarian schools "pursue two goals, religious instruction and secular education," and since the state "has a proper interest in the manner in which these schools



perform their secular educational function," the Court held that the Establishment Clause was not contravened by the New York law.

Separate dissenting opinions were filed by Justices Black, Douglas and Fortas. Justice Black, who wrote the majority opinion in 1947 in the Everson case (which sustained the constitutionality of public busing of parochial school children), sought "to distinguish books, which are the heart of any school, from bus fares, which provide a convenient...public transportation service." He deemed the textbook law to be "a flat, flagrant, open violation" of the Establishment Clause, paving the way for further public subsidy to sectarian schools, which "bodes nothing but evil to religious peace in this country."

From a "separationist" standpoint, the decision in the Allen case, opening the door (as it apparently does) to further subventions, is a grave setback. Moreover, looking ahead, it should be noted that dissenting Justice Fortas has resigned, dissenting Justice Black is now 84 years old, and dissenting Justice Douglas has a serious heart condition and a youthful wife. The outlook, therefore, does not seem too bright.

The Allen case is of particular interest to us here today because it casts into sharp relief the current division of opinion among American Jews on this issue. A friend-of-the-court brief, upholding the "separationist" position was filed on behalf of 9 Jewish organizations, with preponderantly Reform and Conservative constituencies, representing a majority of the affiliated Jews in this country. On the opposite side of this law suit, a friend-of-the-court brief was filed also by the National Jewish Commission on Law and Public Affairs, representing Orthodox Jewry, which seeks state subsidies for Jewish day schools. Although at present only a small fraction of American Jewish children attend such schools, the number is growing. The concept of day schools has gained respectability. A good many Jews, not merely among the Orthodox, increasingly alarmed at the prospects for preservation of our religio-cultural heritage in this free and open society, have become more receptive to the idea of separate Jewish schools. Conservative Jews have already established such a system, and even some Reform voices have been heard recently in favor of doing the same. It is still safe to say, however, that most Jews retain their belief in public education, and feel that Jewish day schools should be financed privately rather than out of the public exchequer.



What about the Catholics? There is no question that there is a growing determination chiefly, but far from exclusively, on the part of Catholics to obtain public funds, directly or indirectly, for the support of religious schools. This widespread drive, spearheaded by a predominantly Catholic group called Citizens for Educational Freedom, has been fueled by a number of factors, among the most prominent of which are the following: rapidly escalating educational costs, due largely to a decline in the number of teaching nuns, resulting in acute financial stress in the operation of parochial schools; increasing Catholic political leverage in certain states; language in judicial decisions (like the Allen case) which has tended to "open the door"; the trend toward governmental subsidy in so many sectors of our national life; and last, but not necessarily least, the spirit of ecumenism.

Last year Pennsylvania enacted legislation, which is now being challenged in federal court by a largely Protestant-Jewish coalition, providing direct aid to sectarian schools by "purchasing" secular educational services from them out of state revenues derived from harness racing. This year Connecticut and Rhode Island followed suit by authorizing payments from state funds of part of the salaries of teachers of secular subjects in religious schools. Other legislative thrusts for various forms of aid to such schools were blocked in a number of states, including Michigan, Illinois and Missouri.

There is no question that many Catholic parishes are in dire financial straits and that some parochial schools are being closed down. But the Catholic Church institutionally, on a countrywide basis, is by no means poverty-stricken. According to the July 14 issue of Newsweek, its real estate holdings alone have been estimated at \$53 billion. The underlying reason, it seems to me, why parochial schools are being permitted to close down is that Catholics increasingly, both clergy and laity, no longer value their separate schools so dearly as to be willing to pay the admittedly high price necessary to keep them open. To digress for a moment, there is a parallel here with our "urban crisis." As a nation, we have allowed our cities to decay, not because we could not afford to rescue them, but rather because we have lacked the national will to pay the admittedly high price to do the job. People of all faiths have tended to exalt



private luxuries above public necessities -- such as quality schools, hospitals, penal institutions, clean air and water. In part, this is what the so-called "tax revolt" is all about. Our citizens do want more and better governmental services, but at somebody else's expense, since we have also been programmed to want that new car every two or three years, among many other private things.

But the fiscal and the moral problem posed by the predominantly Catholic demand for public funds for private schools is that every public dollar so diverted, whether directly or indirectly, is one dollar less available for disadvantaged children in urban and rural public schools, whose unmet needs, on balance, are more critical than those of private school children anywhere in America. To the extent that parochial schools may decide to close, as they have every right to, public schools, which have always had to accept all applicants, will simply have to make room for the additional children. If this means higher taxes, the burden will have to be borne with a stout heart. If parochial schools were to be fully subsidized by the state (the "parity" which evidently is the ultimate goal of many) that too would require higher taxes.

Returning to the litigative sphere, just two months ago the U.S. Supreme Court agreed to rule on the constitutionality of state laws exempting religious property from real estate taxes. This is a question about which even some ardent "separationists" are ambivalent. We are not now talking about taxes on income from unrelated businesses which are owned by religious bodies. Most religious spokesmen agree that such income, which places churches in unfair competition with private enterprise, ought to be taxed, though presently it is not. The case now before the Court (Walz v. Tax Commission) challenges the tax exemptions traditionally granted by law to property used exclusively for religious purposes. It is somewhat astonishing that the Court has consented to review this case, brought by a New York lawyer who calls himself an unchurched Christian, because heretofore it had declined to review state court decisions upholding such exemptions.

In terms of the Establishment Clause of the First Amendment, it is philosophically very difficult to justify tax exemption of religious property (opposed, incidentally, by James Madison), which is tantamount to an indirect subsidy to religious institutions. On the other hand, it has been contended that the Free Exercise Clause mandates such exemption and would be breached by any tax which, in effect, burdens the right to worship. Policy arguments also are in conflict on this issue. Many of our big cities are on the verge of bankruptcy and must find new sources of revenue. Yet it is



likely that terminating this time-honored dispensation would be a devastating blow to organized religion in America, falling most heavily on the poorer sects and congregations. All factors considered, the weight of the major faith groups will surely be on the side of retaining tax exemption. Not merely the U.S. Catholic Conference, but also the National Council of Churches and the Synagogue Council of America will be filing friend-of-the-court briefs in support of that position. In the words of Dr. W. A. Criswell, president of the Southern Baptist Convention, "There are some things that you just don't tax."

Another case with significant church/state implications, though in a wholly different vein, has to do with conscientious objection to military service. Last April a federal District Court judge in Boston declared unconstitutional, as a violation of the Establishment and Free Exercise Clauses of the First Amendment, that part of the draft law under which a man can be exempted as a conscientious objector only if he is opposed to war "by reason of religious training and belief." Chief Judge Charles E. Wyzanski, Jr., ruled in this case (U.S. v. John Heffron Sisson, Jr.) that "in the draft act Congress unconstitutionally discriminated against atheists, agnostics, and men, like Sisson, who, whether they be religious or not, are motivated in their objection to the draft by profound moral beliefs which constitute the central convictions of their beings." Judge Wyzanski's rationale is reflected in the following excerpts from his opinion: "When the state through its laws seeks to override reasonable moral commitments it makes a dangerously uncharacteristic choice....When the law treats a reasonable, conscientious act as a crime it subverts its own power. It invites civil disobedience." The Department of Justice is in the process of appealing this decision, which raises a substantial federal question, directly to the U.S. Supreme Court. Since the very essence of religious liberty clearly is freedom of conscience for all, it will be interesting to observe how the Supreme Court will respond to the Sisson case. There is a possibility that an interreligious friend-of-the-court brief may be submitted to the Court in support of Judge Wyzanski's decision.

On the closely related problem of selective conscientious objection, there is a case pending in federal court in California. In McFadden v. Selective Service System Local Board No. 40, the plaintiffs are



eleven Catholic priests, one seminarian and two laymen. They started suit to challenge the constitutionality of the draft law on the ground that it discriminates against Catholics, and in favor of the traditional peace sects such as the Quakers, based upon theological differences concerning war and conscientious objection to it. The plaintiffs claim that they face felony convictions for refusing or counseling refusal of military service, pursuant to Catholic doctrine, whereas the law makes it entirely proper for Quakers to do precisely the same thing pursuant to Quaker doctrine.

The present situation, of course, is that absolute conscientious objection of religious origin frequently is recognized (though not always), while selective conscientious objection, deriving from a sincerely arrived at distinction between a just and an unjust war, is not recognized at all. It is this distinction that these Catholics are challenging, under the Establishment and Free Exercise Clauses of the First Amendment, as a violation of religious liberty.

The principle of selective conscientious objection has been endorsed by a number of major religious bodies, including the National Council of Churches, the Roman Catholic Bishops and the Synagogue Council of America. The single most powerful argument for legalizing selective pacifism is this: nobody should be compelled to murder other human beings, just because his government tells him to. It is particularly incongruous for the government of the United States to retain its present position, in the light of its own participation in the post-World War II Nuremberg trials of Nazi military men who were convicted as war criminals. In case after case, the sole defense of the accused to the unspeakable atrocities they were charged with having committed was that they were only carrying out orders from above. The inescapable premise of the judgment at Nuremberg was that men have a moral duty to refuse to perform killings that they believe to be wrong and that their conscience forbids, regardless of the commands of the highest political or military authorities. If this premise is sound, then the right of selective conscientious objection must be validated, unless we wish to become a nation of Eichmanns. In the United States of America today, the government puts young men in prison for refusing to kill in an undeclared war which they regard as a moral abomination and which countless other Americans feel was an egregious blunder. This is where it's at. No wonder so many of our best youth are enraged, or alienated.



Just about everybody knows by now that prayers and Bible reading in public schools are against the law. Nevertheless, in defiance of the 1963 U.S. Supreme Court decision in Abington School District v. Schempp, these traditional practices persist in numerous school districts, particularly in rural areas of the South and Midwest. They are difficult to uproot, since it is unusual for anyone to protest. Even those who believe that the law ought to be obeyed usually choose to remain silent, for fear of retribution. But there are some encouraging signs. Last December the Georgia Council of Churches issued a statement which challenged the unabated religious exercises in Georgia public schools, concluding:

".....we declare that the maintenance and furtherance of religion are the responsibilities of the church, synagogue and home, and not of the public school or of any other institution of government."

Clearly our public schools cannot legally teach religion, but where do we stand on teaching about religion? Speaking for the 8-judge majority in the Schempp case, Justice Clark opined:

".....it might well be said that one's education is not complete without a study of comparative religion or the history of religion and its relationship to the advancement of civilization. It certainly may be said that the Bible is worthy of study for its literary and historic qualities. Nothing we have said here indicates that such study of the Bible or of religion, when presented objectively as part of a secular program of education, may not be effected consistent with the First Amendment."

Insofar as there may be said to be an official Jewish position on this question, it is contained in the pamphlet entitled "Safeguarding Religious Liberty", published jointly by the Synagogue Council of America and the National Jewish Community Relations Advisory Council.

It reads, in part:

"The public schools must and should teach with full objectivity the role that religion has played in the

life of mankind and in the development of society, when such teaching is intrinsic to the regular subject matter being studied. We are opposed to attempts by the public elementary and secondary schools to go beyond this, and teach about the doctrines of religion."

What is it, after all, that Jews are afraid of? Most Jews feel that, as a practical matter, factual, objective teaching about religion, below the university level, is a largely unattainable goal. Teachers who are both qualified and dispassionate are a rarity. Younger children may easily be confused or disturbed by contradictions between what they may learn at home, and in church or temple, and what they may learn at school. In short, Jews fear that, all too easily, teaching "about" religion may become a screen for the propagation of somebody's faith. The faith which may be propagated will not likely be ours, but even if it were, religious indoctrination of any kind should be forbidden in public schools. Let us remember that much of the impetus for the establishment of Catholic parochial schools in this country a century ago stemmed from the realization by Catholics that the public schools of that time were vehicles for Protestant religious indoctrination.

Vestiges of this atmosphere remain to this very day. For example, can anyone seriously expect that those school districts which continue to flout the mandate of the Schempp decision would be capable of teaching about religion objectively? Or, in an article in the Minnesota Journal of Education, December 1967, Prof. Richard B. Dierenfield states that in 1966 Gideon Bibles were being distributed in no less than 43% of Minnesota public school districts and that there were virtually no plans to discontinue this practice. Needless to say, Gideon Bible distribution is an avowedly Protestant missionary activity. In the light of Schempp, the distribution in public schools of sectarian tracts of any kind is patently invalid. Yet apparently there has been evoked little protest in Minnesota (or in other states) against Gideon Bible distribution, and one may wonder whether the people who so eagerly cite the Schempp case, as authorizing teaching about religion objectively are much disposed to work for the elimination of this clearly evangelical activity within the public schools. Just imagine the outcry if some secular humanist group were to attempt to enlist the aid of public school authorities for the distribution to children of a condensed version of "A History of the Warfare of Science with Theology in



Christendom," Andrew Dickson White's classic indictment of religious foolishness in centuries past.

What gives pause, then, to Jews is that so many public school districts still emit a distinct Protestant religious tone, which does not augur well for teaching about religion objectively. In a book published last year, "Religion, the State & the Schools" by John M. Swomley, Jr., professor of Christian Social Ethics and Philosophy of Religion at the St. Paul School of Theology in Kansas City, Mo., (which I heartily recommend) the author writes:

"In the United States, Protestants have been generally unaware that a general Protestant culture pervades the society as a whole, manifesting itself in the public schools in such practices as prayer and Bible reading and high school baccalaureate services conducted by Protestant ministers."

".....the movement toward genuine religious liberty is, among Protestants, far from complete. Although the movement is supported by leaders of the major Protestant denominations, thousands of laymen who give lip service to separation of Church and State do not really want to abandon the kind of general Protestant culture in which they grew up. They are far from certain that separation should apply to their Protestant practices. For many, separation is simply a necessary principle to prevent a more aggressive church than their own from dominating the state."

It isn't merely Jews who are worried about teaching about religion in public schools. In the August 1 issue of Christianity Today, C. John Miller, assistant professor of practical theology at Westminster Theological Seminary in Philadelphia, expresses serious objections to the experimental course in religious literature currently being offered in Pennsylvania high schools. Commenting on the Schempp decision, Dr. Miller states:

".....according to this point of view, the Bible with authority has no place in the schools, but the Bible minus its claim to divine authority is welcome in the classroom.

The orthodox Christian, however, questions whether it is possible for man to be objective in studying the Word of God. He believes that men have pre-theoretical commitments for and against God and his Word and that an attempt to study the Bible apart from its authoritative claims - that is, as a mere fact of literary and historical culture - involves a serious distortion of the nature of Scripture."

Within the limitations of time, I have tried to delineate those issues relating to religion, the state and the Jews which seem to me most significant at the present time. I have deliberately restricted my reach to the American experience. Obviously, there is much more to be said on each of these issues and there are others which have not been dealt with at all. My own "separationist" bias is manifest. I am well aware that there never has been in this country absolute separation of church and state. But I believe that religious liberty has prevailed in America in large measure because of general adherence to the principle of separation, and in spite of various departures from this principle. The more the adherence and the fewer the departures, the better it will be for everybody.



"JEWS IN THE SOUTH"  
by Dr. Leonard Dinnerstein  
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A history of the Jews in the South has yet to be written. This, despite the fact that from the settlement of Georgia in 1732 there has always been at least one Jewish community below the Mason-Dixon line. Moreover, through the various immigration waves to the United States increasing numbers of Jews have made their homes in the South. Economically Jews have always prospered in the region; socially, however, they have never been fully accepted. Save for religious differences, though, Jews have made every effort to remain as inconspicuous as possible and to adopt--at least in public--all of the standard Southern attitudes. Hence they have been grudgingly tolerated. In times of crises Jews frequently became the butt of prejudices and scorn but as the emergencies passed, public antagonism has subsided. Anxious to minimize the causes of strife, Jews have rarely sought retribution for any ills--real or fancied--that they may have suffered from these outbursts. To be Jewish in the South has meant to keep one's place! For those unwilling to accept the reality of this dogma there have been two escape hatches: conversion to Christianity or migration to another region in the United States.

No study of ethnic groups in the South can be approached without a word about the region's general provincialism, its fear of change, its hostility to foreigners, its struggle to maintain "racial purity," and its staunchly conservative religious beliefs. All people have a commitment to tradition and a wariness of strangers, but in the American South the white population is relatively homogeneous, the problems of two races living together have been aggravated by misconceptions and political opportunism, mild criticisms of existing mores are considered major attacks, romantic fantasies of a long dead antebellum era are encouraged by the ruling powers,



and the cultural milieu demands a rigid conformity to established policies. These circumstances intensify the tendency to exclude alien groups.

The origins of some of these traits can be dated from the introduction of slavery in the seventeenth century. The slave-based economy seemed less attractive to foreign immigrants than the one based on free labor in the North. Hence after the eighteenth century fewer newcomers chose to settle below the Mason-Dixon line and the white population became relatively inbred. The Scotch-Irish, Germans, Huguenots, and English of colonial times intermarried among themselves and after a few generations there were no longer any ethnic distinctions. The lack of significant numbers of new groups mingling with the old tended to stifle diversity of thought and opinions and helped to solidify established customs.

Pride in "racial purity" and devotion to a slave society were salient values in the antebellum South. Almost as important in forming Southern attitudes was an overwhelming adherence to a Fundamentalist Protestantism, which the South's two major sects--the Baptists and Methodists--carefully nurtured. The typical white Southerners had little opportunity for schooling or education--benefits traditionally reserved for the scions of the aristocracy--but they had plenty of time for religious meetings. Many of the spiritual leaders had relatively little education and relied on crude and simplistic emotional communication which had great appeal for their untutored parishioners. "Religion in the South on the eve of the Civil War," Clement Eaton has written, "was still deeply rooted in mediaeval traditions. The conception of a mediaeval Devil being loose in the world constantly tempting men on all occasions was strongly intrenched in the minds of most Southerners." They also accepted supernaturalism, believed in miracles and looked "with profound suspicion" upon any person who did not attend church.

The Northern attack on slavery further stimulated a "rigid conformity of thought" as the region closed ranks behind its cherished institution. The increasing sectional antagonism reinforced support for Southern institutions and beliefs and engendered intolerance towards any questioning of existing mores.

The Civil War aggravated the prevalent prejudices and the North's victory added one more component to the Southern credo: a bitter longing for the days of yore. The salient characteristics of antebellum days became more intrenched in Southern minds afterwards and the continual changes in society exacerbated frustrations and strengthened the conservative commitment. Hence the influx of new immigrants at the end of the nineteenth and beginning of the twentieth centuries



stimulated the outpouring of venomous thoughts regarding the intrusion of "human sewerage" in the South. The formation of the Ku Klux Klan in 1915--and its subsequent growth in the 1920s--reemphasized the opposition of large numbers of Southerners--and in the case of the Klan other Americans also--to immigrants, factories, cities, and all other aspects of modern times.

Religious thought in the South had undergone little change since the days of frontier revivalism. As one Southerner put it, "In the South heresy is still heresy with the vast majority of people." Southern churches had become centers of conservatism in the nineteenth century and well into the twentieth century they continued to resist, strongly and eloquently, the intrusion of alien peoples, ideas, and institutions. Card playing, theatre going, dancing, immigration, and industrialism frequently drew ministerial censure. Any deviation from rural, pastoral virtues seemed to threaten the entire Christian structure of society. The influence of these ministers cannot be exaggerated. "Neither learning nor literature of the secular sort," C. Vann Woodward has written, "could compete with religion in power and influence over the mind and spirit of the South."

Jews in the South have been adversely affected by Southern religious teachings. The Baptist and Methodist ministers frequently accused Jews of killing the Savior, and Christian orthodoxy presented Jews as rebels against God's purpose. Two Southerners, describing their boyhood religious experiences, recalled that "the veriest infant was made acquainted with the lapses of the ancient Jews, and all God's wrath at their behavior was thundered in his ears". In 1914 a Shreveport rabbi, in response to anti-Semitic utterances by two Protestant ministers in the city wrote:

"I wish to make this point emphatic--the genesis of all anti-Jewish feeling and evidence amongst us is strictly religious. And what the facts warrant us to conclude as to Shreveport similar investigation will demonstrate as being true everywhere. Anti-Jewish sentiment is strictly a religious manufacture."

Southern hostility to Jews has been repeated and underscored by some of the region's most prominent scholars. Benjamin Kendrick wrote in 1925 that the small farmers in the South hated Jews "as alien and outside their kin" despite "revering and worshiping the Jew God." W. J. Cash, perhaps the most perceptive commentator on regional characteristics, added in 1941: "All the protests of scholars have been quite unavailing to erase from the popular mind, in the South as elsewhere, the notions that it was the Jew who crucified Jesus." In 1965 two regional commentators noted that the



social changes of this century have had relatively little impact on old time religious views. It is against this cultural heritage that the history of the Jews in the South must be examined.

Jews arrived in the American colonies as early as 1654 when a group landed in the Dutch colony of New Amsterdam. By the time of the American Revolution, Jewish settlements existed in New York, Philadelphia, Savannah, Charleston, and Newport, Rhode Island. For the most part colonial reactions to them did not vary from one region to another. Although slavery fostered the development of a somewhat different culture in the South, sectional differences had not yet been honed. It would be inaccurate, therefore, to suggest that Jewish experiences in the South differed significantly from the North before the nineteenth century. Neither region welcomed non-Protestant newcomers enthusiastically and although the American ideology allowed greater self-expression and more expansive opportunities, it did not mean that the colonists had discarded European prejudices toward the Jew. Anti-Semitic attitudes subsided on this side of the Atlantic but they did not disappear. A good many colonists resented Jews who refused to accept Christianity as the only true faith; one minister accused Jewish merchants of exploiting Christian craftsmen.

The first group of Jews to arrive in the Southern colonies--about forty people, mostly of Spanish and Portuguese descent (Sephardim),-- but also a few Germans landed in Georgia in 1732. They met immediate opposition. Although Oglethorpe permitted them to remain, the trustees of the colony, residing in London, feared that the Jews would damage the colony's reputation, and ordered the proprietor to get rid of them as soon as possible. Oglethorpe refused to obey instructions and took responsibility for allowing the new settlers to stay. At first they participated in community activities without serious discrimination, but as the colony matured and became more secure, Jews encountered political barriers. By the 1740s many Jews and Gentiles became disillusioned with the severe restrictions placed upon them by the trustees--prohibition of slavery being the most important--and they sought greater economic freedom in South Carolina. Some Jews settled in Charleston; in 1750 they erected the city's first synagogue--Beth Elohim. Aside from Savannah and Charleston, there were no other Jewish settlements in the colonial South. Individual Jews lived in other parts of the region but no other towns had as many as ten Jewish families. In fact, it is unlikely that the entire Jewish population in the South numbered even 500 people by the time of the Revolution.

Despite the limited number of Jews, all of the colonial legislatures--North and South--circumscribed their liberties to some extent. Denial of the Trinity subjected Jews to imprisonment in Virginia and death in Maryland. A Virginia statute of 1705 prohibited them from obtaining full citizenship and barred their appearance as



court witnesses. In 1723, the Maryland law code read: "If any person shall hereafter within this province deny our Savior, Jesus Christ, to be the true Son of God, or shall deny the Holy Trinity, he should for the first offense be fined and have his tongue bored, and . . . for the third offense be put to death." In 1703, 150 inhabitants of Colleton County, South Carolina, protested an election in which "Jews, Strangers, Sailors, Servants, Negroes, and almost every French Man in Craven and Berkley County" participated in the voting. The ruling powers subsequently curtailed the franchise: after 1716 only Christians could vote in South Carolina. Maryland and North Carolina barred Jews from the legal profession and that disability continued "long after the Revolutionary period." These examples seem to prove what other scholars have already stated with certainty: at no time in the colonial period did Jews--North or South--enjoy equal status with Gentiles.

With the achievement of Independence, humane and rational impulses captured the American imagination. National progress was defined according to the principles of the Age of Reason. Penal reform, educational instruction, and arguments against slavery manifested the spread of Enlightenment ideas in the years immediately following the Revolution. Inspired by these values, Virginia in 1787, South Carolina in 1790, and Georgia in 1798 granted voting rights to Jews.

But post-Revolutionary humanitarianism did not completely eliminate entrenched prejudice. In Maryland and North Carolina political disabilities continued into the nineteenth century. The North Carolina Constitution of 1776 prohibited non-Protestants from voting, but this did not prevent a Jew, Jacob Henry, from winning a seat in the state legislature in 1809. Henry's election caused enormous dismay among some of his colleagues--one even challenged his right to remain. But Henry's eloquent defense convinced the legislators that he should retain his place. In 1835, however, a new constitution in the Tarheel State banned Jews from voting or holding office. Innumerable petitions to remove the discriminatory feature failed; even in 1861 when the state seceded and the constitution was revamped, "that stubborn, prejudicial clause remained unaltered." Maryland had denied Jews freedom of residence in colonial times and the state constitution of 1776 specifically prevented Jews from voting or holding office. As early as 1797 Jews petitioned the Maryland General Assembly for rights equal to "other good citizens" but members from rural districts "strongly opposed" any change in established policy. In 1818 one legislator suggested that a committee be appointed "to consider the justice and expedience of extending to persons professing the Jewish religion, the same privileges . . . enjoyed by Christians," but his colleagues vetoed the idea. Granting the franchise to Jews continued as a bone of contention in the state until 1826 when the issue was settled by the abolition of the abhorrent religious qualification.



Thomas Jefferson, aware of the paradox of a nation claiming that all men are created equal yet denying certain rights to some, acknowledged in 1818 "the prejudice still scowling" upon Jews in this country. Eight years later he wrote:

"I have thought it a cruel addition to the wrongs which that injured sect (the Jews) have suffered, that their youth should be excluded from the instructions in science afforded to all others in our public seminaries (in Virginia), by imposing upon them a course of Theological Reading which their consciences do not permit them to pursue. . ."

Voting limitations and theological impositions notwithstanding, Jews found that life in the South afforded many pleasures and fewer restrictions than existing statutes and prevalent attitudes might suggest. The reasons for this are manifold. Although religious prejudice existed, countervailing American ideas stressed the essential equality of all white men and the abundance of opportunities for those who worked hard. In addition, as John Higham has pointed out, "behavior and belief do not necessarily coincide in any area of life." Gentiles who resented Jews and desired to restrict their political influence accepted the presence of Jewish merchants and artisans. Moreover, as enslavement of Negroes became the chief distinguishing characteristic of the South, the test of the true Southerner was his acceptance of the institution. Southern Jews had no ambivalence on this score and their support diminished potential anti-Semitic feeling in the South. As the conflict with the North over the morality and extension of slavery came to dominate Southern consciousness, other concerns were given relatively minor consideration. Finally, the number of Jews in the South at any time before the Civil War remained too small to threaten the existing society. The 700 Jews of Charleston comprised 5 percent of the city's white population in 1820, while the 200 Jews in Richmond and the 100 in Savannah equalled 3 percent of the white population, respectively. Aside from these areas, Jews did not equal 1 percent of the white population in any other Southern town. Careful estimates indicate that there were perhaps ten or eleven Jewish families in Louisiana, three households in North Carolina, and perhaps 100 Jews in Baltimore in 1820. Although numerous German Jews immigrated after 1836, by the time of the Civil War there were still fewer than 15,000 Jews in the South and the total Jewish population in the region was well under 1 percent of the population.

The Jews who did live in the South found abundant economic opportunities. A good many of the immigrants began as peddlers and then moved up to purchase small shops; a few eventually acquired large emporiums. Morris Rich, who had performed numerous



odd jobs before embarking upon a career as traveling salesman, opened a small retail dry goods business in Atlanta in 1867. One hundred years later this store, controlled by Rich's descendants, is one of the largest merchandising establishments in the South. Jews also participated in other economic endeavors with notable success. They were doctors and lawyers, auctioneers, and slave-traders. A few owned plantations and many prospered sufficiently to possess slaves.

Jews who sought political opportunities generally found it desirable to accept the dominant religious customs. Four Southern Jews--David Emanuel of Georgia, David Yulee of Florida, Franklin Moses of South Carolina, and Judah P. Benjamin of Louisiana--reached high political office. Each one relinquished his faith, married a Gentile, and raised his children as Christians. Obviously governmental offices were not denied to Jews, but the frequent conversions to Christianity suggest that the faith of their fathers may have proved at best a nuisance or at worst a troublesome burden to carry through life. Emanuel, who served as Georgia's sixth Governor, was the first Jew to achieve such a high political position in this country. As President of the State Senate he succeeded to gubernatorial office when a vacancy occurred in 1801. Yulee's wife, the former Nancy Wickliffe, daughter of a Kentucky Governor, allegedly demanded, as part of the conditions of marriage, that he change his surname from Levy to Yulee and that he convert to Christianity. He acceded to both requests. Despite some anti-Semitic attacks Yulee won election as Territorial Delegate from Florida in 1841 and U.S. Senator in 1845. Little is known about Franklin Moses except that he served as Chief Justice in antebellum South Carolina. Judah P. Benjamin, perhaps the most prominent Southern politician of Jewish birth before the Civil War, was sent to the Senate by Louisiana, offered an appointment to the United States Supreme Court by President Franklin Pierce, and eventually became Secretary of State in the Confederacy.

The availability of these opportunities for persons of Jewish birth demonstrates that some degree of tolerance did exist. Nevertheless, snide remarks, suggesting latent hostilities, were frequently made. A South Carolinian confided to his diary that the dry goods merchants in his community were knaves: "They are all Jews and worse than Jews--Yankees, for a Yankee can Jew a Jew directly." A Mississippi newspaper reported a fight between "A Jew and . . . a 'native American'", while a Memphis rabbi accused the city's newspapers of anti-Semitism in 1861 and upbraided a reporter for writing: "The Jew received the Gentiles, as all Jews do, rather coldly."



In times of crisis, such as the Civil War, latent and mildly held prejudices intensified. The war aroused strong feelings of in-group solidarity, exacerbated demands for unity, and heightened Southern nationalism. As the war progressed badly for the South, the need for scapegoating increased, and aliens, or more specifically those whom Southerners considered alien, became subject to vilification. Jews were accused of being "merciless speculators, army slackers, and blockade-runners across the land frontiers to the North." South Carolina's Governor Orr believed that the Jews in the Confederacy were loyal to the Union and "generally averse to rendering military service . . . or upholding the rebel cause . . . ." Judah P. Benjamin, the Secretary of State, aroused the ire of numerous Southerners. One observer believed it "blasphemous" for a Jew to hold such an important position while another was certain that the "prayers of the Confederacy would have more effect if Benjamin were dismissed." Denunciation of Jewish merchants was a common practice in many towns of Georgia, and the Southern Illustrated News observed, "all that the Jew possesses is a plentiful lot of money, together with the scorn of the world."

In some quarters of the postbellum South, chiefly among those who wished for commercial growth and those desirous of imitating Northern industrial accomplishments, Jews were considered worthy members of society. One newspaper editor hailed their presence "as an auspicious sign." "Where there are no Jews," the newspaperman observed, "there is no money to be made." Another journal noted that a "sober, steadier, and more industrious and law abiding class of population . . . (does) not exist." In 1900, a leading Atlanta merchant was upheld as "a typical exponent of the characteristics of his race (who) has happily exemplified that spirit and progressive enterprise for which his people are noted all over the world."

Jews occupied a unique social status in the South. One peddler recalled that many Christians held him in special regard. Frequently asked about the Bible, he was often required to settle religious disputes "because I was a Jew and they all looked upon me as an authority." He also noted that some rural Southerners were so backward that they considered him as some sort of Christian. "I remember well," he reminisced, "being asked time and again 'Are you a Baptist Jew or a Methodist Jew?'" Harry Golden, who has insisted that the South has a tradition of philo-Semitism, wrote that in the rural South people held the Jewish population almost as a private possession: "He is 'our Jew' to small-town Southerners, and they often take care of him with a zeal and devotion otherwise bestowed only on the Confederate monument in the square."

But the distinctive features of Jews, which allegedly attracted Southerners, also made them vulnerable to aggression, especially in



times of strife. The psychological impact of Reconstruction, the frustrating conditions imposed by the fledgling industrialists of the New South, and the economic plight of the majority of Southern citizens brought to the surface the hostility embedded in the cultural milieu. Numerous incidents support the view that the derisive image of the Jew was used to salve wounds derived from less accessible targets. An Alabama minister railed in 1875 that no matter where Jews locate, "they are a curse to the country." The following year ruffians desecrated a Jewish cemetery in Pine Bluff, Arkansas. In the next decade residents of Avoyelles Parish, Louisiana, publicly proclaimed their desire to oust all Jews from the community. John T. Morgan, U.S. Senator from Alabama, referred to one opponent in a political campaign as a "Jew dog," and a judge in Rome, Georgia, disallowed a Jew's testimony because he refused to acknowledge the divinity of Jesus Christ.

These incidents were not isolated instances signifying individual bigotry. Two of the South's most prominent citizens, W.W. Thornton, President of the University of Virginia, and Zebulon Vance, U.S. Senator from North Carolina, acknowledged the widespread antagonism to Jews that existed in the South in 1890. Although each gave different explanations, their comments reveal the deep-seatedness of Southern prejudice. The President of the University attributed anti-Jewish feeling to racial and religious differences. "The mere fact of difference," he emphasized, "is a persistent cause." In elaborating upon the reasons for the dislike, President Thornton noted that "Jews certainly care less for what is embraced in the term culture than Christians who are equally well off." "Never," in his career, the university President added, had he ever seen "a really scholarly" Jewish student. Thornton thought that the prejudices might subside if Jews married Christians and accepted the true faith. "All intelligent Christians," he concluded in his answer to questions asked by the editors of The American Hebrew, "deplore the fact that the historical evidences for Christianity have so little weight with your people."

Senator Vance, an outspoken critic of anti-Semitism, had attested to the significant presence of anti-Semitism by delivering a plea for tolerance of Jews--in a speech, "The Scattered Nation"--in over fifty towns and cities of the country between 1874 and 1890. In responding to the queries put to him by The American Hebrew, Vance wrote that although the various Southern churches may not have preached anti-Semitism:

"Sufficient care is not taken to point out, with reference to the crucifixion, the injustice of holding responsible a whole people, generation after generation, for the acts of a few. No doubt this unconsciously lays a foundation of prejudice, which is



largely added to by the jealousy of Gentile rivals in business. Nothing is so satisfactory to a man as to be able to excuse an unworthy motive by referring it to a love of God and his religion. This prejudice is also increased by the unreasonable propensity to consider the Jew under all circumstances as a foreigner, in which case we veneer our motive with a love of country."

The 1890s witnessed a marked increase in virulent remarks about Jews. The Populist crusade aroused Southern and midwestern farmers to the outrageous behavior and colossal indifference of the nation's industrialists. Once again trying circumstances led to a reemergence of prejudicial outbursts. Throughout the nation the specter of the Jewish Shylock haunted those who felt oppressed by the maintenance of the gold standard and the ogreish "Wall Street Bankers." Jews, Jewish Shylocks, Jewish money and Jewish mortgage holders were blamed for all the troubles besetting the nation. And in North Carolina, the state Governor proclaimed: "Our Negro brethren, too, are being held in bondage by Rothschild."

The prevalent fear of "racial pollution" added to the woes created by the economic crises. The idea of Anglo-Saxon superiority pervaded the United States at this time and prominent individuals warned of mongrelization of the race. In the South, where many people had nothing more to be proud of than the color of their skin and their Protestant, Anglo-Saxon heritage, the fear of being subdued by an allegedly inferior breed--like the Jews, who by the 1890s were considered racially as well as religiously different--added to the burdens of an already depressed people.

Knowledgeable Southern Jews were fully aware of the existence of anti-Semitism. The editors of the Jewish Sentiment (Atlanta), which styled itself as "The Only Jewish Paper South of Richmond and East of (the) Mississippi River," declared that "the feeling against the Jews exists to as great extent in America as anywhere on earth." A few months later Herbert T. Ezekiel, editor of The Jewish South (Richmond), anxious to change the unfavorable impression, urged the formation of a company of Jewish volunteers to participate in the Spanish-American War. "Such an opportunity to silence the anti-Semite," he wrote, "and perform an act that will redound to the credit of and benefit our entire race has not presented itself for years."

Prejudicial attitudes toward Jews carried into the twentieth century. The new technology had quickened the pace of life: families moved from their farms and villages to urban areas; Italian and Jewish immigrants led a parade of Southern and Eastern Europeans



into the United States; and the frustrated and frightened lower classes found it more difficult to cope with the tribulations of a changing society. Under these circumstances long held suspicions largely restricted to verbal attacks now became activated through violence. The first decade of the new century marked an increased number of lynchings in the South as well as the notorious Atlanta race riot of 1906. The riot ostensibly began as a result of newspaper headlines reporting alleged Negro assaults upon white women. The underlying reasons, however, were more basic: a discontented urban working class forced to endure meager wages, crowded and uncomfortable tenements, and little hope for eventual improvement.

It is not surprising, therefore, that Horace Kallen, the Jewish philosopher, should write, also in 1906, "there is already a very pretty Jewish problem in our South." The same conditions which heightened antagonisms toward Negroes worsened relations between Jews and Gentiles. Jews, the eternal strangers and killers of the Savior, had been the traditional scapegoat for many Christians and could always be used as a whipping boy to help alleviate the frustrations and pressures of deprived and confused lives. In times of economic crises, or when the poor felt particularly victimized, the predatory Jew reappeared in public discussions. A year after the Atlanta race riot, Georgia's patrician historian, Lucian Lamar Knight, wrote: "It is quite the fashion to characterize the Jew as exacting his interest down to the last drachma."

There were numerous instances of anti-Jewish feeling in the South during the early decades of the twentieth century. The author of a history praising the Jews of Richmond rationalized his book on the grounds that "others have so often failed to . . . do common justice to the Jew"; a candidate for mayor in Pine Bluff, Arkansas, unsuccessfully attempted to defeat his Jewish opponent by warning the electorate that "the Jews have ruined every Christian nation where they held office"; a rabbi in Shreveport, Louisiana, protested against the "outspoken" anti-Semitic utterances of two Protestant ministers in the city.

But the major example of Southern resentment of Jews before the First World War occurred in Atlanta between 1913 and 1915. Until that time the animosity in the city had manifested itself primarily in social restrictions. Then in April, 1913, Leo Frank, a Jewish industrialist, was accused of murdering one of his employees--a thirteen-year-old girl. After that episode overt hostility towards Jews became apparent. A correspondent of The Atlanta Georgian pointed out that it was the first time that a Jew had ever been in serious trouble in the city and complained because she saw "how ready is every one to believe the worst of him." Anti-Semitic epithets punctuated many a conversation, not only in Atlanta and environs, but in states like North Carolina. One Jew traveling through Waynes-

ville, North Carolina, during the Frank trial was approached by a stranger in the post office and asked:

"Are you from Georgia?"

"No, sir, I am from Alabama."

"Are you acquainted with the (Frank) case?"

"I read something about it."

"They are going to hang that damn Jew."

"I think they'll find out first whether the man is guilty or not."

"Well, if they ever let him go, they'll mob the damn Jew."

Just before the Frank trial opened, The Atlanta Journal attempted to stem the vicious attacks and published an article entitled, "The Jews-- Our Benefactors." The author praised the Jews as "great people" and condemned "the irrational feeling of opposition so many ignorant people cherish against (them)." But the bigoted did not yield their prejudices. The South's largest circulating periodical at that time, the Southern Ruralist, pinpointed the problem:

The incontestable fact is that Jew and Gentile, white man and black man, Caucasian and Mongolian, live here side by side in perfect harmony, under normal conditions, the same as in most American communities. Let these relations be subjected to some sudden strain and the dormant prejudice flares up with explosive force. Such a strain has produced race riots in Atlanta. Such a strain resulted in the kindling of smoldering prejudice against the Jew who was accused of murdering a child of the dominant race.

Let anyone who doubts the significance of this fact-- or that prejudice has played an important part in this case--board an Atlanta street car filled with home-going working people, of the class to which the murdered girl belonged. Not a week ago we personally heard this remark under such circumstances: "If the Court don't hang that damned Jew, we will.

Eventually the Frank case emerged as a national cause celebre and Tom Watson, the champion of Georgia's anti-Semites, began attacking the Jew. His columns won superlative praise from followers,



one of whom supplicated, "May God give you the power to keep the good work going on, until all the Protestants of this Nation can and will see what is coming upon us."

The Frank case proved one of the stimulants for the revived Ku Klux Klan, an organization which made no pretense about its rejection of aliens. By the 1920s there was a full-fledged development of racist feelings in this country--South as well as North. Since then there have been a number of studies detailing the insecurity of Jews in this country. Names of both Jews and their places of residence have frequently been disguised to avoid embarrassment or harassment. The main points that emerge from these studies, especially in the South, are that Jews are in a marginal and ambivalent position. There are numerous reminders that they are "being merely tolerated," and this awareness makes them increasingly cautious in their public activities. They are continually looking over their shoulders to see what their Gentile neighbors are doing and are continually anxious that some Jew might offend members of the dominant group. As Harry Golden noted:

The mildest New Deal expression in a "letter to the editor" signed with a Jewish name sends a shiver through the entire Jewish community--("now we've got someone else to worry about.") But the greatest fear of all is that the next Jewish newcomer to town may be an "agitator," a "pink," an organizer for the CIO, or even a worker for some Negro cause.

In city after city Jews have refused to endorse publicly the Supreme Court ruling calling for school integration. As one Mississippian put it,

We have to work quietly, secretly. We have to play ball. Anti-Semitism is always right around the corner. . . . We don't want to have our Temple bombed. If we said out loud in Temple what most of us really think and believe, there just wouldn't be a Temple here anymore. They (the Gentile neighbors) let it alone because it seems to them like just another Mississippi church. And if it ever stops seeming like that, we won't have a Temple. We have to at least pretend to go along with things as they are.

Since 1945 studies have been made of Jews in Richmond, Atlanta, New Orleans, Nashville, Charleston, and a few other Southern areas. In none of these places have Jews been part of the status elite and in all they have been excluded from the prestige social organizations. Nevertheless, there are significant differences between and among Jewish communities in the South and any generalizations about the above would be foolhardy. Conditions in each of these towns are



quite special and vary considerably from locale to locale. Yet there is one common thread that ties almost all Southern Jews together: they are quite concerned about their image in the Christian community. In city after city there are indications that Jews are especially interested in presenting themselves in the proper light. Many a Southern rabbi is judged by the esteem that he possesses in the Gentile community. Perhaps the best example of this is Richmond's Dr. Edward N. Calisch, the most prominent Jew in Richmond during the first half of the twentieth century. Two observers noted in 1949 that Dr. Calisch had devoted his life to creating an image of the assimilated Richmond Jew. He served on both community and Jewish councils and frequently exchanged pulpits with Protestant ministers. "In his relations with Christian neighbors," these reporters have written, "the rabbi created in himself the most ingratiating of Jewish stereotypes--the man completely unaware of any personal problem as a Jew, at ease and unselfconscious, articulate but not argumentative, intelligent but not arrogant, worldly but not cynical." (It is also worthy of note that Dr. Calisch was one of the founders of the American Society for Judaism after the Second World War. It is the most anti-Zionist Jewish organization in the United States.)

In other Southern communities Jews employ different ways of ingratiating themselves with their Christian neighbors. In an essay on pseudonymous "Southern City," Joshua Fishbein pointed out that the leading Jews in the community never refuse an invitation from a Gentile. "When the Diehls get an invitation from a Christian friend," he wrote, "they make sure to go whether or not they have a headache or a previous engagement." In another deep south community the President of a Reform Congregation told a reporter who had questioned the fact that the Jewish spiritual leader was being muzzled by his congregation: "I don't know where you get the idea our rabbi doesn't have freedom of the pulpit. We give him freedom of the pulpit--we just don't let him exercise it."

The fear of anti-Semitism is pervasive among Jews in the twentieth-century South. This alone differentiates Southern from Northern Jews and sets the tone for almost all Jewish behavior in the region. Jews are very anxious not to stand out from everyone else. As Alfred Hero, author of The Southerner and World Affairs, has written,

it was one thing for Judge X, descendant of several esteemed families of the region, leader in the Episcopal Church, and relative of the socially prominent in the Deep South, to write critical letters to the arch-conservative papers in the state, chair the discussion groups in the library on public issues, and inform all and sundry of his views on world affairs--people merely



said he was getting old and was just another genteel eccentric. A Jew who did likewise needed considerably more courage or less sensitivity to probable public reactions. The whole Jewish community might become a target for antagonism--other Jews would fear that one was risking the status of the entire ethnic group, and many local Jews felt that no one had any right to upset the delicate balance whereby Jews had been treated well and accepted generally as fellow Southerners.

In the North most Jews are much less self-conscious. While many are concerned about Jewish-Gentile relations, it is not the core of their existence.

Jewish tradition dictates that Jews should speak up on issues about which they feel strongly. In the North this continues to be the case and many Jews have been outspoken advocates of controversial programs like integration, civil rights legislation, and rigid adherence to constitutionally guaranteed civil liberties. In the South it is rare for a Jew to support publicly controversial issues. The best example of this is the position taken by most Southern Jews on civil rights and integration. While many privately believe the Negro should have equal rights, few come out and say so.

Desegregation has stirred many latent antagonisms in the South and since 1954 Jewish temples have been bombed in Nashville, Atlanta, Birmingham, Miami, Jacksonville, and Jackson. In January, 1967, Jewish gravestones in New Orleans were desecrated and marked "They Shall Die" and "Six Million--Was It Enough?" In October, 1968, an orthodox rabbi in New York came out and said that the civil rights issue "may well threaten the survival of the Jewish community in America":

The reality is that Jews simply cannot speak their minds, openly and honestly, on such burning issues without jeopardizing Jewish lives. Every statement by the northern liberal Jew for the civil rights of the Negro causes some Jew to suffer at the hands of White racists in the South.

The fears about being different extend to other areas besides civil rights. Alfred Hero discusses the reluctance of Jews to speak openly on issues which divide the community. He found strong pressures for conformity affecting almost every area of thought and behavior. Southern Jews, on the whole, although better versed on international affairs than their Gentile neighbors, were less well read, less intellectually alert, less cosmopolitan and more conservative than Jews of the same socio-economic position in the North. He attributed this to the Jewish acceptance of regional mores and



fears of social and economic repercussions which Jews felt would be visited upon them if they challenged the leaders in their communities.

Jewish suspicions of anti-Semitic attitudes in the South have been confirmed by a number of surveys. In a Gallup Poll, released in June, 1967, respondents were asked whether they would vote for a Jewish person for President if he were a member of their political party and was in all other ways qualified. In the Midwest, West, and North the respondents answered favorably over 87 percent of the time; in the South one out of three persons said "no." That same year a survey of 2,000 people in North Carolina led a research team to conclude that somewhere between 25 and 50 percent of the respondents "held hostile religious images of modern Jews, regarding them as Christ-killers, beyond salvation, and in need of conversion to Christianity." In a 1963 analysis of discrimination against Jews at resorts, the nation-wide figures averaged 9.8 percent, while in North Carolina and Virginia the figure was 20 percent. At that time the only state that had a higher rate of discrimination was Arizona.

Whether past experiences will continue to set the tone for the future is difficult to say. At present, though, Jews are a dying breed in the South. They constitute less than 1 percent of the entire Southern population. Outside of Florida, not only has the ratio of Jews to the rest of the population been declining in every Southern state since 1937, but in six of them--Alabama, Arkansas, Kentucky, Louisiana, Mississippi and Tennessee--the total number of Jews is lower than it had been in 1927. All told, there are 378,000 Jews in the states between Texas and Virginia. (This figure is just slightly higher than the 362,955 who are in New Jersey.) Of these, 302,360 are concentrated in Florida, Georgia, Texas and Virginia. Many of these people--it is impossible to give any figures because none are available--are migrants from the North who have been attracted to the sunny climes of Florida, the regional centers of Dallas, Houston and Atlanta, and in the case of federal government employees, the suburbs of Washington, D.C. in northern Virginia. How long they will remain in the area is also impossible to say. How many will remain Jewish is still more difficult to speculate upon.

Historically, intermarriage between Jews and Gentiles has not been uncommon. Rates of intermarriage have varied according to time and place, but have averaged somewhere between 10 and 40 percent. Children of these unions are usually raised as Christians. With a high rate of intermarriage, a lower than average birth rate, and an older and more mobile population, the number of Southern Jews is likely to continue declining in the future. Only some major wave of anti-Semitism or other spectacular occurrence can possibly prevent the dwindling of the Southern Jewish population. At this moment, such contingencies do not appear imminent.



CHURCH-STATE RELATIONS IN BAPTIST THOUGHT

William M. Pinson, Jr.

HISTORICAL BACKGROUND

Historians of many denominations have honored Baptists for their role in the struggle for religious freedom and separation of church and state in the United States. Anson Stokes, an Episcopalian, wrote: "The Baptists were the most active in regard to their limited numbers."<sup>1</sup> Leo Pfeffer, the famous Jewish church-state authority, has declared that "the Baptists were the denomination by far the most vigorous in the struggle for religious freedom and separation of church and state."<sup>2</sup> William Warren Sweet, outstanding Methodist church historian, concerning church-state separation, says of Baptists, "The part they played in the triumph of that great principle is of greatest importance."<sup>3</sup> G. Elson Ruff, a Lutheran, pointed out that separation was "an urgent matter of conscience among Baptists."<sup>4</sup>

Baptists as a distinct religious group are not as ancient as many others, such as Catholics and Jews. But from their beginning they have been known for their emphasis on freedom of religion and the corollary demand for separation of church and state. In the early years of America part of the reason for this emphasis was practical; for example, "as a persecuted minority they believed in religious liberty because without it their position would become unendurable."<sup>5</sup> Part of it was cultural: Baptists were deeply influenced by the political philosophy of men such as John Locke. But the Baptists' stand on church-state relations was also a natural outgrowth of their beliefs about man, religious experience, and the nature of the church.<sup>6</sup>

The early Baptists insisted that the Bible taught that for a religious experience to be genuine, it must be voluntary. Therefore, Baptists declared that the state should not coerce religious experience or enforce religious conformity. As John Leland, a Baptist preacher who labored zealously for separation, declared, "Government has no more to do with the religious opinions of men than it has with the principles of mathematics."<sup>7</sup>

Baptists proclaimed that a church was ideally a voluntary association of Christian believers; the state had no right to compel support for any church. To take money from a man through taxation to support a religious group in which he did not believe was to violate his conscience. Baptists insisted that for a man's support of a church to be a meaningful spiritual experience, it must be voluntary.

In America Baptists joined with others to gain separation of church and state and religious liberty. Through speeches, petitions, pamphlets, books, and letters they set forth their views.<sup>8</sup> By patiently enduring severe persecution, they won the admiration of their fellow Americans. To increase the effectiveness of political action efforts in behalf of religious liberty, the Baptists organized associations of churches.<sup>9</sup> Throughout the struggle men such as Roger Williams,<sup>10</sup> John Clarke,<sup>11</sup> Isaac Backus,<sup>12</sup> and John Leland<sup>13</sup> gave effective leadership.

The Baptists were not interested in halfway measures such as toleration for all religious groups or equal distribution of tax money among denominations. They clamored for total religious freedom and complete separation of church and state. In Virginia, for example, by 1776 religious freedom had been provided but the establishment of the Episcopal Church remained. About 1780 several denominations joined to support legislation that the Christian faith be pronounced the established religion and that certain taxes be divided among the different denominations. The Baptists strenuously opposed such legislation. Of the Baptist role in the defeat of the general religious assessment bill Leo Pfeffer wrote:

As usual, the Baptists were most vocal and active, reiterating their deeply held principle that "religion was a thing apart from the concerns of the state," and that "no human laws ought to be established for this purpose, but that every



person ought to be left entirely free in respect to matters of religion."<sup>14</sup>

Baptists have a past to be proud of in regard to church-state separation and religious liberty. Unfortunately, after church-state separation was guaranteed constitutionally, Baptists did little to clarify what the proper relation of church and state should be. Most Baptists were content to get rid of the establishment of certain churches and to have freedom of religion. They were little interested in working out the application of separation.

### BASIC BAPTIST POSITIONS

In past centuries, the cause of church-state separation drew Baptists together. Today issues related to church-state separation drive Baptists apart. Baptists are united on few issues; they are certainly not in accord on the proper relation of church and state. Difference of opinion concerning church-state relations is no new phenomenon among Baptists, but the intensity of conflict is recent.

Any brief effort to carefully define current Baptist thought on church-state relations is a certain failure largely because of the large number of Baptist groups in the United States and the vast differences which exist between them -- and within them. But basically in regard to church-state relations Baptists are divided into two thought-action camps: one advocates strict separation of church and state and the other calls for a flexible interpretation of separation with a strong emphasis on cooperation between church and state. I will set forth each position, trace its history, and summarize its current rationale.

#### Flexible Cooperation

Throughout Baptist history in the United States some have pled for and practiced involvement with the government. They have not advocated direct state support of religion nor the establishment of Baptists or any other church by the government. They have in fact, however, taken financial aid from the state and at times have backed efforts to establish the Christian faith as the official religion of America.

The involvement of Baptists with the state has taken many forms. Some early Baptists were willing to accept aid from governments. For example, in 1811 President Madison vetoed a bill which set aside a parcel of land in the Mississippi Territory for "the relief of . . . the Baptist Church at Salem Meeting House."<sup>15</sup> During the 1800's Baptist mission work among the Indians was supported in part by the Federal government; of this church-state involvement R. Pierce Beaver said, no other group excepting the Methodists, were "so ready throughout the nineteenth century to rely principally on government support of Indian mission work."<sup>16</sup>

Baptist educational institutions have received government support for years. In 1857, for example, the Baptists of Louisiana sought financial help from the state legislature for Mount Lebanon University, an institution owned and controlled by Baptists.<sup>17</sup> Between 1871 and 1877 at least three cities in Georgia gave money or property to Baptists to establish or maintain their schools.<sup>18</sup> In 1907 the Florida Baptist Convention accepted money and property from Lake City, Florida, to help establish a college.<sup>19</sup>

In the late 1800's and early 1900's, Baptists joined with other church groups in efforts to obtain legislation against divorce, Sunday neglect, Mormon polygamy, and alcohol.<sup>20</sup> These efforts were on local, state, and national levels.

After 1930 the Baptist involvement and cooperation with government programs began to increase rapidly. This increase was probably caused by several factors: (1) The Federal government expanded significantly into the fields of health, education, and welfare -- fields in which Baptists also had an interest. (2) Baptist institutionalism expanded so



that the number of hospitals, orphanages, and schools was beyond the ability of Baptists to support; so Baptists turned to governments for aid. (3) The federal government in many instances has been willing to aid, cooperate with, and work through the institutions and programs of Baptists - - and other religious groups - - to avoid inefficiency, overlap, and unwanted competition.

In recent years Baptist involvement with the state has increased both in complexity and degree. Baptists have received government aid worth many millions of dollars. The aid has included grants and low-interest loans of money as well as donations of surplus property and food. Baptists have also utilized programs involving research contracts with the state, government-sponsored institutes, low-cost surplus, urban renewal, and lease of government-owned property at low rates.

Baptist churches and church-related institutions have accepted -- usually without protest -- a number of benefits and privileges granted by the state; from a financial point of view the most important of these are tax exemption and reduced postal rates. Many churches enjoy a number of free services from the state, such as fire and police protection, road construction and maintenance, and upkeep of parking lots. Baptist religious leaders, especially ordained ministers, benefit from a number of privileges, such as exemption from military service, jury duty, and certain taxes.

Baptists cooperate with governments in numerous programs. Baptists provide qualified chaplains for the armed services, for prisons and hospitals, and for legislatures. By cooperative efforts of Baptists and the state, a religious emphasis is injected into many tax-supported institutions, such as schools and prisons. Baptist hospitals and homes for the aged team with the state in welfare work. Through participation in civil defense programs, training programs for reserve officers, and cooperative research efforts, Baptists have aided the state in national defense.

Baptists have attempted in various ways to justify their involvement with the state in the acceptance of aid and support from the government. In general, two basic arguments are used. One is that involvement short of direct tax support of religious activity and short of government control of churches does not actually violate church-state separation or religious freedom. For example, loans and grants to students are considered aid to individuals, not to the institutions; research grants are merely pay for service rendered and constitute no aid to the institutions involved; a government grant or loan to build a science building at a Baptist college does not constitute aid to religion, to build a chapel would. Others insist that Baptist schools, hospitals, children's homes, and homes for the aged -- places which receive much of the government aid to Baptists -- render service to humanity in general as service institutions; therefore aid to them does not constitute support of religious activity by the government.<sup>21</sup> Some claim that Baptist institutions deserve any benefit given to a non-profit institution and that in the case of such benefits no church-state issue is involved.

The second basic line of argument to defend Baptist involvement is that separation of church and state is not possible and probably is not desirable under modern circumstances. Some point to past Baptist-government entanglements as evidence there never has really been separation of church and state. Furthermore, argue the cooperationists, other principles are more significant than separation in determining Baptist relations to the state; for example, institutional survival, service to humanity, and the national interest are more important than maintaining strict separation of church and state. John Eighmy, a leading Baptist proponent of the cooperation as opposed to the separation stance, writes, "Which is more important in our value system, the social responsibility of a denomination or strict conformity to a church-state pattern designed for a society far removed from the twentieth century?"<sup>22</sup>

A similar approach is to insist that religious freedom, not church-state separation, is the basic issue. If the government simply provides equitable support of all religious



institutions without practicing discrimination and without demanding control, there is no violation of religious freedom. From such a perspective, participation in most government aid programs can be justified.

Those advocating Baptist involvement with the government and acceptance of tax support for denominational institutions come from all sectors of Baptist life. Among them are numbered denominational agency executives, school and hospital administrators, pastors, laymen, and professors. Apparently, however, the strongest support for the position comes from those most closely associated with institutions which can utilize available government support; because Southern Baptists are more heavily institutionalized than other Baptist bodies they have received more government funds and property. A number of Negro Baptist churches participate openly and extensively in government welfare programs. Black and white, north and south, Baptists from all groups are found among those advocating flexibility and cooperation in church-state relations.

### Strict Separation

Another stream of Baptist thought on church-state relations follows the strict separation approach. Advocates of this position are opposed to all support of religion by the government and condemn such practices as accepting government grants and low interest loans, exemption of church property from taxation, holding religious services in the public schools, and passing laws which enforce closing of businesses on Sunday. They desire that no privilege or advantage be conceded Christianity or any other religion and that the entire political system of the nation be founded and administered on a purely secular basis. Past involvements of church and state, such as tax exemption for churches or draft exemption for ministers, are viewed either as exceptions to be tolerated as hold-overs from the days of church establishment or as violations to be eliminated.

The strict separationist position has a long history among Baptists in America and has been especially evident among Southern Baptists since their beginning. In 1861 Baptists in Georgia argued that any legislative assistance for the churches would pollute them.<sup>23</sup> In 1865 Kentucky Baptists began protesting the actions of the state legislature which placed government funds in the hands of denominational schools.<sup>24</sup> The Baptist Convention of the State of Georgia voted in 1903 that any school which received money from the state would not be considered a Baptist school and would receive no money from the Baptist denomination.<sup>25</sup>

Some Baptists opposed efforts to seek legislation to correct social ills. In 1884 the Baptists of South Carolina refused to act on a resolution petitioning the state legislature on prohibition.<sup>26</sup> A number of Georgia Baptists also opposed support of legislation on prohibition on the grounds that such action violated the principle of religious liberty. For similar reasons, some Baptists opposed any support by Baptist bodies of legislation dealing with Sunday observance.<sup>27</sup>

With increasing dependence by Baptist institutions on government aid in the 1930's the protest of the separationists to such practices increased. The Southern Baptist Convention, for example, during this decade went on record as opposing Federal funds being made available to churches in the form of building loans, to ministerial students, and social security coverage for ministers and other church employees.<sup>28</sup>

In recent years Baptists have expressed disapproval of church-state entanglements through convention resolutions on the national and state levels, committee reports, sermons, and numerous articles. All Baptist groups criticized Roman Catholic effort to gain tax support for their parochial school system and condemned any plan to appoint an ambassador to the Vatican. Baptist separationists, particularly among the Southern Baptists, dumped heavy criticism on increasing Baptist involvement with the state. While some disapproval has been expressed concerning almost every Baptist involvement with the state, the greatest opposition has been directed toward those practices in which the state more or less



directly aids churches and church-related institutions -- practices, for example, such as providing grants of money and gifts of property and loaning money at low rates of interest.

The arguments of the strict separationists in defense of their position are numerous. Some center in the Constitution and the First Amendment insisting that aid to religious groups is in violation of the Constitution.<sup>29</sup> Other arguments are more pragmatical and ideological. In brief the separationists arguments are as follows.

1. Separationists argue that the cooperationist position tends to harm churches. Not that harm is what the government intends; that is not the case at all. Yet harm can result even when not intended.

(1) For one thing, tax support given to churches tends to sap their spiritual strength. The Baptist Joint Committee on Public Affairs has declared, "Historically, a spiritual powerlessness has come upon churches when they have become tools for the use of public policy or government."<sup>30</sup>

Further, accepting tax support tends to secularize church-related organizations. Because of the American separation tradition, government funds are denied to those who would use them for avowed religious purposes. Thus, in order to secure tax money, churches insist vigorously that their education or welfare institutions are <sup>not</sup> religious centers. They are public service institutions serving humanitarian causes, not religious centers--so the claim goes. By soft-pedaling the very quality which makes church-related institutions unique--and by gearing programs to qualify for tax support, the churches secularize their own work and institutions. Unless church programs are related to worship and evangelism they cease to be adequate expressions of the church's mission and become mere humanitarian efforts. Yet government aid tends to cause churches to play down the evangelistic aspect of their welfare programs.

(2) Separationists also point out that anti-church sentiment is often the result of churches receiving tax support. In the past this has been true again and again. Such anti-church sentiment could easily develop in the United States as a result of tax money and government subsidy going to the churches. Already churches in America have accumulated a vast hoard of wealth, over \$160 billion worth. Because of special protection from taxes, this wealth snowballs larger and larger each year. No inheritance tax cuts it down generation to generation.

Businessmen often chafe under the unfair competition of church groups. Some businesses have decided to utilize the church's favored position. An increasingly popular way to utilize it is through a lease back system in which churches purchase property from a business and then lease it back to the original owner. The church enjoys the income from the lease--which is not taxable--and the business enjoys the benefits from living under the tax umbrella of the church.

In some cities churches own so much non-taxable property that local citizens are forced to pay excessive tax rates. Such a situation is not likely to breed good will for the churches.

Since all church groups cannot have all the funds they want, some means must be used to divide the available money among the churches. In the scramble for money, political lobbying will take place. It is difficult to imagine how the spectacle of churchmen maneuvering in the political arena for appropriations is going to do anything good for the image of the church.

(3) Separationists point out that loss of control by churches of their institutions is another probable result of receiving tax support. The Supreme Court has ruled that "it is hardly lack of due process for the government to regulate that which it subsidizes." School and hospitals supported by tax money should conform to public policy. Such



institutions have no right to apply religious tests to staff, faculty, or students. Under such circumstances church control is lost and the institution renders no uniquely church-related function.

2. In addition to the harm done to the churches, Baptist strict separationists argue that the practice of giving tax support to church institutions can also be harmful to the state. All citizens stand to suffer from the practice.

(1) Tax support to church related institutions threatens to weaken public institutions, such as public schools and hospitals. Church-related agencies in competition with private nonsectarian and public institutions seem to receive a disproportionate share of public funds.<sup>31</sup> Available tax support may also encourage churches who heretofore have been content to live without a parochial school system or network of hospitals to enter the school and hospital business. Such a trend could cripple public school education and weaken national unity. It would be especially disruptive in its initial stages.

(2) Another possibility would be that all institutions, including the church-related ones, would become, for all practical purposes, public institutions. Tailoring programs to become eligible for public assistance will likely cause all institutions to be reduced to a common secular, humanistic level. Thus American society will lose the advantage of diversity, especially important in higher education.

(3) Even more tragic, the state may lose a potential voice of conscience. A tax-supported church may not remain entirely silent on controversial public issues. But the churches are not likely to bite too hard the hand that helps feed and keep alive its institutions.

(4) Tax support to church institutions could be a long step down the road toward totalitarianism. Many astute observers--not of the frantic fringe variety--feel that the United States is already showing indications of a move toward dictatorship. The road to dictatorship could be much more easily traveled if the church-private sector of society were tied closely to the state.

(5) Competition among religious groups for public funds could create internal strife and contribute to national disunity. The vicious side of human nature is stimulated by a struggle for money. Anyone who has witnessed the disintegration of a once loving family into warring camps over the division of an estate can understand the concern of some Baptists over church groups being involved in the division of tax funds.

3. Baptist separationists insist that state aid to churches results in injustice for citizens. Past experience and current practice indicates that tax support for churches results in injustice, or at least in an unequal distribution of benefits. For example, larger church groups tend to get more than their share and small groups little or nothing.<sup>32</sup> In some instances welfare programs have been administered with what seems to be sectarian selfishness. At least, the available money and goods were not effectively used.<sup>33</sup> Perhaps the greatest injustice involves the coercion of taxpayers to support religious groups in which they do not believe. Even if the tax money is not used for religious causes but goes for purely humanitarian service, such aid likely makes available to participating church groups money for sectarian causes which otherwise would have gone, at least in part, to the humanitarian service. Who can say if a million dollar grant for a science building is given to a church-related college that the million dollars released from the science building didn't help build the plush new chapel?

4. Baptist opponents of government aid to churches point out that such aid is inconsistent with the basic concepts of the Christian faith. God made man in his image to have fellowship with him. But God made man free. He would not force man into fellowship. Forced fellowship--like forced love--cannot be genuine. God desires that man come to him in trust and obedience. But he will not force him to come. One of the



clearest expressions of this is Jesus' sob over Jerusalem, "How often would I have gathered you as a hen gathers her chicks, but ye would not." "I would... but ye would not"--that is one of the clearest revelations of the terrible freedom that is ours.

If God would not coerce man's devotion to him, he obviously does not want anyone to do the job for him. He intends for man to be left free to respond or not to respond. Coercion is not part of God's plan. Persuasive preaching, yes. Coercion to gain a religious profession--no. To be genuine, meaningful, real--man's response to God must be voluntary.

Society should be organized to give man the maximum opportunity to freely respond to God. No effort should be made to force a person to respond. Neither the church nor the state has the right to force religious opinion on men. Certainly the church should never encourage such coercion.

The New Testament indicates that when men respond to God through Jesus Christ, they seek the fellowship of other men who have responded in like manner. But just as the response to God was voluntary, so ought affiliation with such a fellowship be voluntary. In the New Testament, those who joined in Christian fellowship did not feel that their association was merely on a human basis. They felt that there was something distinct about it. It was a divine-human fellowship. As the people of God were drawn together in this divine-human fellowship, they organized. The organization varied from place to place. But always it was to help the people of God carry out the mission which Christ had left them--to take the good news about Jesus--to all the world.

The congregations of believers carried out other functions also--worship, charity, Christian education. Much of what was done required money or material goods. Always such money or material goods was secured by voluntary contributions. This is not surprising. If religious response and affiliation with God's people are voluntary, so also ought support of the work of the church be voluntary. When the phrase "church-state relations" is used, the word "church" refers to those organizations of God's people which exist for the distinct purpose of carrying out Christ's purpose in the world. To coerce support for such a mission is, in a very real sense, to deny the mission itself, for genuine response to Christ must be voluntary.

It is for this reason that God's people in their carrying out of Christ's mission in his name cannot use money from the state. The state by its very nature is an institution <sup>of</sup> force and coercion. Even in a democratic state tax money is collected, not voluntarily given. Even if a person were deliriously happy to send in his taxes because of love for country, the power of the state would still be involved. For God's people (use the word "church" if you want) to accept tax money to carry out their distinct mission is to accept coerced support. This, inconsistent with the very essence of the Christian faith.

When tax money is accepted, Baptists use money which may have been extracted from a person who does not believe in the Baptist cause. To say that the amount which goes to religious purposes is tiny or that most men today don't even have a religious conscience to violate is to beg the issue. To say that a school or a hospital is not a church and therefore should receive state aid is to misuse the word church. Whenever God's people establish an institution to carry out the Christian mission, the support of that institution ought to be in keeping with the nature of that mission. The mission is to secure voluntary response to Jesus Christ as Savior and Lord.

Thus the main issue with many Baptist strict separationists <sup>is</sup> not control by the state as some indicate, though that someday might become a major issue. The major issue is coerced support and violation of religious liberty.



Strict separationists are found among all Baptist groups.<sup>34</sup> Persons from various roles hold the view-- denominational administrators, editors, pastors, professors, and laymen. Liberals and conservatives both are in the strict separationist camp. The most outspoken separationists have been editors, denominational executives, and professors with keen church-state interests. In order to advance the cause of religious liberty and church-state separation these Baptists have joined with others holding similar views. Baptists have been active in Americans United for Separation of Church and State and have cooperated with other groups and denominations in efforts to gain church-state separation.

### CONCLUSION

Baptists thus are divided over church-state issues. Neither group is free of inconsistencies or entirely pure in motivation. For example, some who claim to be strict separationists have been in favor of Bible reading in public schools and have been motivated more by anti-government, anti-Catholic sentiment than by love for religious liberty. Some cooperationists have apparently been guided to their position more by loyalty to institutions and the need for funds than by basic principles.

The two groups have clashed--both in the denominational press and at conferences and conventions--over specific issues. Most of the serious squabbles have been among Southern Baptists and have centered in schools and hospitals. Grants, loans, and leases from government agencies involving Baptist institutions have been the points of contention. And apparently more battles are in the making, specifically over taxation of church property, church involvement in political and social issues, and welfare programs.

A growing sentiment favors taxing all church property and unrelated business income.<sup>35</sup> On the issue Baptists are divided but most seem to favor the status quo. Even many strict separationists are willing to allow tax exemption of church property and income. A few, however, feel the need for a general tax reform which would bring churches and perhaps other non-profit institutions and agencies under some type of tax structure.

The role of churches in regard to public policy is a matter of increasing debate. Some Baptists feel that the churches should not become involved in political issues-- except perhaps when the issues are alcohol, gambling, or pornography; on poverty, race, and pollution, they counsel silence. Other Baptists call for more involvement on all significant issues as a Christian responsibility. American Baptists and the civil rights wing of Negro Baptists are generally more open to church efforts to affect government policy on large social issues than Southern Baptists, Conservative Baptists, or the smaller Baptist bodies. Southern Baptists--the largest single group of Baptists-- on the whole have had little to say about what government ought to do; their emphasis has been largely anti-government, or what government ought not to do.<sup>36</sup> This is partly because many modern Baptists--unlike their colonial forefathers-- are largely conservative in political outlook.

A number of Baptists who are deeply interested in social action and ministry to human need are perplexed as to what they should do about cooperating with the government in programs dealing with social problems. Many government programs make provision for church involvement. But will social involvement violate the principle of religious freedom? If so, is it more important than religious liberty? Will it be best in the long run? If it will not, what should churches do to aid in the battle for human health and dignity? These are questions with which Baptists are struggling.

The relation of the principle of religious liberty to other important guiding concepts of the Christian faith is another issue with which Baptists are grappling. How,



for example, can the doctrine of the incarnation with its application that God wants his people to be involved in all of life and the New Testament teaching that the church is the body of Christ be related to the principle of church-state separation? And how is the principle to be understood in the light of the New Testament stress on the Lordship of Christ over all of life and the institutions of society, including the state?

Baptists continue to uphold religious freedom as a principle and to disagree on its application to specific church-state issues. Many Baptists are increasingly uncomfortable with the term "separation" and the sloganizing approach to church-state problems; they plead for a more positive concept and a more sophisticated approach to a very complex subject. In the struggle over church-state issues Baptist leaders call for openness, fairness, and flexibility; hopefully their plea will be heeded as Baptists struggle with the question of how church and state should be properly related.<sup>37</sup>

#### FOOTNOTES

<sup>1</sup>Anson Stokes, Church and State in the United States (New York: Harper and Brothers, 1950 ), I, 356.

<sup>2</sup>Leo Pfeffer, Church, State, and Freedom (Boston: Beacon Press, 1953), p. 90.

<sup>3</sup>William W. Sweet, The Story of Religion in America (rev.ed., New York: Harper and Brothers, 1950), p.77 .

<sup>4</sup>G. Elson Ruff, The Dilemma of Church and State (Philadelphia: Muhlenberg Press, 1954), p.67.

<sup>5</sup>James E. Wood, Jr., E. Bruce Thompson, and Robert T. Miller, Church and State in Scripture, History, and Constitutional Law (Waco, Texas: Baylor University Press, 1958), p. 63.

<sup>6</sup>Pfeffer plainly declares concerning Baptist statements for separation that "their pleas for freedom is not predicated exclusively or even primarily on practical grounds, but on the ideological ground of the state's incapacity to intermeddle in matters of religion." Pfeffer, p. 89.

<sup>7</sup>From Rights of Conscience and Therefore Religious Opinions Not Cognizable by Law, 1791.

<sup>8</sup>Some of the most significant works include: The Bloody Tenet of Persecution for Cause of Conscience (1644) and The Bloody Tenet Yet More Bloody (1652) by Roger Williams; Ill News from New England (1652) by John Clarke, an account of persecution of Baptists in New England and an appeal for liberty; A Seasonable Plea for Liberty of Conscience (1770), A Letter to a Gentleman in the Massachusetts General Assembly Concerning Taxes to Support Religious Worship (1771), An Appeal to the Public for Religious Liberty, A Door Opened for Christian Liberty, and History of New England by Isaac Backus; Rights of Conscience Inalienable (1791), Short Essays on Govern ent (1820) by John Leland.

<sup>9</sup>In 1767 the Warren Association was formed in Rhode Island with one of its purposes being to strengthen the fight for religious liberty. In 1769 a committee was appointed by the association to study reports of religious persecution and "to draft petitions for redress to be presented to the general courts of Massachusetts and Connecticut." Alvah Hovey, A Memoir of the Life and Times of the Rev. Isaac Backus (Boston: Gould and Lincoln, 1858), p. 174. John Davis, pastor of the Second Baptist Church in Boston, was appointed as agent to represent the association in the efforts



for religious liberty. In 1772 an official Committee of Grievances was appointed and, Davis having died, Isaac Backus was appointed agent.

In Virginia a general Committee of Baptists was in existence from 1784 to 1799. When the committee first met on October 9, 1784, its first business was related to the church-state struggle and "year after year, the general committee continued the fight for religious liberty and separation of church and state." Reuben Alley, "Virginia, Baptist General Association of: Baptist Beginnings," Encyclopedia of Southern Baptists, II (1958), 1448. When church-state separation began to become a reality, the committee felt its task was completed and it dissolved.

Baptists contacted political leaders to encourage them to support church-state separation. In 1789 the Baptist churches of Virginia wrote George Washington, expressed confidence in him, and urged further religious freedom guarantees; Washington replied. In 1802 the Danbury Baptist Association wrote Thomas Jefferson; in his reply Jefferson used the now famous phrase, "wall of separation between church and state."

<sup>10</sup> Roger Williams, educated in England, came to Boston in the winter of 1630-31. He soon became known for his opposition to all official connections between church and state. In the fall of 1635 the Boston authorities banished him. He fled to what is now Rhode Island and established a colony which put into practice Williams' concepts of church-state separation. "Roger Williams advocated the most complete separation of church and state at a time when there was no historical example of such separation." A.H. Newman, A History of the Baptist Churches in the United States (New York: The Literature Company, 1894), p.69. For a brief time Williams was a Baptist; throughout his life he worked for religious freedom.

<sup>11</sup> John Clarke came from England to Massachusetts in 1637 and was so distressed by the religious intolerance that he helped found a colony near Williams' colony which practiced religious liberty. He played a leading role in establishing the colony of Rhode Island, the charter of which provided exceptional liberality as far as differences of religion were concerned. He also served as pastor of a Baptist church.

<sup>12</sup> Isaac Backus, born in Connecticut in 1724, was converted from the Congregational to the Baptist persuasion in 1756. For fifty years he pastored the First Baptist of Middleborough, Massachusetts. In 1772 he became the agent of the Warren Association to promote religious liberty. He went to the First Continental Congress to implore the members to incorporate the principles of religious liberty into the American system. He was persistent in his efforts before the Massachusetts Assembly to gain relief for dissenters. He wrote Samuel Adams a letter in which he showed that the policy of Massachusetts in relation to the Baptists was actually taxation without representation. In 1787 he presented the cause of religious freedom before the Constitutional Convention; "he urged that provision be made for liberty of conscience and for protection against the taxation demands of a state-church." Stokes, I, 309.

<sup>13</sup> John Leland was born in Massachusetts in 1754 and became a Baptist pastor in Virginia in 1777. Most of his life he was a traveling evangelist, but he is best remembered for his work in behalf of religious liberty. In Virginia he frequently appeared before the Virginia Assembly as a spokesman for religious liberty. He was chairman of the general committee of Baptists in the state and was largely responsible for James Madison's election to the Virginia Convention to ratify the Constitution of the United States and "his influence was clearly behind Madison's introduction of the First Amendment to the Constitution." Jack Manley, "Leland, John," Encyclopedia of Southern Baptists, II(1958), 783. In 1791 Leland returned to Massachusetts and helped "secure the overthrow of the established church in Connecticut and Massachusetts, and the guarantee of complete religious freedom in these states." Stokes, I, 354.

<sup>14</sup> Pfeffer, p. 98.



15 Madison objected because, as he said, "The bill in reserving a certain parcel of land of the United States for the use of said Baptist church comprises a principle and precedent for the appropriation of funds of the United States for the use and support of religious societies, contrary to the article of the Constitution which declares that 'Congress shall make no law respecting a religious establishment.'" Stokes, III, 414.

16 R. Pierce Bearer, "Church, State, and the Indians: Indian Missions in the New Nation," Journal of Church and State, IV (May, 1962), 28. Others insist that Baptists only "once or twice accepted these grants." E. C. Dargan, Ecclesiology (Louisville: Chas. T. Dearing, 1897), p. 186.

17 E. Earl Joiner, "Southern Baptists and Church-State Relations, 1845-1954" (unpublished Th.D. dissertation, Southern Baptist Theological Seminary, 1959), pp. 111-12.

18 Minutes of the Georgia Baptist State Convention, 1871, p. 17; 1872, p. 13; 1877, p. 19.

19 Minutes of the Florida Baptist Convention (Extra Session), 1907, p. 28.

20 Rufus B. Spain, "Attitudes and Reactions of Southern Baptists to Certain Problems of Society, 1865-1900," (unpublished Ph.D. dissertation, Department of History, Vanderbilt University, 1961), pp. 63-66, 312-63.

21 For example, a Baptist pastor has written, "Receiving government aid to build a hospital that will serve all who need its services is not to my mind in any way violating our belief in the separating of church and state." Word and Way, March 30, 1950, p. 3.

22 John Eighmy, "Institutional Support in a Welfare State: The Crisis in Church-State Relations," Journal of Church and State IV (November, 1962) 172.

23 Joiner, p. 13.

24 Minutes of the General Association of Baptists in Kentucky, 1865, p. 15; 1866, p. 11; 1867, p. 23.

25 Georgia Baptist Annual, 1903, pp. 20, 75.

26 Minutes of the State Convention of the Baptist Denomination in South Carolina, 1884, p. 7.

27 Spain, p. 234.

28 Southern Baptist Annual, 1935, p. 65; 1936, p. 35; 1937, p. 102.

29 For two clear statements of this viewpoint see W. R. Estep, Jr., "A Call to Action," Baptist Standard, August 3, 1957, p. 4, and "Magazine Editor Lauds College President's Refusal of Public Funds," Baptist Standard, March 8, 1951, p. 5.

30 A group of Baptist pastors in Oklahoma objecting to the leasing of hospitals owned or built by the government said, "The Lord's work should be supported by tithes and offerings, not taxes." Baptist Messenger, November 2, 1961, p. 8. A Baptist editor has declared, "A subsidized church is good for little more than a priestly chant." Christian Index, February 19, 1959, p. 6.

31 The Hill-Burton Act provides grants for hospital construction to private and public hospitals. Between 1947 and 1963, public hospitals with 69 per cent of all hospital beds in 1955 got only 43 per cent of the Hill-Burton money. Private non-sectarian hospitals with 19 per cent of the beds got 32 per cent of the money. But church-related hospitals with 12 per cent of the beds got 25 per cent of the money--



twice their share proportionate to existing facilities.

32 In the division of property under the government surplus program, Roman Catholic institutions with a quarter of the populations got half of the goods; Baptists walked away with a large amount also.

33 In the program under Title III for surplus commodities distributed overseas, much of the facilities went to countries with the least need because there our private voluntary agencies had the most outlets.

34 Currently Southern Baptists among major Baptist bodies seem to have more strict separationists than other groups. Negro Baptists do not have as active a commitment to church-state separation as white Baptists and tend to look upon the Federal government more as an ally than an enemy. Nevertheless some Negro leaders have been very outspoken for separation and have condemned civil rights action by churches on the basis that it violated church-state separation.

35 Publications of Americans United for Separation of Church and State and articles in popular magazines have stimulated interest in tax reform as it relates to churches.

36 Baptist state conventions and the Southern Baptist Convention have frequently passed resolutions calling for action on some issue by government agencies. Even on a subject as controversial as war Baptists have made numerous appeals to the government regarding policy and action. See Clyde E. Fant, Jr., "A New Look at an Old Issue: Social Action," Baptist Program (January, 1969), pp.4-5 and William M. Pinson, Jr., "A Historical View of Christians and Peace," Peace! Peace! (Waco, Texas: Word Book, 1967) p.48-63. Still the general sentiment is not to become involved with the state, especially on complex social issues.

37 See C. Emanuel Carlson, "Emerging Patterns of Separation of Church and State," published by the Baptist Joint Committee on Public Affairs, for a discussion of current patterns and conflict among Baptists.