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DISMANTLING THE BIBLE CHAIRS IN TEXAS:
A CHURCH-STATE STRUGGLE IN HISTORICAL CONTEXT

By Allan McNicol

A Local Crisis

On the morning of July 22, 1987, the faculty of the Institute for Christian Studies had cause to take more than a perfunctory look at the local newspaper over their morning cups of coffee. In an extensive story the local newspaper announced that the University of Texas System would no longer grant academic credit for elective courses in Biblical Studies taught by off-campus instructors. In the past the faculty for these courses was approved by the University on the basis of academic credentials and competence, but were nominated and paid by private religious agencies. This procedure had gone on for eighty years. It was known as the Bible Chair arrangement. Tens of thousands of students had taken these courses over the years. Now this opportunity for study of the origins of the historic Christian tradition had come to an end. Thus there was little wonder that Institute faculty members took a second look at the paper on that mid-summer morning; for they were teaching many of

these courses. Unwittingly they had landed directly in the middle of a nasty church-state conflict.

Among the many ironies of the announcement of the end of the Bible Chairs was the claim by the University that granting the right for privately funded courses to be listed in University publications to count for elective credit was, according to a ruling of the Attorney-General of Texas, a violation of the U.S. Constitution. Yet it was the same University, acting under explicit regulations set up by the Board of Regents on July 7, 1919, which mandated this arrangement for the express purpose of avoiding a problem involving a violation of the Texas Constitution.

The Bible Chairs thus found themselves in a Catch-22 situation. The fact that their instructors were approved by the University and their courses listed in University publications led, in the view of some, to their perceived appearance as University faculty; and this was not constitutionally allowable under current judicial opinion. Yet, if it were claimed that the Bible Chairs were offering courses taught by instructors who were not University faculty (as in fact was the case), the courses were non-credit offerings and probably should not be accepted for academic credit by a University of the first class. Over several months a protracted struggle took place between the Chairs and the University of Texas. But in the end the State was adamant that the Bible Chairs should be dismantled--and they were. What happened in Austin was repeated in most of the public

universities throughout the state of Texas.

One of the most contested aspects of the overall conflict in Austin centered on the issue of what would replace the Bible Chair offerings within the University of Texas. The Bible Chairs were well aware that throughout this century the University of Texas had an abysmal record in giving adequate offerings on the Bible and related Christian Studies in its curriculum. This conscious pattern of neglect of courses in Christian Studies is often traced back to an influential statement made by Senator Wigfall during the debate, in 1858, in the Texas Senate on the founding of a state university.

The committee deems it expedient to establish one university, and but one. They do not use the term university in its largest, and probably, generally accepted signification--an universal school, in which are taught all the various branches of learning, arts and sciences. It is deemed expedient to dispense with the faculty of theology, for the obvious reason that its establishment would involve the necessity of deciding upon the orthodoxy of the different sects into which the religious community is divided. All are tolerated and protected. None can be encouraged, or established by law.¹

This statement has had long term implications in Texas. It has served to underwrite a policy that no courses in the Christian Bible or Christian Theology be taught in the state universities in Texas.

It was in this context that the Bible Chair arrangement was first established in Texas. Seeing the lack of scholarly teaching of the Bible in Texas higher education in 1905 the Disciples of Christ² founded the Texas Bible Chair in Austin. Other Chairs

established by different religious bodies, including the Churches of Christ (1917) soon followed. But in 1987 these Chairs were abolished. What would take their place?

Several semesters have now passed since the Chairs were discontinued. We have our answer. Absolutely nothing within the University has taken their place. A charge by the author of this essay that this was the real intention of the University in abolishing the Chairs³ was met with ridicule and denials by University of Texas officials.⁴ But the fact remains that the University has no course on Jesus of Nazareth, Paul, the New Testament, or Christianity and its impact on the West (apart from grammatical courses in the Greek text) to replace the twenty-four courses offered each semester by the Bible Chairs. Nevertheless, analogous courses in Judaism, Islam, and Buddhism are offered regularly in various departments of the University.

It is difficult to avoid the conclusion that Senator Wigfall's shadow still falls heavily over the University of Texas. Courses on the Christian Bible and the contributions of the great Christian thinkers are still given minimal attention in the classroom. In a state where overwhelmingly the public claim to be Christian, and the words of John 8:32 are placed over the doorway of the largest public university's Main Building, no course is offered on the life and impact of the one who said, "Ye shall know the truth and the truth shall make you free." Friends of the University of Texas have paid millions of dollars to obtain a Gutenberg Bible; but this University will hire no one to teach

its contents. Clearly, as the Marxists say, we have come to a set of inner contradictions that cries out for further explanation.

Preliminary Summary and Thesis

The current practice (if not policy) of disregard of the Christian tradition, characteristic of public higher education in Texas, calls for a response from the Christian community.

One often hears students, and some parents, say that they are content with the state university teaching a few skills to equip graduates to get a job. The impression left is that "higher education" is a neutral activity and has no more moral or religious implications than buying an automobile or choosing a place to live. Certainly, this is all some students want--and receive. But surely this is not the total intent of the legislature and educators who annually spend hundreds of millions of tax dollars on educational institutions. A great university exists to do more than certify students for the job force. True education should introduce the student to the high culture of our civilization that undergirds and legitimates those who rule.⁵ Through a process of socialization in the classroom and across campus, by guest lecturers, and through mixing with the power elite, the intent is to get the student to adopt the core values of the culture and enable the student eventually to take his or her place as one of the future stalwarts of the society. What should disturb the Christian community is that this process of initiation into the circles of industry, commerce, government, and

science, is done completely without the perspective of the fundamental and foundational contribution of the Bible and Christian thought to our cultural legacy.

This brings us to the central concern and thesis of this essay. In this essay our major concern will be to explain that the present hostility between church and state, as illustrated by the Bible Chair demise, is the end-product of a long-standing history. We intend to trace the major contours of this history as a contribution to placing in proper perspective certain fundamental issues that need to be kept in mind in the constant interactions between the Christian community and the state.

The thesis of this essay is that the Bible Chair demise is a prime example of the case that can be made that the intention of the Founding Fathers of the United States Constitution to protect the free exercise of religion has been replaced by a state bias in the public domain against the traditional role of religion in society; and the time has come for some new directions to be taken.

Procedurally, our essay will follow in four parts and a conclusion. First, we deal with principles underlying the relationship between church and state in Early Christianity. Second, we will treat major developments that came as a result of the Constantinian Settlement. Third, we will underscore the intent of the Bill of Rights to protect the free exercise of religion from the power and interference of the state. And finally we will assess what has gone wrong in the contemporary

period. Our conclusion takes the form of a restatement of our findings as to what should be the attitude of the Christian community toward the state and some suggestions as to a way forward out of the present crisis.

Early Tensions between Church and State

After the fall of the Theocracy in Israel in 588 B.C. and the ensuing exile, the Jewish people for many centuries had the experience of existing under the political rule of a gentile sovereign. For an ethnic people, marked out by circumcision as God's elect nation, and in possession of a revealed law that was supposed to give direction in all aspects of their lives, this was a bitter pill to swallow. For it was clearly their belief that their God was universal Sovereign. Yet they had to submit daily to the political authority of one who was not their own.

Since they could not deny the political reality under which they lived, nor renounce monotheism, the Jews developed an interesting response to their situation. God has all authority; but he has freely given the power to rule over earthly kingdoms and territories to certain rulers (Dan. 2:21;37-38; Wisdom of Solomon 6:1-3; Sirach 10:4; 17:14). This had a certain salutary effect for the Jew. For he could reason that the gentile Sovereign was ultimately responsible to the one God; and if the earthly king got too far out of line inevitably he would fall under wrath and judgment. Or positively, since the ruler was placed in power by God for beneficent purposes he could claim obedience—as obedience

to God—even if he were a gentile.⁷

This is exactly what Paul tells the Christians at Rome in the famous passage of Romans 13:1-7. They were exhorted to be subject to rulers who ultimately draw their authority from God (Romans 13:1,2).⁸ Christians should recognize this reality, pay their taxes, and make the best of living under the present administration (Romans 13:3-7). This attitude was so widespread in the early church that it may be termed normative for the early Christians (1 Pet. 2:13-17; 1 Tim. 2:2; Titus 3:1).⁹ Theologically, the point seems to be that Christians were simply to acknowledge the state exists and to develop strategies to live in light of that reality. No attempt was made to develop a philosophical or theological rationale for the state in the total scheme of things.

Nevertheless, there remained at least one important qualification in the Christian's allegiance towards the state in the early centuries and may be drawn from the teaching of Jesus himself. In one of his debates with the Pharisees (Matt. 22:15-22) Jesus makes the point that an object belongs to the one whose image it bears (Matt. 22:20). His point is that Roman coins belong to Caesar, who mints them, and thus has the right to regulate daily commerce. But, by implication the human being, made in the likeness or image of the Creator (Gen. 1:26), is ultimately claimed by God. Thus the saying, "Render unto Caesar the things that are Caesar's and to God the things that are God's," does not mean that there are certain sacrosanct zones in

life that may be marked off and labelled "God's and Caesar's." God's claim on the human is infinitely superior to Caesar's regulation of commerce.

This suggests that God's claim always transcends and places limitations on the state; not vice versa. Theologically, this must entail two things. First, the state must recognize that, for some, its claims are always to be qualified by the preaching of the good news of Jesus and the freedom to form communities to develop a lifestyle based on that preaching; and, second, that in the course of living according to the precepts of the Gospel these communities certainly have the right to say that the state has limits.¹⁰

In the early Christian centuries two different attitudes toward the state were derived from these theological axioms. Normally, the view that the state exists and we should do our best to co-operate with it, prevailed. This view, based on Romans 13, explains the fact that Christians could be found in public service,¹¹ and even, on certain occasions, may have served in the Roman army.¹² On the other hand, following the axiom of Jesus, based on Matthew 22, that allegiance to God sets clear limits on the state's claim we find very soon those who were prepared to assert that the Roman imperial system had overstepped the boundaries of legitimate authority with its claims of ultimacy (Rev. 13:1-18). The experience of the martyrs in the second and third centuries culminating in the Great Persecution of Diocletian in 303 A.D. indicates a resolute attitude by

considerable segments of the Christian community to contest any claim by the state to ultimacy.

The Constantinian Settlement and the
Establishment of Christendom

In 313 A.D. the emperor Constantine ended the persecutions against Christians in the western part of the Roman empire. In addition he embraced Christianity as a Weltanschauung to serve as the basis of unification in the Empire. Despite some bumpy episodes the effort proved successful and by 383 Theodosius I had established Christianity as the official religion of the Empire.

In the East, upon establishment, there developed the Byzantine Theocracy. This political-religious order was to last for more than a thousand years until 1453 when the last emperor was killed in a battle with the Turks and Constantinople fell. Here the old Greek ideas of the polis (Greek city-state) as the be-all and end-all of one's social world were extended to the establishment of a series of nation states. ¹³ The emperor, somewhat as envisioned in Hellenistic Judaism and Paul, ruled by the authority of God. But as a Christian he now stood as the earthly ruler over both church and state. The idea of church and state in a modern sense was non-existent. They were inseparable. But the view of church and state in the East was not to be the wave of the future in the Western world.

Developments in the Western part of the Empire after Constantine were much more significant. In 410 Rome fell to Alaric the Goth. This event sent shock waves throughout the Empire. In

North Africa the great bishop Augustine almost immediately commenced his classic The City of God in which he attempts to set the fall of Rome in context in both secular and Christian history. Augustine's point was that earthly states (i.e., cities) rise and fall. Even the greatest, Rome, like everything else in this world, is temporal. As humans, the Christians must live in earthly cities and be subject both to their glories and their defeats. But there is one eternal heavenly city that is not subject to the ravages of time. This city is not visible like an earthly city. But through our life in the church (co-mingled with the earthly city—but partly also an image of the heavenly city) one can have a window through the walls of time whereby one can, as it were, look out on the heavenly city and see it as the ultimate goal of the soul.¹⁴

The net effect of The City of God was that it served as a metaphor for future discussions about church and state in the West for the next thousand years. Theologically, it placed great stress on the authority and sovereignty of God over both church and state. In the Middle Ages the focus shifted from interest in the fate of the earthly city to the City of God which served as a kind of Platonic archetype for Christendom. In some cases interest in building a Christian civilization practically subsumed the state so that the state became an appendage of Christendom.¹⁵ During these times the church claimed to wield the power of the sword in both the spiritual and secular realm. Needless to say this was a fundamental misrepresentation of the Gospel of the

Prince of Peace.

One thousand years after The City of God, the Augustinian monk Martin Luther was heavily influenced by its terminology and ideas. Like Augustine, Luther also developed a theology of the two kingdoms and also stressed God's total sovereignty over both. The church, the visible representative of the spiritual kingdom, should be about the business of preaching the Gospel. The state, the earthly kingdom, was God's indirect vehicle for ruling the fallen creation and maintaining order in society.

Certainly Luther had no problem in stressing the absolute sovereignty of God over the state. He also stressed that it was the role of the state to allow the free and unhindered preaching of the Gospel. Largely in reaction to papal involvement in political affairs, however, Luther was weak in placing any limitation on the power of the state to exercise power through the sword. He thought that the state had nothing to do with the process of redemption; so, the process of redemption should have nothing to do with the state--an order of creation. Eventually, for the state, this was interpreted to mean it had the right to exercise violence even against other Christian groups--especially the Anabaptists.

By contrast, Calvin also presupposed the Augustinian ideas of the total sovereignty of God over both church and state. But his understanding of the inter-relationship between church and state differed from Luther's view. Calvin viewed church and state as two different spheres of the one rule of God that

complemented each other. The ideal state, under the sovereignty of God, ought to be organized so that church leaders and the police and magistrates worked hand in glove to bring the whole community totally under the captivity of Christ. Thus, for Calvin, the state may have a salvific effect in the sense that Christian rulers were expected to promote in every way the spiritual growth of the citizenry.¹⁶ The reality of the state serving to promote the cause of Christian religion carried over as an influential factor wherever Calvinism had influence in Europe. It also was of immense significance in the Puritanism of the New England colonies in the New World.¹⁷ From time to time it also demonstrated triumphalist tendencies.

On balance, even though many spiritual giants were raised during this era, it can be truthfully said that the period from the Constantinian Settlement to Luther and Calvin resulted in a corruption of the church. The reason for this is simple. The state was seen as the patron and sponsor of the church rather than the church being the community which, through the power of its obedience to transcendent norms, set limits on the state. The former attitude promoted triumphalism; the latter a servant lifestyle. Four centuries have elapsed since the Reformation. Pitifully, some of Christendom still attempts to be the moral voice of the state rather than the people of God in humble service on behalf of God's Kingdom.

The American Scene

When the Bill of Rights was adopted in 1791 a very lively

debate had been in progress in America as to what extent the state (ie. the National Government) should take responsibility for providing a climate for the nourishment of religious faith.

Historians are generally agreed that the two dominant partners in the debate were the diverse but influential Puritans who were well entrenched throughout the old English colonies and a certain group of rationalists, many of whom came from comfortable circles in Virginia. The latter definitely were children of the European Enlightenment.

It should be remembered that at the time of the American Revolution at least seventy-five percent of Americans had grown up as Puritans. ¹⁸ In its Calvinist form Puritanism clearly called for a "holy community" with the teachers, clergy, and magistrates all totally committed to building a moral society based on the teaching of Jesus. For these people the church was the center of the holy commonwealth or city set upon a hill; it definitely should be established--and was. Indeed the Congregational Church remained so in Massachusetts until 1833; almost forty years after the Bill of Rights! In the discussions leading up to the adoption of the Bill of Rights, Puritan views carried considerable weight and there was no doubt they believed that religion had a very prominent role to play in public life.

On the other hand the rationalists, such as Jefferson and Madison, who were producing an American Enlightenment, sought to protect the integrity of the private conscience to practice religion freely. They believed that when religion operated under

the banner of the state, as in the previous centuries in Europe, it became corrupt and oppressive and the source of endless wars.¹⁹ The best way to preserve Christianity as a fountainhead of piety and morality (which they certainly agreed it was) would be to separate it from corrupt influences and politics of the state. Religion itself could then prosper among the citizenry²⁰ for it was clearly necessary to undergird the society. Even Thomas Jefferson, when he devised his plan for the University of Virginia replete with his attempt to replace the teaching of theology with anthropology, proposed that the religious sects be invited "to establish within, or adjacent to, the precincts of the university, schools for instruction in the religion of their own sect."²¹ Thus the rationalists, although more nuanced in their views than the Puritans, thought that there was an important role for religion in American public life. The modern idea that theistic religion should have no impact upon the conduct of American public policy did not exist in the late eighteenth century. It was taken for granted that religious convictions were and ought to be foundational for the operation of the new constitutional democracy.²²

It was in the context of this ethos that the first Amendment was worded: "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof . . ." in part as a compromise between those two competing views of how best to preserve the value of religion in our society. That is, the National Government was forbidden to

establish a religion (viz., the Anglican or Congregational Church) but at the same time, in keeping with the compromise, and out of concern for the rights of the states, it could not disestablish a religion that had been established in a particular state. And, in fact, the compromise served well. The states continued to promote a favorable environment for the growth of religion (especially Protestantism) although, after a while, establishment of state supported churches ceased. But throughout the nineteenth century and much of the twentieth century the various states allowed Bible readings and prayer in the schools. It was under this interpretation of the First Amendment and in this ethos that the Bible Chairs were established in Texas and other states. In the words of Justice Joseph Story who served on the Supreme Court from 1811 to 1845:

Probably at the time of the adoption of the constitution and of the first amendment to it . . . the general if not the universal sentiment in America was, that Christianity ought to receive encouragement from the state as long as it was not incompatible with the private rights of conscience and the freedom of religious worship. An attempt to level all religions, and to make it a matter of state policy to hold all in utter indifference would have created universal disapprobation, if not universal indignation. The real object of the amendment was not to countenance, much less to advance Mahometanism, or Judaism, or infidelity, by prostrating Christianity; but to exclude all rivalry among Christian sects, and to prevent any national ecclesiastical establishment which should give to a hierarchy the exclusive patronage of national government.²³

Thus the Founding Fathers of constitutional democracy in America considered the contribution of religious groups to the ethos of society so important that they placed at the forefront

of the Bill of Rights protections from the intrusion of the state into these matters. Yet, in retrospect, it would probably be fair to say that the Founding Fathers only dimly perceived the coercive power of the state to set the agenda for our society in terms of its capacity to define the role of religion in public life and education. Was it too romantic to think that any nation-state would ever freely yield to certain religious communities the right to found and organize churches which promoted actions occasionally perceived to be in express opposition to the interests of the state?

The Contemporary Challenge

Two centuries have passed since the Bill of Rights was ratified and America is now a much more complicated place. The influence of the National Government has grown enormously; and on the grounds of the need for civil harmony the goal of the Founding Fathers to preserve religion has shifted to a policy of simply removing religion from the public square and institutions. This shift in policy seems to be informed by the idea that religion is purely a private preference.²⁴ Thus, in education, the intention of the Founding Fathers has become completely reversed. The right to exercise religion and the encouragement to teach about it in the schools on the assumption that it has ultimacy has, in effect, been removed from much of the public arena.²⁵

Americans, by and large, are a religious people. Many ask

how can it be that in such vital areas of life as business, the media, and especially education, the relatively few people who openly prefer the total secularism of society are in full control?²⁶ What has happened in the past two centuries?

To answer this question fully would take us too far afield. But in addition to our charge that the state has exercised coercive power in ruling religion out of the government schools²⁷ we also assert that it has been able to do this with the help of a very compliant legal system. Some observations about the latter point may take us well along the way in explaining our present situation.

In the first instance it should be remembered that originally the Bill of Rights was considered to limit the activities of the National Government and it was not until 1940 that the Supreme Court extended the religion clauses to the states by "incorporating" them into the Fourteenth Amendment which forbids any person to be deprived of "life, liberty, or property without due process of law."²⁸ This direct linkage between the First and Fourteenth Amendments has had significant implications with respect to the interpretation of the clause, "Congress shall make no law respecting an establishment of religion . . ." Previously this clause had been interpreted to mean that the National Government could not establish a religion or move to supplant or disestablish a religion established by the states. In other words this clause (known in legal parlance as the establishment clause) was primarily concerned with the issue of state's

29 rights. But after 1940 it came, in the courts, to be understood in the sense that the American people were guaranteed a right to liberty, and that entailed (within certain limits) a right to a religiously neutral government.³⁰ No unit of American Government can establish religious belief. One has a right to be free of religion.

In and of itself, the idea of a religiously neutral government initially has appeal. The problem, however, is to maintain neutrality and not tilt toward a position of hostility against religion so that the free exercise clause of the First Amendment becomes meaningless.³¹

Predictably the current interpretation of the First Amendment by the courts has satisfied no one. Secularists continue to champion the cause of total separation between church and state based on modern judicial interpretation of the establishment clause. The religious community points to the original intent behind the free exercise clause.³² Caught in the middle of this hostile debate the Supreme Court waffles back and forth pleasing no one. In the meanwhile the Court risks losing respect among the public as a supposedly neutral place where legislative intent is subjected to scrutiny, under the restriction of the Constitution, if it cannot create a consensus as to what the religion clauses in the First Amendment really mean.

It was in the context of this debate that in July, 1987, the Bible Chairs were closed upon the direct instigation of the state. It was argued that, according to certain tests, the Bible

Chair arrangement violated the establishment clause of the First Amendment. Their tenuous connections with the government universities made them a victim in this current judicial-political-religious conflict.

Some see these developments as positive. They argue that this is just another chapter in the American break from the dominance of the Constantinian Settlement over Western civilization, and its model of triumphalist Christendom.³³ From this perspective the tension between secular government and religious liberty has been a healthy one and has resulted in curbing the totalitarianism of the state as well as producing the most dynamic and thriving churches on the face of the earth. Our analysis points in another direction.

We have argued that during the past two hundred years, due to a combination of instrumental reasons and judicial interpretation, the coercive power of the state has become so dominant in education that the faith communities have reached the point that they have difficulty finding resources and capacities to pass on their own tradition to the next generation. This is a total reversal of the situation in education that prevailed two hundred years ago. Then the state aided; now it hinders.

In particular, the current judicial interpretation of the Bill of Rights has not created neutrality toward religion in the government schools but a climate of hostility toward the claims of the God of Abraham, Jacob, and Jesus Christ. We charge that few students in either the public schools or government sponsored

higher education are presented with a fair chance to examine objectively in a neutral setting the philosophical and theological claims of the historic Christian tradition. To use the language of rights, a student must know a certain amount about a subject to have the right to an opinion on the matter. On the matter of Christianity it is doubtful whether this is the case today.

Some thoughtful observers believe that our society cannot hold together merely on the basis of law;³⁴ something else must undergird it.³⁵ To be sure, the Augustinian sense of a government that stands under the Sovereignty of God has about gone in the West. It remains to be seen whether civic republicanism or some version of civil religion can be revitalized in our society.

But that is not our question. Our point is that for the church to remain credible as the vanguard of the ultimate triumph of God in history it must not only have the freedom to preach the gospel, organize, and discipline in keeping with its Story but it also, at times, must speak prophetically to the state. Thus we say that by its establishment of an educational system that has no room for religion the state has overstepped its bounds. Whether, on our part our analysis is empty rhetoric, or it really does carry weight, will depend ultimately on the degree of integrity and persistence we show as an alternative community in being faithful to the Story which claims our ultimate allegiance.

A Strategy for the Future

The thrust of this essay has been to put into a wider historical context the current tensions between church and state especially in the area of public education.

We have seen that any Christian doctrine of the church and its views of the state that deserves that name must proceed from three fundamental axioms: (1) the state is a reality and exists under the sovereignty of God; (2) the Christian community will not recognize that the state has authority to hinder the preaching of the Gospel and the formation of communities based on its Story; (3) and by the way it lives in faithfulness to the Story, from time to time, the church will indicate that the state recognize that there are limits to its coercive power over its citizens and face up to the implications of that fact.

With reference to education, the time has come to speak out in respect to the current anti-religious bias that permeates the educational process in the government schools in America today. So, we conclude by setting forth the general outline for a strategy that may be developed by the Christian community to meet this situation.

First, in keeping with our understanding of the intent of the religion clauses in the First Amendment, Christians may expect and even demand that the state schools exercise considerable sensitivity and take greater responsibility for recognizing the impact and the importance of the contributions of Christianity to our culture.

With respect to primary and secondary education the Christian community ought to insist on co-operation from the state for release time for students for purposes of prayer, Bible studies, and catechetical instruction. Also the curriculum as it impinges upon the role of Christianity in the West, should be totally reevaluated. Under the guise of neutrality, teaching stories of the Bible and about the contribution of Christianity to our civilization has all but been erased in the government schools of America. In the name of objectively telling the Story of our culture this situation must be rectified. Such dubious educational practices as discussing Puritans in a history class, but bracketing any mention of their religious beliefs, should be halted forthwith.

In higher education there should be much greater attention given in the public universities to seeing that students know the content of the Bible, the great classic of our civilization, and that they know enough about the foundational ideas of Christianity that they can intelligently have an opinion on them. Furthermore, government institutions of higher education should accept academic credits from comparable privately accredited institutions which may teach from a perspective of ultimacy. Thus true cultural diversity could again flourish in the Academy.

Second, the Christian community should realize that it has, as always, the primary responsibility to pass on the faith to the next generation. Christian parents should raise their children with the expectation that a knowledge of the Christian faith is

every bit as important for them as obtaining the skills to get a job in the market place.

Minimally, this means that Christians must take very seriously what happens in the church educational programs and youth groups. It means that when Christian students attend government universities that there will be an expectation that they should seek a comparable level of intellectual and spiritual effort in growing in the Christian faith.

Above all, if the present non-neutrality toward religion in government education continues, an obvious solution may be the establishment of pluralistic schools perhaps using tax dollars to support truly public education that represents a variety of religious and ideological positions.

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In the total scheme of things the life of the Bible Chairs in Texas was not very long. The issues that led to their demise, however, will remain with us for a considerably longer period of time.

Notes

1

The quote from Senator Wigfall is found on p. 8 in the legal Request for Ruling in Support of Existing Programs and to Reconsider and Modify Opinion No. JM-352 submitted by William B. Hilgers before the Honorable Jim Mattox, Attorney General of Texas, in 1987.

2

The first Bible Chair, as far as I can tell, was established by the Disciples of Christ at the University of Michigan in 1893.

3

"Churches ask new Bible course ruling," Dallas Times Herald, November 18, 1985.

4

Joe Horn, Associate Dean of Liberal Arts at the University of Texas at Austin is quoted as responding to such charges with the comment, "baloney, the Bible will be a serious and major part of our studies program," Judith Horton, "UT Schools to Suspend Use of Bible Chairs," TFA Bulletin, 3/1 September (1987) 6; see also Monty Jones, "UT to replace Bible courses called illegal; regular faculty to teach classes on Christianity," Austin American Statesman, November 18, 1987.

5

Stanley Hauerwas, "How Christian Universities Contribute to the Corruption of Youth: Church and University in a Confused Age," Katallegete 9/3 (Summer, 1986) 23.

6

J.D.G. Dunn, "Romans 13:1-7 - A Charter for Political Quietism?" Ex Auditu 2 (1986) 64.

7

Ibid.

8

I do not accept the classic position of Oscar Cullmann, The State in the New Testament (London: SCM Press, Revised Edition 1963) 43-56 that the Greek word exousiais "political authorities," in Rom. 12:1 has a double reference. That is it is said to refer not only to the government but to angelic powers who stand behind and even manipulate earthly governments. Cullmann's exegesis is very important and has spawned some influential theories about the state. For a fair analysis of Cullmann's position see C.E.B. Cranfield, Romans: Volume 2: IX-XVI (ICC: Edinburgh; T and T Clark 1979) 656-663.

9

Dunn, "Romans 13," 65 says that for Paul and the early Christians this view of government is simply a prudential recognition that this is the way society always has operated and always will. Thus Paul's view of the situation is primarily theological and not Christological. Even though Christians belong to a heavenly city (Heb. 13:14; Philipp. 3:20) they still have to live in this not entirely redeemed world and make the best of it.

10

Stanley Hauerwas, "On Learning Simplicity in an Ambiguous Age," Katallegete 10 (Fall, 1987) 45; J.H. Yoder, The Christian Witness to the State (Newton, Kansas: Faith and Life Press, 1977 third printing) 5 puts it well, "The reign of Christ means for the state the obligation to serve God by encouraging the good and restraining evil, i.e. to serve peace, to preserve the social cohesion in which the leaven of the Gospel can build the church, and also render the old aeon more tolerable." The point is that the Christian should view the state as functioning as a leaven in society for the good of the Church and not vice versa (cf. Yoder, 36).

11

Christians belonging to "the household of Caesar," Philipp. 4:22. cf. Wayne Meeks, The First Urban Christians: The Social World of the Apostle Paul (New Haven: Yale University Press, 63,73).

12

Robert Grant, Greek Apologists of the Second Century (Philadelphia: Westminster Press, 1988) 83-85.

13

T.M. Parker, Christianity and the State in the Light of History (London: Adam and Charles Black, 1955) 70.

14

C. Villa-Vicencio, Between Christ and Caesar: Classic and Contemporary Texts on Church and State (Grand Rapids: Eerdmans, 1986) 21-23; M. Muggeridge, A Third Testament (Boston: Little, Brown, and Company, 1976) 51.

15

This happened especially in the papacies of Innocent II to Boniface VIII (the twelfth to the fourteenth centuries).

16

Thomas G. Sanders, Protestant Concepts of Church and State: Historical Backgrounds and Approaches for the Future (New York: Holt, Rinehart and Winston, 1964) 226-228.

17

Space does not allow us to discuss another significant view of the relationship between church and state that developed in the sixteenth century: that of the evangelical Anabaptists in Europe and the Independents in England. This view stressed a radical disjunction between church and state and was to provide both the terminology and seeds for the later influential American idea of the wall between church and state.

18

A. James Reichley, Religion in American Public Life (Washington D.C.: The Brookings Institution, 1985) 53.

19

Merrill D. Peterson, "Jefferson, Madison, and Church-State Separation," Conceived in Conscience, Richard A. Rutyna and John W. Kuehl, eds., (Norfolk, Virginia: Donning Company, 1983) 37.

20

As is well known this view is clearly a presupposition behind many of the public documents that were functional in America after the Declaration of Independence.

21

Reichley, "Religion," 95.

22

Ronald F. Thiemann, "Toward an American Public Theology," Harvard Divinity Bulletin (October-November 1987) 4.

23

Charles E. Rice, "The First Amendment: Religious Neutrality or an Establishment of Secularism," Conceived in Conscience, 45.

24

Hauerwas, "Christian Universities," 23.

25

Ibid., 23-26. The modern state is very strong on the notion of cultural pluralism. By this, however, it appears to mean no barriers on the basis of race, class, or religion should be set up so as to deny access to the key institutions and structures of our society. Pluralism is certainly not defined as the freedom to teach and advocate different positions such as a transcendent perspective that may call into question or threaten a policy of the state. As a particular example, if a teacher would say in her classroom that a certain understanding of life found in the Christian faith is "the answer" to the problem of abortion she would be out of bounds in the public schools. In this setting one is supposed to present to the students the various points of view on the subject and allow them to choose what they perceive to be the correct answer. But, as Hauerwas points out, this kind of exercise is not very fruitful ethically because it fails to take into account the key function of habituation in the development of virtue. This attitude has contributed greatly to the widespread and lamented triumph of cultural relativism in the schools the fruit of which we are only beginning to reap.

26

Such a situation provides fertile ground for the spawning of conspiracy theories. The New Right has found a cadre of "secular-humanists" who are held to be responsible. But this view is scarcely plausible. It seems closer to the mark to say that secularism has become acceptable because it provides a means of discourse to set aside the deep cultural divisions within our society by providing some common ground for discussion and, above all, for getting things done. Thus, even for the Christian businessman, (George Marsden, "Are Secularists the Threat? Is Religion the Solution," Unsecular America, Richard Neuhaus ed., [Grand Rapids: Eerdmans, 1986] 33-35) if talk of religion gets in the way of maximizing profits it will usually go; similarly, in the media and sports; and as everyone knows, public school administrators have enough to worry about without adding potential arguments over religion to their problems. So their way of handling these issues is to avoid them as much as possible.

27

We use the term government schools because that is what they are. The "public", aside from contributing its tax dollars, has precious little say in the educational process of these schools. The curriculum, policies and procedures, are all set by a professional bureaucracy which operates in an environment that views itself as having the capacity to discern and carry out absolutely the will of the state.

28

Myles C. Stenshoel, "The Supreme Court, Supreme Law, and Supreme Being: A Current Constitutional Perspective," Dialog 24/4 (1985) 252. It is interesting to note that before 1940 the

Supreme Court heard relatively few cases on the matters of church and state. Since 1940 it has been swamped with cases and there is no prospect that these will diminish in the near future.

29

Ibid.

30

Ibid., 253.

31

Some argue that religion is a set of individual private opinions about the world and not much else. No one would have any problem with free exercise under this definition. It is when it is claimed that free exercise entails allowing religious communities to advocate their views on an equitable basis in the public square with those who speak from the standpoint of no religious faith that we find the current judicial interpretation of the "establishment" clause stridently invoked.

32

As we have argued both the establishment and free exercise clauses are compatible with a unitary reading of the state protecting and enhancing the role of religion in public life.

33

Franklin H. Littell, "The Churches and the Body Politic," Daedalus (Winter, 1967) 29-33; also compatible with this view is the large body of literature on church and state that comes out of the J.M. Dawson Institute of Church-State Studies at Baylor University in Waco, Texas. This includes the Journal Church and State and the important book Ecumenical Perspectives on Church and State: Protestant, Catholic, and Jewish, James E. Wood Jr. ed., (Waco: J.M. Dawson Institute, 1988).

34

Thiemann, "American Public Theology," 6 tells of a case where researchers in the biological sciences have urged publicly that the state, since no religion is established, ought to make it a matter of policy that future bio-medical research proceed on the basis that "all human life is not of equal worth." Without some common underlying view of morality, Thiemann asks, how can the law deal with such an issue as this?

35

The point is that in a civilized society the function of law is not to be a harsh, mechanical, impersonal restraint of personal freedom but a delicate fabric designed to protect the operative underlying values of the society. As pointed out by prominent legal authorities noted by Michael Weed, "The Twilight of the Gods: Pluralism, Morality, and the Church," ICS Faculty Bulletin 3, (November, 1982) 9.16 divorced from its philosophical and religious foundation in the Story-line of Western civilization the law itself seems in danger of being perceived as totally capricious and becomes ineffective. The question arises, "Can the law function adequately in our fragmented Western pluralistic society divorced from a common Story-line that normally, in the past, has been provided by Christianity?"

36

This proposal may startle some but it has already been set forth as a serious option in the evangelical community. cf. Marsden, "Are Secularists the Threat?" 45.

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