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EVANGELICAL CENTRISTS AND MODERATE BAPTISTS
THE CASE FOR INCOMPATIBILITY

A PAPER SUBMITTED TO

DR. CHARLES MCDANIEL

BY

AARON WEAVER

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Introduction

Over the last two years, evangelical authors and activists have begun to argue that a coalition of irenic evangelicals has emerged as a bona fide constituency in American politics. These centrist evangelicals have embraced a broadened social agenda that according to a recent Beliefnet.com poll ranks poverty, the environment, health care, education, the economy, and ending torture and the Iraq war as more important issues than abortion and gay marriage, the two pet issues of the Religious Right's sex-and-abortion agenda.¹ Richard Cizik, Vice President for Governmental Affairs of the National Association of Evangelicals and one of the most prominent evangelical lobbyists in the United States, claims that "a historic shift is occurring." Cizik says this shift is the "equivalent to an earthquake in slow motion - people aren't sensing it."² Long time progressive Christian activist Jim Wallis describes this slow-motion earthquake as a new Great Awakening - "a revival of faith that is directly leading to new calls and commitments for social justice."³

Baptist ethicist and evangelical activist David Gushee sees hints of this new Great Awakening and can also feel the seismic waves. In his new book, *The Future of Faith in American Politics: The Public Witness of the Evangelical Center*, Gushee argues that an "evangelical center" is emerging onto the political scene which represents as many as one-third of America's evangelical community. According to Gushee, this "emerging evangelical center" may decide the 2008 Presidential Election in November.⁴

¹ Greg Warner, "Will 'evangelical center' emerge to rival waning Christian Right?," *Associated Baptist Press*, February 21, 2008, <http://www.abpnews.com/3044.article> [accessed April 4, 2008].

² Ibid.

³ Jim Wallis, *The Great Awakening: Reviving Faith & Politics in a Post-Religious Right America* (New York: Harper Collins Publishers, 2008), 3-4.

⁴ Warner, "Will 'evangelical center' emerge to rival waning Christian Right?"

Meanwhile, another group of centrist Christians has re-emerged in recent months on the national scene. In January 2008, Atlanta played host to over 15,000 Baptists affiliated with organizations representing over a combined twenty million Baptists located in North America. This event, called the Celebration of a New Baptist Covenant, focused on many of the same social issues that the "evangelical center" is concerned with such as poverty, HIV/AIDs and immigration reform.⁵

Many of the organizers and participating organizations involved in the historic celebration are former Southern Baptists whom I describe in this paper as "moderate Baptists." In light of the emergence of an "evangelical center" in American politics, some have asked whether moderate Baptists will join up with this centrist coalition. Thus, the purpose of this paper is to analyze this important question and the possible ramifications for moderate Baptists if this important question is answered in the affirmative.

This paper is divided into four parts. Part I will examine David Gushee's argument for an "Emerging Evangelical Center." Part I will address the characteristics of this "Emerging Evangelical Center" with an emphasis on the church-state views of this coalition. Attention will also be given to the relationship between moderate Baptists and this new evangelical center. Part II will focus exclusively on the legal theory of "substantive neutrality" which Gushee emphasizes is the theory that evangelical centrists use to interpret the First Amendment's Establishment Clause. Part III focuses on two moderate Baptist supported organizations, the Baptist Joint Committee for Religious Liberty and the Texas Christian Life Commission, which have consistently opposed all efforts to fund religious education and finance pervasively religious

⁵ See the Celebration of a New Baptist Covenant website at <http://www.newbaptistcelebration.com>.

organizations. Part IV will offer a few concluding thoughts on any potential relationship between the evangelical center and moderate Baptists.

I. The Emerging Evangelical Center

A. David Gushee and the Emerging Evangelical Center

In his newly released book, *The Future of Faith in American Politics: The Public Witness of the Evangelical Center*, Baptist ethicist David Gushee identifies what he calls an “emerging evangelical center” that is neither left nor right.⁶ While the “evangelical right” has long been represented by world renown fundamentalists such as James Dobson and the late Jerry Falwell, the “evangelical left” has in recent years come to be symbolized by lesser known but well respected religious leaders such as Jim Wallis and Tony Campolo.⁷ But today, according to Gushee, there is “emerging a visible and increasingly powerful evangelical center”⁸ that is “increasingly vibrant and promises to play an increasingly significant role within evangelical Christianity and the United States.”⁹

Throughout *The Future of Faith in American Politics*, Gushee attempts to “stake a claim” to this emerging evangelical center by contrasting it with the evangelical right and evangelical

⁶ David Gushee, *The Future of Faith in American Politics: The Public Witness of the Evangelical Center* (Waco: Baylor University Press, 2008), xviii. In an opinion piece written after the publication of his book, Gushee explained that polling data led him to argue that “non-white evangelicals and younger evangelicals definitely skewed in a centrist or more liberal direction overall than did older white evangelicals.” This data led Gushee to project that generational change and increasing demographic diversity among evangelicals in America “would lead to the emergence of a strong and visible evangelical center, a more muscular evangelical left, and in some cases a center-left coalition representing half or more of American evangelicals.” See David Gushee, “Emerging evangelical center may decide 200 election,” *Associated Baptist Press*, February 19, 2008, under “Opinion,” <http://www.abpnews.com/3037.article> [accessed April 4, 2008].

⁷ David Gushee, “Emerging evangelical center may decide 2008 election,” *Associated Baptist Press*, February 19, 2008, under “Opinion,” <http://www.abpnews.com/3037.article> [accessed April 4, 2008].

⁸ Ibid.

⁹ Gushee, *The Future of Faith in American Politics*, 3.

left.¹⁰ Gushee offers strong criticisms of the evangelical right. He claims that the evangelical right has “given up its fundamental allegiance to Jesus Christ in aligning itself so tightly with the Republican Party.”¹¹ Gushee also laments the narrowness of the evangelical right’s political agenda. However, he stresses that there are a number of issues where the evangelical center is generally in full agreement with the evangelical right. These include opposition to gay marriage, *Roe v. Wade*, euthanasia, sex outside of heterosexual marriage, the creation-for-destruction of embryos and the harvesting of stem cells from existing embryos.¹²

Gushee also directs several criticisms towards the evangelical left and its leaders. He claims that leaders of the evangelical left such as Tony Campolo, Jim Wallis, and Brian McLaren tend to downplay issues central to the agenda of the evangelical right including abortion and homosexuality. Gushee chides the evangelical left for not addressing these issues as much as he would like.¹³ However, Gushee notes that the evangelical center also shares many common characteristics with the evangelical left. Some of these include an emphasis on the plight of the poor as central to a biblical moral agenda, opposition to the routine resort to war, high priority given to the environment and climate change, a commitment to human rights which includes

¹⁰ Gushee defines the “evangelical right” as the “conservative evangelical activist community” which includes organizations such as the American Family Association, Christian Coalition, Concerned Women for America, Eagle Forum, Family Research Council, Focus on the Family, High Impact Leadership Coalition, Moral Majority Coalition, Southern Baptist Convention Ethics and Religious Liberty Commission and the Traditional Values Coalition. See Gushee, *The Future of Faith in American Politics*, 23-55. Gushee notes that the “evangelical left” like most evangelicals roots their faith in the authority of the Bible. However, Gushee says the evangelical left is *left* because “it reads Scripture and interprets the demands of Christian discipleship to require what in our contemporary American and Christian contexts are considered left-leaning moral commitments.” See Gushee, *The Future of Faith in American Politics*, 58.

¹¹ Gushee, *The Future of Faith in American Politics*, 49.

¹² Gushee notes that only majority opposition exists among centrist evangelicals to the harvesting of stem cells from existing embryos. Gushee, *The Future of Faith in American Politics*, 88.

¹³ *Ibid*, 88-89.

opposition to torture and a “constrained, critical patriotism rather than a nationalist ‘God and country’ stance.”¹⁴

Unlike the evangelical right and the evangelical left, Gushee explains that the evangelical center is more carefully committed to political independence and aims to avoid partisan entanglements. Where the evangelical left speaks of racial justice, the evangelical center prefers racial reconciliation. According to Gushee, the evangelical center rejects the “working pacifism” of the evangelical left and instead is willing to support wars that “meet a careful rendering of the just-war theory.” Gushee explains that the evangelical center does not resonate with the evangelical left’s tilt toward the Palestinians in the Israeli-Palestinian conflict. While mostly silent on issues of gender and public education, the evangelical center speaks more openly and extensively than the evangelical left on abortion and gay marriage.¹⁵

B. Moderate Baptists and the Emerging Evangelical Center

Greg Warner, editor of the Associated Baptist Press, asked in a recent article, “If the Religious Right is losing its influence, as many pundits predict, will it be replaced by the ‘other’ evangelicals – a center and left coalition with a broader social agenda and a kinder, gentler brand of cultural engagement?”¹⁶ One month later, Warner came back to his readers with another interesting question. He asked, “If an ‘evangelical center’ emerges from the current shake-up in American politics, will moderate Baptists¹⁷ be part of it?”¹⁸

¹⁴ Ibid.

¹⁵ Ibid, 90-91

¹⁶ Greg Warner, “Will ‘evangelical center’ emerge to rival waning Christian Right?” *Associated Baptist Press*, February 21, 2008, <http://www.abpnews.com/3044.article> [April 15, 2008].

¹⁷ Moderate Baptists trace their Baptist lineage through the Southern Baptist Convention. Most moderate Baptists are actually former Southern Baptists. Historically, moderate Baptists have repeatedly affirmed the centrality of biblical authority but they resisted inerrancy as dogmatism. To this day, moderates continue in their attempt to affirm what they consider the heart of the Baptist heritage: the authority of the Bible for religious faith

In his opinion pieces as a guest columnist for Associated Baptist Press, David Gushee has repeatedly answered Warner's two questions in the affirmative.¹⁹ He believes that most moderate Baptists are also evangelical centrists.²⁰ "Most moderate Baptists are center or center-left evangelicals, they just don't know it," says Gushee.²¹ He notes that "if you define 'evangelicalism' as core doctrinal beliefs, there's no reason why Baptists would not be evangelicals." Dating the roots of the evangelical movement to the Protestant renewal movements of the sixteenth century, Gushee defines an "evangelical" as one who holds that the final, ultimate authority is the Bible, believes that Jesus Christ died for the salvation of all, believes in the importance of evangelism and in "engaged orthodoxy" or applying faith to bear on culture.²² Gushee believes that by this definition over ninety percent of white Baptists in the

and practice, soul competency, personal religious experience, the priesthood of all believers, religious liberty and the separation of church and state, local church autonomy, anti-creedalism, and unity in missions and evangelism amidst some theological diversity. Moderate Baptists cooperate together at the national level primarily through the Cooperative Baptist Fellowship and to a much lesser extent the Mainstream Baptist Network. Some moderate Baptists in certain geographic areas have aligned themselves with the American Baptist Churches USA. At the state level, large numbers of moderate Baptists can be found participating in the Baptist General Convention of Texas, Baptist General Association of Virginia and the Baptist General Convention of Missouri. Moderate Baptists are also deeply supportive of the work of the Baptist Joint Committee for Religious Liberty and the Baptist World Alliance. In Texas, moderate Baptists turn to the Christian Life Commission to represent their social concerns at the Capitol in Austin. Though some "moderate Baptists" do not prefer being called "moderate," this is the one adjective that has been used the most over the past thirty years to describe this particular group of Baptists. As a moderate Baptist myself, I hope the day will come when "Baptist" is no longer synonymous with "Southern Baptist" in American culture and the "moderate" qualifier will no longer be necessary.

¹⁸ Greg Warner, "Will Baptists be counted among those in the 'evangelical center'?" *Associated Baptist Press*, March 13, 2008, <http://www.abpnews.com/3081.article> [accessed April 4, 2008].

¹⁹ David Gushee, "Toward a truly evangelical Baptist future," *Associated Baptist Press*, November 6, 2007, <http://www.abpnews.com/2839.article> [accessed April 4, 2008]; also, Greg Warner, "Will 'evangelical center' emerge to rival waning Christian Right?" and Greg Warner, "Will Baptists be counted among those in the 'evangelical center'?"

²⁰ Gushee, "Toward a truly evangelical Baptist future."

²¹ Warner, "Will 'evangelical center' emerge to rival waning Christian Right?"

²² For several decades, there has been debate as to whether Southern Baptists (and those Baptists with Southern Baptist roots) are actually evangelicals. In a 1976 *Newsweek* story, the late Foy Valentine who was then the Executive Director of the Christian Life Commission of the Southern Baptist Convention proclaimed "We are not evangelicals. That's a Yankee word." See Foy Valentine, quoted by Kenneth L. Woodward in "Born Again! The Year of the Evangelicals," *Newsweek*, October 25, 1976, 76. Consequently, this issue of whether Southern Baptists

South and ninety-five percent of African-American Baptists are evangelical Christians.²³

According to Gushee, one of his goals is to help moderate Baptists “reclaim the term ‘evangelical’ and reassociate with other evangelicals who are kindred spirits, if they only knew it.”²⁴

Gushee is correct to note that moderate Baptists share much in common with those whom he dubs “evangelical centrists.”²⁵ The recent New Baptist Covenant Celebration held in Atlanta, Georgia proves this true. Organized by mostly moderate Baptist leaders, including former United States President Jimmy Carter, President Bill Underwood of Mercer University and Jimmy Allen, the last moderate President of the Southern Baptist Convention, the New Baptist Covenant is an informal alliance of thirty Baptist organizations representing over twenty million Baptists in North America.²⁶ This informal alliance hosted an historic three-day celebration in January, 2008 which focused on many of the same issues that Gushee asserts “evangelical

are evangelicals was classically discussed in a book edited by James Leo Garrett, Jr., E. Glenn Hinson and James E. Tull entitled *Are Southern Baptists “Evangelicals”?* See James Leo Garrett, Jr., E. Glenn Hinson, and James E. Tull, eds., *Are Southern Baptists “Evangelicals”?* (Macon: Mercer University Press, 1983). Ten years later in 1993 this conversation was continued in a book edited by David Dockery (including contributions from Garrett and Hinson) entitled, *Southern Baptists and American Evangelicals: The Conversation Continues*. See David Dockery, ed., *Southern Baptists and American Evangelicals: The Conversation Continues* (Nashville: Broadman and Holman Press, 1993).

²³ Gushee, “Toward a truly evangelical Baptist future.”

²⁴ Warner, “Will ‘evangelical center’ emerge to rival waning Christian Right?” According to Gushee, Baptists in the South “remain extraordinarily fixated on Baptist identity rather than...international ecumenism.” He asks, “When will we (Baptists) discover the rest of the global Christian family?”

²⁵ Warner, “Will ‘evangelical center’ emerge to rival waning Christian Right?” Unlike Gushee and many evangelical centrists, moderate Baptists have been relatively silent on gay marriage and other issues relating to homosexuality. Moderate Baptists have also not articulated one view on abortion. Moderate Baptists generally have not been involved in the pro-life movement and few, if any, moderate leaders (unlike Gushee) have advocated for the Supreme Court to overturn *Roe v. Wade*. My experience growing up in Baptist life has taught me that most moderate Baptists would agree with fellow Baptist Jimmy Carter who is personally opposed to abortion and the Texas Christian Life Commission which has argued that abortion may be permissible in certain circumstances. This nuanced position would put most moderate Baptists at odds with many in the pro-life movement.

²⁶ Of the thirty participating organizations, seventeen can be described as “moderate Baptist” organizations or as organizations run by “moderate Baptists.”

centrists” are concerned with. The special sessions of this celebration which attracted more than 15,000 Baptists addressed issues such as: poverty, criminal justice reform, respecting religious diversity, peacemaking, immigration reform, the intersection of faith and public policy, sex trafficking, race and racism, HIV/AIDS pandemic, and religious liberty.²⁷

Indeed, evangelical centrists share much in common with moderate Baptists. However, most moderate Baptists and their organizations would differ strongly with evangelical centrists on issues pertaining to the separation of church and state. In his book, Gushee emphasizes that the evangelical center as a whole is committed to a “substantive neutrality” reading of the First Amendment’s Establishment Clause rather than a “strict separationist” reading of that same clause.²⁸ He notes that this “substantive neutrality” interpretation of the Establishment Clause is a “consensus position” among evangelical centrists.²⁹

Another “consensus position” among evangelical centrists deals with the First Amendment’s Free Exercise Clause. Gushee explains that the evangelical center supports the free exercise rights of evangelical churches and schools to “hire/admit according to religious and moral conviction tests appropriate to our faith tradition.”³⁰ According to Gushee, the evangelical center also supports the “equal access of faith-based organizations to government funds if their programs are effective in meeting social needs.” Gushee points out that evangelical centrists have been supportive of President Bush’s Faith-Based Initiative because they believe such

²⁷ See the Celebration of a New Baptist Covenant website at <http://www.newbaptistcelebration.com>.

²⁸ Gushee, *The Future of Faith in American Politics*, 90-91.

²⁹ Ibid.

³⁰ Ibid.

programs “reflects a proper understanding of the First Amendment’s Establishment Clause.”³¹

He notes that these religious liberty views are “rooted in the broad embrace of the ‘substantive neutrality’ interpretation of the First Amendment.”³²

It appears that Gushee’s treatment of church-state issues has created a false dichotomy between substantive neutrality and strict separationism. Gushee does not have to limit the perspectives toward the interpretation of the Establishment Clause to two options. As renowned church-state expert Carl Esbeck points out in his widely read article entitled "Five Views of Church-State Relations in Contemporary American Thought," that there are more than two ways to interpret the Establishment Clause. Further, in his book, Gushee neglects to explicitly define what the term strict separationism actually means. Carl Esbeck’s widely accepted definition of strict separationism asserts that a strict separationist desires an absolute separation between civil affairs and religion even though they know that such is not presently possible in America.³³ Does Gushee accept this common definition of strict separationism? If the answer is yes, then surely Gushee knows that not all separationists are strict separationists. Or is Gushee really using "strict separationist" as a pejorative term to describe the average run of the mill separationist who opposes school vouchers and President Bush's Faith-Based Initiative?

³¹ Ibid. Referencing “substantive neutrality” proponent Stephen Monsma, Gushee also notes that while the evangelical center has been supportive of programs such as the Faith-Based Initiative, some are not happy with the motivations or implementations on the part of President Bush’s Administration.

³² Ibid. Throughout *The Future of Faith in American Politics*, Gushee points to the centrist statement published in 2004 by the National Association of Evangelicals entitled “For The Health Of The Nations: An Evangelical Call to Civic Responsibility,” which he describes as the most “careful, thorough, and balanced corporate statement of evangelical public witness that has yet to be offered.” According to Gushee, this centrist statement which characterizes the convictions of the evangelical center defends a substantive neutrality interpretation of the First Amendment. It reads, “when government assists nongovernmental organizations as part of an evenhanded educational, social service, or health care program, religious organizations receiving such aid do not become ‘state actors’ with constitutional duties.”

³³ Carl Esbeck, “Five Views of Church-State Relations in Contemporary American Thought,” *Brigham Young University Law Review*, no. 2 (1986): 379-385.

II. Substantive Neutrality and the First Amendment

A. Substantive Neutrality Defined

In a 1986 law review article, constitutional scholar Douglas Laycock first articulated the legal theory of “substantive neutrality.” Four years later, Laycock distinguished between three types of neutrality: formal, substantive, and disaggregated. He urged substantive neutrality as the best understanding of religious liberty. Since then substantive neutrality has been a unifying theme in Laycock’s many writings on the Religion Clauses of the First Amendment. According to Laycock, substantive neutrality has been “praised, defended, adopted, independently invented under other names, analyzed, criticized, ridiculed and ignored.” Substantive neutrality has drawn so much attention from academics that even Supreme Court Justice David Souter adopted the concept in one of his opinions.³⁴

Laycock notes that a plethora of courts and commentators frequently argue that government must be neutral toward religion.³⁵ He acknowledges that people with a wide range of views on church-state issues have clung tightly to the principle of neutrality. According to Laycock, neutrality is consistent with religious liberty and essential to its preservation.³⁶

Laycock’s basic formulation of “substantive neutrality” is this:

The religion clauses require government to minimize the extent to which it either encourages or discourages religious belief or disbelief, practice or nonpractice, observance or nonobservance. Religion is to be left as wholly to private choice as anything can be. It should proceed as unaffected by government as possible. Government should not interfere with our beliefs about religion either by coercion or by persuasion. Religion may flourish or wither; it may change or stay the same. What

³⁴ Douglas Laycock, “Substantive Neutrality Revisited,” *West Virginia Law Review* 110, no. 51 (Fall 2007): 54-55.

³⁵ Douglas Laycock, “Formal, Substantive, and Disaggregated Neutrality Toward Religion,” *DePaul Law Review* 39 (1990): 993.

³⁶ *Ibid*, 994.

happens to religion is up to the people acting severally and voluntarily; it is not up to the people acting collectively through government...

Government must be neutral so that religious belief and practice can be free. The autonomy of religious belief and disbelief is maximized when government encouragement and discouragement is minimized. The same is true of religious practice and refusal to practice. The goal of maximum religious liberty can help identify the baseline from which to measure encouragement and discouragement.³⁷

In sum, substantive neutrality requires neutral incentives. A law is deemed substantively neutral if it neither “encourages nor discourages religious belief or disbelief.”³⁸

Another well-known proponent of “substantive neutrality” is Stephen Monsma, professor of political science at Pepperdine University and former Michigan state senator.³⁹ Monsma argues that the central concept behind religious liberty is the ideal that persons should “neither enjoy certain advantages or benefits nor suffer certain disadvantages or handicaps because of their faith – or lack of faith.” Thus, religious freedom is equated with governmental neutrality towards religion.⁴⁰ Under substantive neutrality, the question which must be asked and answered when dealing with any religious liberty issue is “whether the challenged government action has the effect of creating either incentives or disincentives for persons to follow their sincere religious beliefs.” If the governmental action does create incentives or disincentives, it is a violation of the First Amendment. If no incentives or disincentives have been created, no violation of the First Amendment has occurred.⁴¹

³⁷ Ibid, 1001-1002.

³⁸ Laycock, “Substantive Neutrality Revisited,” 54.

³⁹ According to Laycock, the concept of “substantive neutrality” was independently invented under other names by several legal scholars such as Stephen Monsma.

⁴⁰ Stephen V. Monsma, “Substantive Neutrality as a Basis for Free Exercise-No Establishment Common Ground,” *Journal of Church and State* 42, no. 13 (2000): 25-26.

⁴¹ Ibid, 2. Stephen Monsma defines the Religion Clauses of the First Amendment as follows: “The Free Exercise Clause is a clause that protects individual rights. It seeks to protect individuals from restraints or limitations on their ability to freely follow the religious dictates of their consciences. It contributes to substantive

Monsma emphasizes that substantive neutrality includes “secularly based systems of belief” under the scope of the religion clauses of the First Amendment. The actions of a government that favored religious systems of belief over nonreligious or secular systems of belief would indeed not be substantively neutral.⁴² Thus, the proper baseline from which all church-state decisions are decided must include belief systems which are religious and nonreligious.⁴³

B. Substantive Neutrality Applied

Under the theory of substantive neutrality defined above by Douglas Laycock and Stephen Monsma, the right to the free exercise of religion would be protected from “laws of general applicability” that did not target religion or a religious group but had the effect of burdening or limiting an individual’s religious freedom. Consequently, substantive neutrality would argue that the controversial case of *Oregon Employment Division v. Smith* was wrongly decided by the Supreme Court in 1990. According to Monsma, substantive neutrality holds that such “laws of general applicability” that burden religion have the effect of “creating a disincentive for the affected group to follow its beliefs.” If a person has to risk being arrested for practicing his or her religion the law is “not neutral in a substantive sense.” Monsma explains that under substantive neutrality, the compelling state interest test that was established in

neutrality by insisting that government is not to restrain or limit persons in the freedom to make religious choices and to act on the basis of those choices. The Establishment Clause, on the other hand, is a structural clause, designed to limit the power of government to grant certain advantages to certain religions or to religion as a whole.” Monsma argues that the goal of both Religion Clauses is “substantive neutrality” which means that both clauses seek to minimize the degree to which the government creates incentives for or against the religious choices of individuals. See Stephen V. Monsma, “Substantive Neutrality as a Basis for Free Exercise-No Establishment Common Ground,” 27.

⁴² Monsma, 28-29.

⁴³ Ibid, 32.

Sherbert v. Verner (1963) and used by the Supreme Court for over three decades until the *Smith* decision, would be used.⁴⁴

Substantive neutrality also argues that in many instances when government provides benefits to nonreligious groups it is required to provide the same benefits to competing religious groups.⁴⁵ Monsma declares that “The key is not a rigid no-aid formula, nor a rigid favoring of religious over secular activities or vice versa. The key is a genuine, substantive neutrality by government on matters of religion.”⁴⁶ Laycock adds that the principle of “no aid” to religion is a principle that is incompatible with neutrality of any kind.⁴⁷ Laycock explains that equal funding for religious and secular private schools is substantively neutral. By funding a secular private education, but not religious private education, an incentive to secularize religious education is created (thus not substantively neutral).⁴⁸

Both Laycock and Monsma also argue that tuition voucher programs are substantively neutral if well-written and well-implemented. Laycock opines, “A choice program can be implemented well or badly and if implemented badly, it may not provide the choice it promises.” Under a tuition voucher program, the state pays for the student’s education at any school the parents choose to enroll him or her in, public or private, religious or secular. Tuition voucher programs are substantively neutral because no incentives are created for religious or secular

⁴⁴ Ibid, 29-30.

⁴⁵ Ibid, 32.

⁴⁶ Ibid, 34.

⁴⁷ Laycock, “Substantive Neutrality Revisited,” 57.

⁴⁸ Ibid, 63-64. Laycock uses the example of Joshua Davey in the Supreme Court’s *Locke v. Davey*. Davey could have received a state Promise Scholarship had he chosen to study theology from a secular perspective instead of a religious perspective. Laycock also points out that some states offer financial aid to colleges that are merely “sectarian” instead of “pervasively sectarian.”

education. As a result, the individual choice of the parents and child is ultimately protected under substantive neutrality.⁴⁹

Most recently, proponents of substantive neutrality have argued for the constitutionality of the welfare reform legislation passed in 1996 under President Bill Clinton which contains provisions known as “Charitable Choice” that allow government to fund the social ministries of houses of worship and other pervasively religious organizations. One of President George W. Bush’s first actions upon taking office was to establish the White House Office of Faith-Based and Community Initiatives. President Bush also expanded “Charitable Choice” to apply to all government-provided services. In fact, Carl Esbeck, a proponent of substantive neutrality, was the author of the Charitable Choice provisions in the welfare reform bill known as the “Personal Responsibility and Work Opportunity Act of 1996.”⁵⁰ This fact affirms Stephen Monsma’s claim that substantive neutrality was the thinking behind the Charitable Choice provisions of the welfare reform bill of 1996 and President Bush’s “Faith-Based Initiative.”⁵¹

Like Monsma and Esbeck, Laycock asserts that the underlying purpose of religious liberty is to minimize government influence on religious choice. He calls this underlying purpose “substantive neutrality.” Testifying in 2001 before the United States Senate Committee on the Judiciary on the subject of President Bush’s “Faith-Based Initiative,” Laycock explained that when government purchases secular good or services, government has three choices with

⁴⁹ Laycock, “Substantive Neutrality Revisited,” 70-71. Laycock reasons, “Traditionally, the states have said that here is five, eight, even ten thousand dollars a year that we will spend on your child’s education –if you choose a thoroughly secular education in a public school. You also have a constitutional right to choose a religious education, but if you choose that, you forfeit all this money. That threatened forfeiture vigorously discourages any parent inclined to choose the religious alternative; it creates a huge distortion of the constitutionally protected choice between religious and secular education. A program that offered the same state funding no matter what school a family chooses would be substantively neutral and would protect private choice in religious matters.”

⁵⁰ Laycock, “The Underlying Unity of Separation and Neutrality,” *Emory Law Journal* 46 (1990): 44-46. Laycock writes, “I am pleased to have Professor Esbeck and Professor Monsma endorse that standard (substantive neutrality) even if we have not yet entirely agreed on terminology.”

⁵¹ Monsma, 31-35.

respect to religion: government can prefer religious providers, government can prefer secular providers or government can buy without regard to religion.⁵² If government chooses to purchase goods or services without regard to religion then government's influence on religious choices and commitments is minimized. As a result, no religious organization has to change their religious behavior to do business with the government. According to Laycock, this is the key concept of Charitable Choice and at the heart of substantive neutrality. He declared, "Despite the conventional wisdom of many separationists, funding everyone equally separates private religious choice from government influence more effectively than funding only secular providers."⁵³

Under substantive neutrality, Laycock emphasizes that while the government can buy services from religious providers, it can only purchase secular goods or services. The Establishment Clause of the First Amendment prevents government from sponsoring, endorsing or paying for religious beliefs or religious functions. He concludes that if a religious provider wanted to add religious services in conjunction with the government-funded secular services, the religious provider would have to pay for the religious services itself and participation in such religious activities may not be mandated.⁵⁴

III. Moderate Baptists and their Religious Liberty Watchdogs

A. Baptist Joint Committee for Religious Liberty

For nearly seventy years, the Baptist Joint Committee for Religious Liberty (BJC) which serves fourteen diverse Baptist bodies has worked to promote religious liberty for all and to

⁵² Senate Committee on the Judiciary, *Faith Based Solutions: What Are the Legal Issues?*, Testimony of Douglas Laycock, <http://judiciary.senate.gov/oldsite/te060601dl.htm> (accessed, April 12, 2008).

⁵³ Ibid.

⁵⁴ Ibid.

uphold the principle of church-state separation. Throughout these years, the BJC has been considered the loudest and most aggressive Baptist proponent for religious liberty in the United States.⁵⁵ In the spirit of John Locke's statement that "Baptists were the first propounders of absolute liberty, just and true liberty, equal and impartial liberty," the BJC has fought for both the separation of church and state and the free exercise of religion on Capitol Hill in Washington D. C..⁵⁶ Consequently, the BJC has taken a consistent stand against governmental aid to sectarian private schools and pervasively sectarian religious organizations. Due to their opposition to government funding of religion, the BJC has been labeled as "no-aid separationists" by church-state experts.⁵⁷

Testifying before the United States Civil Rights Commission on the "no-aid to religion" principle reflected in many state constitutions, K. Hollyn Hollman, General Counsel of BJC, declared:

For Baptists, like those the BJC serves, the principle that citizens should not be taxed to support religious is fundamental, deeply rooted in the struggle against established religions and in the Biblical command to render unto Caesar that which is Caesar's and unto God that which is God's. It goes hand in hand with the principle that the state should not interfere in ecclesiastical affairs. Baptist history is filled with heroes of the faith that advocated for religious freedom and separation of church and state...The principles argument that government should not fund religion, including government

⁵⁵ "About the BJC," Baptist Joint Committee for Religious Liberty, <http://www.bjconline.org/about/index.htm>. Of the fourteen Baptist bodies that support the Baptist Joint Committee, five are comprised of moderate Baptists. These include the Baptist General Association of Virginia, Baptist General Convention of Missouri, Baptist General Convention of Texas, Baptist State Convention of North Carolina Cooperative Baptist Fellowship and the Religious Liberty Council. Two additional supporting Baptist bodies, Alliance of Baptists and American Baptist Churches USA, also include members who fit the definition of a "moderate Baptist." Finally, one can conclude that moderate Baptists and their organizations supply the lion's share of the Baptist Joint Committee's annual budget.

⁵⁶ Pam Parry, *On Guard for Religious Liberty: Six Decades of the Baptist Joint Committee* (Macon, Georgia: Smyth & Helwys Publishing Inc., 1996).

⁵⁷ James E. Ryan, "A Political History of the Establishment Clause," *Michigan Law Review* 100 (2001-2002): 353-355.

funding of religious education and institutions, is the enemy of discrimination...It is part of our country's strong tradition of religious liberty.⁵⁸

The BJC has consistently opposed "Charitable Choice" proposals that would fund pervasively sectarian religious organizations to perform social services. After the 1996 Welfare Reform Act which included "Charitable Choice" provisions was enacted, the BJC Board passed a resolution that condemned using taxpayer dollars to finance the work of pervasively sectarian religious organizations. The resolution also noted: "There is a place for religious organizations in delivering welfare services with public funds. But it should be done through separately incorporated affiliates that do not engage in religious education, proselytizing or discrimination."⁵⁹

By working through the Coalition Against Religious Discrimination, the BJC has helped to keep legislation from passing that would have expanded President Bush's Faith-Based Initiative through the federal government. According to Hollman, "Of all the challenges the BJC faces, none is as far-reaching and problematic as government attempts to fund pervasively religious entities (including houses of worship) without constitutional safeguards." Hollman notes that the BJC has consistently opposed President Bush's Faith-Based Initiative as the "wrong way to do right" while also "affirming the many right ways religious entities can work with government to meet needs."⁶⁰

⁵⁸ Don Byrd, "Are School Voucher Barriers Anti Catholic? BJC Counsel Hollman Responds," *Blog from the Capital*, http://www.bjconline.org/cgi-bin/2007/06/are_school_vouchers_barriers_a.html [accessed April 17, 2008].

⁵⁹ K. Hollyn Hollman, "First, the first principles," Baptist Joint Committee for Religious Liberty, http://www.bjconline.org/resources/articles/2002/020112_hollman_cchoice.htm [April 17, 2008]. See also Jon Singletary, "Baptist Perspectives on Faith-Based Initiatives and Religious Liberty," *Journal of Religious Gerontology* 16, no. 1-2 (2004): 81-87.

⁶⁰ K. Hollyn Hollman, "No Religious Test for Government Funded Jobs," Baptist Joint Committee for Religious Liberty, http://www.bjconline.org/resources/articles/2006/0602_hollman_funding.htm [accessed April 17, 2008].

In addition to opposing “Charitable Choice” proposals, the BJC has been a consistent opponent of taxpayer funding of religious education. Stephen Reeves, former staff attorney for the BJC, recently wrote, “Many things have changed in the 70 years of the BJC’s existence. One thing that has not changed, however, is the BJC’s opposition to school vouchers that use tax dollars to fund religious education.”⁶¹ A 2003 publication of the BJC explains their opposition: “As Baptists, we believe [voucher] schemes are unconstitutional and contrary to the historic Baptist commitment to soul freedom, religious liberty and the separation of church and state.”⁶²

The BJC has interpreted the Establishment Clause of the First Amendment (“Congress shall make no law respecting an establishment of religion...”) to mean that the government is prohibited from aiding one religion in particular or all religions in general.⁶³ Government should be neutral toward religion, neither advancing nor inhibiting it, but leaving it free to allow the religious to practice their religion as they see fit. In reaching this no-aid position, the BJC often cites the words of the late Supreme Court Justice Hugo Black, a former Baptist Sunday School teacher from Alabama, who opined in *Everson v. Board of Education* (1947) that “No tax in any amount....can be levied to support any religious institution, whatever they may be called, or whatever form they may adopt to teach or practice religion.” According to the BJC, the

⁶¹ Stephen K. Reeves, “A decades-old fight: Public tax dollars for private religious education,” *Report from the Capital* 61, no. 5 (May 2006): 6.

⁶² “Vouchers: Breaking The Wall,” Baptist Joint Committee for Religious Liberty, http://www.bjconline.org/resources/pubs/pub_vouchers.htm. Reeves lists several reasons for the BJC’s historic opposition to government funding of religious education: “government aid jeopardizes the autonomy of parochial schools, bringing regulations that threaten their essential religious characteristics; and such programs tend to violate the freedom of conscience of taxpayers that oppose government funded religion.” He noted that while the BJC affirms the right of parents to choose a private religious education for their children, the BJC opposes using government money to support private religious goals.

⁶³ *Ibid.*

institutions of church and state are better off when “neither tries to dominate, do the work of, or give a helping hand to the other.”^{64 65}

B. Christian Life Commission of the BGCT

Founded in 1950, the Christian Life Commission of the Baptist General Convention of Texas (BGCT) has responded to almost every important issue to trouble American society. Nearly sixty years since its inception, the Texas CLC has continued to maintain contact with the consensus opinion of Texas Baptists. For instance, the CLC has led campaigns against the liquor industry, gambling and obscenity - issues near and dear to the hearts of many Texas Baptists. However, the CLC has not hesitated to be prophetic and take unpopular positions on issues

⁶⁴ Ibid. In the case of *Zelman v. Simmons-Harris*, the BJC opposed the Cleveland voucher program. BJC Executive Director Brent Walker declared, “it is time for the Supreme Court to declare [vouchers] to be unconstitutional.” However, the Ethics & Religious Liberty Commission (ERLC) of the Southern Baptist Convention took a different position. An amicus brief written by the ERLC and signed by the National Association of Evangelicals in 2001 stated that “To the extent that a particular case appears to pit the no-funding and neutrality doctrines against one another, the substantive neutrality principle is the key to resolving the apparent conflict. Under that principle, the purpose of the religion clauses is to minimize government influence on religious choice...The existence of independent private choices dictates the program not be invalidated under the no-funding doctrine.” See Tom Strode, “ERLC endorses brief defending voucher program to high court,” *Baptist Press*, November 19, 2001, <http://www.bpnews.net/bpnews.asp?id=12199> [accessed April 17, 2008].

⁶⁵ In my survey of the Baptist Joint Committee’s publications, I discovered that the phrase “substantive neutrality” was used only once. In a 1994 column, entitled “Neutrality vs. neutrality,” BJC General Counsel Brent Walker argues against “formal neutrality” in favor of “substantive neutrality.” Walker asserts that “substantive neutrality simply works better to protect religious liberty.” See J. Brent Walker, “Neutrality vs. neutrality,” *Report from the Capital* (June 28, 1994): 4-5. In 2004, Oliver Thomas, former General Counsel of the Baptist Joint Committee, was quoted by the *Associated Baptist Press* promoting “substantive neutrality.” Thomas said, “substantive neutrality is a way to talk about living in a society where one’s religious affiliations or lack thereof do not advantage or disadvantage you in the republic.” See Ferrell Foster, “Experts Discuss Proper Role of Religion in Public Schools,” *Associated Baptist Press*, April 16, 2004, <http://www.abpnews.com/2228.article> [accessed April 24, 2008]. These two examples prove that some no-aid separationist Baptists like Walker and Thomas are willing to employ the language of “substantive neutrality” when it suits their interests. For example, Walker is clearly comfortable with using this language of “substantive neutrality” when speaking in the context of the Religious Freedom Restoration Act and the Supreme Court’s controversial decision in *Employment Division v. Smith* in which the concept of formal neutrality prevailed over substantive neutrality. However, unlike Laycock and Monsma, neither Walker nor Thomas have been willing to employ the concept of “substantive neutrality” to defend their no-aid positions on hot topics such as school vouchers and Charitable Choice. Walker and Thomas know that a consistent jurisprudence of substantive neutrality would lead them and their organizations away from their no-aid separationist stance.

regarding public school desegregation, equal rights in housing, support for comprehensive sex education and most recently environmental justice (Creation Care).⁶⁶

Like the Baptist Joint Committee, the Christian Life Commission has been a vocal and effective advocate for complete religious liberty. For almost six decades, the CLC has also taken a consistent stand against governmental aid to private religious education and pervasively sectarian religious organizations. Through coalitions and unilaterally, the CLC has fought attempts by lobbyists to secure state aid for these religious schools and organizations in the Austin Capitol.⁶⁷

According to the CLC, religious liberty and the separation of church and state are essential threads in the Baptist fabric. The CLC notes that these Baptist distinctives “are so tightly woven into our history and theology that every successful effort to remove the distinctives invariably destroys the fabric.”⁶⁸ As a champion for religious liberty in the public arena, the CLC advocates that government must be neutral toward religion. Government can not advance religion nor can government inhibit religion through laws, tax support or other means. Consequently, the CLC vigorously opposes “the use of public funds to fund sectarian religious worship and instruction.” Under the leadership of James Dunn during the 1970s, the CLC argued that government aid to religious schools would violate each citizen’s right to the “free exercise of religion” by compelling him to support religious institutions not of his choosing.⁶⁹

⁶⁶ David Stricklin, “An Interpretive History of the Christian Life Commission of the Baptist General Convention of Texas, 1950-1977,” (Ph.D. diss., Baylor University, 1981), 72-85. See also the Christian Life Commission’s website at <http://www.christianlifecommission.com>.

⁶⁷ Ibid.

⁶⁸ “Religious Liberty: A Baptist Distinctive,” *Therefore* 10, no. 4, <http://www.bgct.org/texasbaptists/Document.Doc?&id=2049> [accessed April 24, 2008].

⁶⁹ Stan Hastey, “Court Ruling Upholds Ohio Parochial Plan,” *Baptist Standard*, July 6, 1977.

Today, the CLC warns that religious freedom in the United States is under attack. Who is to blame? The CLC lays part of the blame at the feet of those who “lobby for government support for private religious schools and other sectarian enterprises.”⁷⁰ Specifically, the CLC is bothered by those who call themselves Baptist yet “embrace faith-based initiatives which funnel government grants into the ministry programs of houses of worship and clamor for tax supported voucher programs for the benefit of their own private parochial schools.”⁷¹

Consistent with their opposition to government funding of religion, the CLC has long been a critic of Charitable Choice. According to the CLC, “every distribution of taxpayer dollars to a church, synagogue, mosque, or other religious organization is a violation of the religious liberty of taxpayers who would find objectionable the propagation of the form of religious belief represented by the recipient.” The CLC correctly argues that Charitable Choice will naturally result in the “advancement of religious belief by government.”⁷² The CLC notes,

From a traditional Baptist perspective regarding religious liberty and the separation of church and state, it is *wrong* for the government to advance or inhibit religious expression. From this traditional Baptist perspective, which is informed both by our understanding of the Bible and our experience of persecution, true religious belief is inherently *voluntary*. Violations of voluntarism are wrong whether they occur in first-century Rome or sixteenth-century Europe or twenty-first century America.⁷³

⁷⁰ “Religious Liberty: A Baptist Distinctive,” 1-2.

⁷¹ Ibid, 2. The CLC also explains that over the past two decades, the Supreme Court has interpreted the religion clauses of the First Amendment in ways that negatively affect the religious liberty of each and every American.

⁷² “Charitable Choice: I,” *Therefore* 9, no. 4, <http://www.bgct.org/texasbaptists/Document.Doc?&id=2052> [accessed April 24, 2008].

⁷³ Ibid, 5-7. The CLC urges churches to consider creating separate entities to provide social services with government money. They note that this option has long been used by religious organizations such as Catholic Charities for decades. According to the CLC, Christians do not have to choose between helping “the least of these” and supporting pervasively religious institutions through government funding. Christians do not have to “violate religious liberty to help the poor.” “Christians recognize both the biblical call to minister to people in need and the unique role that churches can play in addressing poverty, homelessness, drug dependence, and other social ills. Christians who are committed to religious liberty and separation of church and state appreciate the ramifications of receiving tax funds and value the freedom that independence from government regulation provides.”

C. Notable Moderate Baptists

Melissa Rogers is a Visiting Professor of Religion and Public Policy at Wake Forest University Divinity School. Rogers previously served as the executive director of the Pew Forum on Religion and Public Life in Washington, D.C. and before that as general counsel of the Baptist Joint Committee. According to *National Journal*, Rogers is one of the church-state experts “politicians will call on when they get serious about addressing an important public policy issue.” Melissa Rogers is also a moderate Baptist and has been a consistent critic of “Charitable Choice” programs.⁷⁴

Rogers acknowledges that government and religion can accomplish much good together to address America’s various social concerns. She notes that for many years it has been permissible for the government to fund groups that have ties to religion but are incorporated to perform secular social services. However, Rogers argues that Charitable Choice “threatens to damage...religion and religious liberty.” She describes Charitable Choice as “the wrong way to do right.”⁷⁵ Rogers worries that under Charitable Choice, churches could come to be viewed as arms of the state. She warns, “If tax subsidies flow to churches and other religious ministries, the role of religion as prophetic critic of government will also be diminished.” Rogers explains that religion in America is thriving “because it relies on the strength of its message and voluntary gifts rather than compulsory tax funds for its support. Religion in America is vital precisely because it is largely free from government direction and regulation.”⁷⁶

⁷⁴ “Melissa Rogers,” Wake Forest University Divinity School, <http://divinity.wfu.edu/faculty-rogers.html> [accessed April 17, 2008].

⁷⁵ Melissa Rogers, “The Wrong Way To Do Right,” *First Amendment Advocate* 1, no. 1 (February 2000): 1-2.

⁷⁶ *Ibid.* As an advocate of the no-aid principle, Rogers is bothered by those who attempt to stereotype Charitable Choice opponents. She writes, “Charitable Choice opponents can be mischaracterized as religion-bashers

Other moderate Baptist leaders have been vocal in their opposition to “Charitable Choice” proposals and school voucher schemes. Cynthia Holmes, a St. Louis lawyer who was once a moderator of the Cooperative Baptist Fellowship and former co-chair of the Baptist Joint Committee’s Religious Liberty Council, has been a staunch critic of President Bush’s Faith-Based Initiative. During a special interest session at the 2008 New Baptist Covenant Celebration Holmes explained, “To me when we want to go and ask the government to give us money to do God’s work, we are demeaning our Christian witness...There’s a great deal of difference in a cup of water given in Jesus’ name and one given in the government’s name.”⁷⁷

Dwight Moody, Dean of Chapel at Georgetown College in Georgetown, Kentucky, has also been a harsh critic of President Bush’s Faith-Based Initiative. Immediately after Bush announced his faith-based proposal, Moody offered a sharp response in the moderate Baptist supported journal, *Christian Ethics Today*. He declared:

We must tear down barriers that protect public officials from the religious ideals of justice, peace, and freedom; and we must remove as well those counter-productive policies insulating elected people from the power of religious practices like prayer, confession, and forgiveness. But on the other side, we must build strong and wide the legal wall that keeps tax money from ending up in the treasuries of synagogues, churches, or mosques. Religious organizations and agencies must resist the temptation to seek government money to fund the work that God has called them to do.⁷⁸

– people who do not want to give religion a fair chance to participate in the work of society. Or, we can be viewed as a hardhearted, out of touch constitutional purists who cling to technicalities in church-state law, the poor be damned. We are neither. We oppose Charitable Choice not because we want to harm religion, but precisely because we value our religion and our religious freedom so much. Moreover, our opposition does not stem from apathy to the problem of poverty – we simply do not want to make this an either/or solution: the food you need or the rights you deserve. We can solve this problem in a way that does not sacrifice precious religious liberties or the houses of worship which we love and depend upon. Let us find other ways to do right.” See also Melissa Rogers, “The Wrong Way to Do Right: Charitable Choice and Churches,” in *Welfare Reform & Faith-Based Organizations*, ed. Derek Davis and Barry Hankins (Waco, Texas: J.M. Dawson Institute of Church-State Studies, Baylor University), 81-82.

⁷⁷ Tom Strode, “ERLC endorses brief defending voucher program to high court,” *Baptist Press*, November 19, 2001, <http://www.bpnews.net/bpnews.asp?id=12199> [accessed April 15, 2008].

⁷⁸ Dwight A. Moody, What is Really New about the President’s Faith-Based Proposals?, *Christian Ethics Today*, 2000,

Most recently, President Jimmy Carter, a Baptist leader who is a hero to many moderate Baptists, lambasted President Bush's use of hundreds of millions of federal dollars to fund religious institutions. The former President stated:

Individual churches and religious seminaries and other strictly religious organizations have their own lobbyists now in Washington to make sure they get their share of taxpayers' funds. And, as you know, the policy from the White House has been to allocate funds to religious institutions, even those that channel those funds exclusively to their own particular group of believers in a particular religion. Those things in my opinion are quite disturbing.⁷⁹

Carter concluded, "As a traditional Baptist, I've always believed in separation of church and state and honored that premise when I was president, and so have all other presidents, I might say, except this one."⁸⁰

IV. Concluding Thoughts

From their earliest origins, Baptists have proclaimed that religious liberty and an emphasis on the separation of church and state were vital and indispensable to their identity. And for almost four hundred years, Baptists have demanded religious liberty and the separation of church and state for all persons in the political arena.⁸¹ This historic commitment to an uncoerced faith and an unfettered conscience is evident in the words of George Washington Truett who is regarded as one of the most significant and influential Baptists of the early

http://www.christianethicstoday.com/issue/033/What%20Is%20Really%20New%20About%20The%20President's%20Faith-Based%20Proposals_033_10_.htm [accessed April 17, 2008].

⁷⁹ Michael Hess, "Jimmy Carter Blitzes Bush, White House Whines 'Irrelevant'," *BBS News*, May 20, 2007, <http://bbsnews.net/article.php/20070520225140669> [accessed April 17, 2007].

⁸⁰ *Ibid.*

⁸¹ Walter B. Shurden, *The Baptist Identity: Four Fragile Freedoms* (Macon, GA: Smyth & Helwys Pub., 1993), 1-4.

twentieth century. Standing on the East Steps of the United States Capitol in Washington D.C. on Sunday, May 16, 1920, Truett declared:

Baptists have one consistent record concerning liberty throughout all their long and eventful history. They have never been a party to oppression of conscience. They have forever been the unwavering champions of liberty, both religious and civil. Their contention now, is, and has been, and, please God, must ever be, that it is the natural and fundamental and infeasible right of every human being to worship God or not, according to the dictates of his conscience, and, as long as he does not infringe upon the rights of others, he is to be held accountable alone to God for all religious beliefs and practices....It is the consistent and insistent contention of our Baptist people, always and everywhere, that religion must be forever voluntary and uncoerced, and that it is not the prerogative of any power, whether civil or ecclesiastical, to compel men to conform to any religious creed or form of worship, or to pay taxes for the support of a religious organization to which they do not believe....Christ's religion needs no prop of any kind from any worldly source, and to the degree that it is thus supported is a millstone hanged about its neck.⁸²

Unfortunately, many of Truett's Southern Baptist kinfolk have turned a deaf ear to his prophetic words delivered from the steps of the Capitol.⁸³ However, moderate Baptists and their organizations have carried on as Baptists in the tradition of G.W. Truett.⁸⁴ They have preserved his legacy and insisted that his message of absolute religious liberty and no-aid Baptist separationism is still relevant in the twenty-first century. Remembering the words of G. W. Truett and the second most famous Baptist Sunday School teacher, Supreme Court Justice Hugo Black, the Baptist Joint Committee for Religious Liberty has consistently opposed efforts to fund religious education and finance the work of pervasively sectarian religious organizations. Like the Baptist Joint Committee, the Christian Life Commission of the BGCT has taken the same consistent stand against Caesar funding the work of God. Moderate Baptist leaders such as

⁸² George Washington Truett, "Baptists and Religious Liberty," in *A Sourcebook for Baptist Heritage*, ed. H. Leon McBeth (Nashville: Broadman Press, 1990), 466-477.

⁸³ Barry Hankins, "Principle, Perception, and Position: Why Southern Baptist Conservatives Differ from Moderates on Church-State Issues," *Journal of Church and State* 40, no. 2 (1998): 343-370.

⁸⁴ John Pierce, "Truett's famed religious liberty sermon recreated at D.C. event," *Associated Baptist Press*, June 29, 2007, <http://www.abpnews.com/www/2622.article> [accessed April 26, 2008].

Melissa Rogers have lamented that popular governmental aid programs are “the wrong way to do right.”⁸⁵ Even the world’s most famous Baptist Sunday School teacher, former United States President Jimmy Carter, has been disturbed by President Bush’s unprecedented allocation of hundreds of millions of taxpayer dollars to fund the pervasively religious ministries.⁸⁶

Meanwhile, Baptist ethicist David Gushee has claimed in his book, in television appearances and countless newspaper and magazine articles that an “evangelical center” is emerging as a *bona fide* constituency in American politics. This new centrist constituency could decide the outcome of the 2008 Presidential Election, according to Gushee.⁸⁷ This audacious claim has made its way into the pages of many Baptist publications including the Baptist Joint Committee’s *Report from the Capital*.⁸⁸

In his opinion columns found in various Baptist publications, Gushee has called on moderate Baptists to just “be evangelical Christians.”⁸⁹ He wants to help moderate Baptists “reclaim the term ‘evangelicals’ and reassociate with other evangelicals who are kindred spirits, if they only knew it.”⁹⁰ One of his columns was appropriately titled, *Toward a Truly Evangelical Baptist Future*.⁹¹ Gushee believes that moderate Baptists are already “evangelical centrists.” They just don’t know it.⁹²

⁸⁵ Rogers, “The Wrong Way To Do Right,” 1-2.

⁸⁶ Hess, “Jimmy Carter Blitzes Bush, White House Whines ‘Irrelevant’.”

⁸⁷ David Gushee, “Emerging Evangelical Center Could Decide 2008 Election,” *Report from the Capital* 63, no. 3 (March 2008): 4-5.

⁸⁸ Ibid.

⁸⁹ Gushee, “Toward a Truly Evangelical Baptist Future.”

⁹⁰ Warner, “Will ‘evangelical center’ emerge to rival waning Christian Right?”

⁹¹ Gushee, “Toward a Truly Evangelical Baptist Future.”

⁹² Warner, “Will ‘evangelical center’ emerge to rival waning Christian Right?”

However, Gushee has not explained his church-state views in any of his articles intended to be read by moderate Baptists. When listing the characteristics of an “evangelical centrist” in his columns for the *Associated Baptist Press*, Gushee has never mentioned that the evangelical center as a whole embraces a “substantive neutrality interpretation of the First Amendment.” He never mentions that the evangelical center supports “the equal access of faith-based organizations to government funds” and that evangelical centrists have been supportive of President Bush’s Faith-Based Initiative” because they believe such aid programs “reflects a proper understanding of the First Amendment’s Establishment Clause.” Only in his book, *The Future of Faith in American Politics*, has Gushee presented this extremely important and revealing information.⁹³

So, *will* moderate Baptists be part of this “emerging evangelical center,” as Greg Warner of the *Associated Baptist Press* previously asked? I do not know. However, a better question that first must be asked and answered is: *Should* moderate Baptists be part of this “emerging evangelical center” and start counting themselves as “evangelical centrists?” No. Not unless moderate Baptists are ready and willing to abandon their historic commitment to the separation of church and state. As already demonstrated, this commitment to the separation of church and state has historically meant for moderate Baptists that they refuse to fund religious education through vouchers or any other scheme and that they refuse to finance pervasively religious organizations through President Bush’s Faith-Based Initiative or any other “Charitable Choice” proposal. Clearly, the evangelical center’s substantive neutrality reading of the First Amendment’s Establishment Clause is in contradiction to the type of separation between church and state that moderate Baptists have committed themselves to for decades.

⁹³ Gushee, *The Future of Faith in American Politics*, 90-91.

Moderate Baptists would be well served to remember the words of James Dunn who is the only person to have served as the Executive Director of both the Texas Christian Life Commission (1968-1980) and the Baptist Joint Committee for Religious Liberty (1981-2000). While leading the CLC and BJC, Dunn repeatedly warned his fellow Baptists of the danger of compromising their own witness by the acceptance of public funds. In 1971, Dunn exhorted,

If Baptists should turn away from their distinctive doctrine of church-state separation, they would raise doubts about every position they take on matters of public concern. They would sacrifice their platform for any prophetic word to society. They would be finally joined in unholy wedlock to the culture to which they should be speaking. We Baptists had better stick by our guns on separation of church and state or face defeat at the ‘credibility gap.’⁹⁴

The moniker “evangelical centrist” may not be a “Yankee” word, but neither is it compatible with historic distinctives embodied by moderate Baptists.

⁹⁴ James Dunn, “Defeat at the Credibility Gap?” *Baptist Standard*, August 25, 1971.

