

Homeland Security and Privacy

A Supersnoop's Dream

Every day we seem to wake up to news about another terrorist threat, so it's not surprising that Americans are placing more of their faith in the government to protect them. But there are also important questions being raised about our loss of privacy and constitutional protections. So in this article we are going to take a look at some of these issues as we focus on the subject of homeland security.

The Department of Homeland Security was created by combining twenty-two existing agencies and 170,000 federal employees with an annual budget of approximately \$35 billion. While the implications of this megamerger of governmental agencies will be debated for some time, some columnists have already begun to question the impact it will have on our private lives.

The Washington Times called it "A Supersnoop's Dream." Columnist William Safire of the *New York Times* wrote a column entitled "You Are a Suspect" in which he warned of a dangerous intrusion into our lives. He predicted in November 2002 that if the Homeland Security Act were not amended before passage, the following would happen to you:

- *Every purchase you make with a credit card, every magazine subscription you buy and medical prescription you fill, every Web site you visit and e-mail you send or receive, every academic grade you receive, every bank deposit you make, every trip you book and every event you attend—all these transactions and communications will go into what the Defense Department describes as a virtual centralized grand database.*
- *To this computerized dossier on your private life from commercial sources, add every piece of information that government has about you—passport application, driver's*

license and bridge toll records, judicial and divorce records, complaints from nosy neighbors to the F.B.I., your lifetime paper trail plus the latest hidden camera surveillance—and you have the supersnoop’s dream: a Total Information Awareness about every U.S. citizen.

It is important to point out that these concerns about a potential invasion of privacy did not start with the passage of the Homeland Security Act. Over a year ago, critics pointed to the hastily passed U.S.A. Patriot Act which widened the scope of the Foreign Intelligence Surveillance Act and weakened 15 privacy laws.

On the other hand, there are many who argue that these new powers are necessary to catch terrorists. Cal Thomas, for example, writes that “Most Americans would probably favor a more aggressive and empowered federal government if it lessens the likelihood of further terrorism. The niceties of civil liberties appear to have been lost on the 9/11 hijackers and countries from which they came. Wartime rules must be different from those in peacetime.”[\[1\]](#)

The Patriot Act

Let’s look more closely at the U.S.A. Patriot Act. When Senator Russ Feingold voted against the Act, he made these comments from the Senate floor on October 11, 2001:

“There is no doubt that if we lived in a police state, it would be easier to catch terrorists. If we lived in a country where police were allowed to search your home at any time for any reason; if we lived in a country where the government is entitled to open your mail, eavesdrop on your phone conversations, or intercept your e-mail communications; if we lived in a country where people could be held indefinitely based on what they write or think, or based on mere suspicion that they are up to no good, the government would probably

discover more terrorists or would-be terrorists, just as it would find more lawbreakers generally. But that wouldn't be a country in which we would want to live."

Most would agree that the Patriot Act weakens grand jury secrecy. Already there is criticism that grand juries have become mere tools of the prosecution and have lost their independence. By destroying its secrecy, any federal official or bureaucrat can "share" grand jury testimony or wiretap information.

The Patriot Act also weakens Fourth Amendment protection against unreasonable searches and seizures. Under the Act, law-enforcement agencies can in "rare instances" search a person's home without informing that homeowner for up to ninety days. This so-called "sneak and peek" provision can be used to sneak into your home, and even implant a hidden "key logger" device on a suspect's computer (allowing federal officials to capture passwords and monitor every keystroke).

And, the Patriot Act weakens financial privacy. The bill added additional amendments and improvements to the Bank Secrecy Act which already encourages FDIC member banks to profile account holders and report to the government (FBI, IRS, DEA) when you deviate from your usual spending or deposit habits. The Act exempts bank employees from liability for false reporting of a money laundering violation.

Michael Scardaville of the Heritage Foundation, however, isn't concerned about conferring this new power on bureaucrats. "Even if they wanted to, the program's employees simply won't have time to monitor who plays football pools, who has asthma, who surfs what Web site or even who deals cocaine or steals cars. They'll begin with intelligence reports about people already suspected of terrorism."[\[2\]](#)

Immigration Threats

Lincoln Caplan, writing in the November-December issue of *Legal Affairs* (a magazine of the Yale Law School), said that the U.S.A. Patriot Act “authorized law enforcement agencies to inspect the most personal kinds of information – medical records, bank statements, college transcripts, even church memberships. But what is more startling than the scope of these new powers is that the government can use them on people who aren’t suspected of committing a crime.”

Although there has been some concern expressed about the intrusion of government into our lives, an even greater concern is how the Homeland Security Act fails to address the real threat to our country through lax enforcement of immigration laws. Michelle Malkin, author of *Invasion*, cites example after example of problems at the Immigration and Naturalization Service (INS).

Foreign students getting visas to enter the U.S. constitute a major problem that is out of control. Malkin says that the bill establishing this new department doesn’t do anything about it. There is also a problem with foreigners getting tourist visas to enter the U.S. and then overstaying their visas. The bill doesn’t do anything about this problem either.

More than 115,000 people from Iraq and other Middle Eastern countries are here illegally. Some 6,000 Middle Eastern men who have defied deportation orders remain on the loose. Add these numbers to those who are here legally, but still intend harm to the United States, and you can begin to grasp the extent of the problem.

Consider the case of Hesham Mohamed Hedayet, who shot and killed people at the Los Angeles International Airport. He managed to stay in this country by obtaining a work permit after his wife won residency in a visa lottery program (given to 50,000 foreigners on a random basis).

Michelle Malkin broke the story about the Washington, D.C. area sniper suspect John Malvo. The INS had him in custody but released him. The U.S. State Department failed to obtain a warrant for the arrest of the other sniper suspect, John Muhammad, after he was suspected of using a forged birth certificate to obtain a U.S. passport.

Congress needs to take another look at both the Patriot Act and the Homeland Security Act. In its rush to deal with the imminent terrorist threat, it has conferred broad powers to bureaucrats that should be refined and failed to address some crucial concerns in immigration that continue to threaten our safety. It is time for Congress to pass some common sense amendments to these two pieces of legislation.

History of Governmental Power

I think all of us would strongly support the President and Attorney General in their attempts to track down terrorists and bring them to justice. But some wonder if Congress has put too much power in the hands of the executive branch, power that could easily be abused by this administration or future administrations.

Let's consider our history. President John Adams used the Alien and Sedition Act to imprison his political enemies and curb newspaper editors critical of him. President Woodrow Wilson permitted his attorney general (Mitchell Palmer) to stop political dissent during the Palmer Raids. And President Franklin Delano Roosevelt interned thousands of Japanese-American citizens during World War II.

It is interesting that some of the greatest expansions of powers have come under Republican presidents. The first Republican president, Abraham Lincoln, suspended the writ of habeas corpus. (This is a judge's demand to bring a prisoner before him, with the intent to release people from unlawful detention.) This led to the imprisonment of physicians,

lawyers, journalists, soldiers, farmers, and draft resisters. Sixteen members of the Maryland legislature were arrested in order to prevent them from voting for their state to secede from the Union. By the time the Civil War was over, 13,535 arrests had been made.

Although Democrats have often been credited with expanding the size and scope of the federal government, Republican administrations are actually the ones who have expanded various police powers. RICO and nearly all the seizure laws (where police can confiscate cars, boats, even homes without due process) were passed by Republican administrations.

Dana Milbank wrote in the *Washington Post* (Nov. 20, 2001) that "The Sept. 11 terrorist attacks and the war in Afghanistan have dramatically accelerated a push by the Bush administration to strengthen presidential powers, giving President Bush a dominance over American government exceeding that of other post-Watergate presidents and rivaling even Franklin D. Roosevelt's command."

Perhaps it is time for Congress to revisit this important topic of anti-terrorism and modify some of the provisions of the Patriot Act. Some have suggested that Congress pass legislation that would sunset all aspects of the Patriot Act. The bill currently has sunset provisions that apply to selected portions of the legislation. But sunset provisions do not apply to the expanded powers given to the federal government which weaken the Fourth Amendment protections we are guaranteed under the Bill of Rights. The bill was touted as an emergency wartime measure, but some of the most dangerous aspects of the bill would continue on even after America wins the war on terrorism. It is time to revisit this bill and make some necessary changes.

Christian Perspective on Government and

Privacy

Let's focus in on the matter of government and privacy.

To begin with, Christians must acknowledge that Romans 13:1-7 teaches that civil government is divinely ordained by God. Government bears the sword, and that means it is responsible to protect citizens from foreign invaders and from terrorists. So on the one hand, we should support efforts by our government to make our society safer.

On the other hand, we should also work to prevent unwarranted intrusions into our privacy and any violation of our constitutional liberties. In the past, drawing lines was easier because an unconstitutional search was conducted by a person who came to your door. Today we live in a cyber age where our privacy can be violated by a computer keystroke.

In the past, what used to be called public records weren't all that public. Now they are all too public. And what used to be considered private records are being made public at an alarming rate. What should we do?

First, live your life above reproach. Philippians 2:14-15 says "Do all things without grumbling or disputing, that you may prove yourselves to be blameless and innocent, children of God above reproach in the midst of a crooked and perverse generation, among whom you appear as lights in the world." 1 Timothy 3:2 says that an elder must be "above reproach" which is an attribute that should describe all of us. If you live a life of integrity, you don't have to be so concerned about what may be made public.

Second, get involved. When you feel your privacy has been violated or when you believe there has been an unwarranted governmental intrusion into your life, take the time to complain. Let the person, organization, or governmental agency know your concerns. Many people fail to apply the same rules

of privacy and confidentiality on a computer that they do in real life. Your complaint might change a behavior and have a positive effect.

Third, call for your member of Congress to take another look at both the Patriot Act and the Homeland Security Act. In their rush to deal with the imminent terrorist threat, Congress may have expanded federal powers too much. Track congressional legislation and write letters. Citizens need to understand that many governmental policies pose a threat to our privacy. Bureaucrats and legislators are in the business of collecting information and will continue to do so unless we set appropriate limits.

Sadly, most Americans are unaware of the growing threats to their privacy posed by government and law enforcement. Eternal vigilance is the price of freedom. We need to strike a balance between fighting terrorism and protecting constitutional rights.

Notes

1. Cal Thomas, "More Power to the Government," Nov. 21, 2002.
2. Michael Scardaville, "TIA Targets Terrorists, Not Privacy," Nov. 22, 2002.

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Terrorism and Just War

America's war on terrorism has once again raised important questions about the proper use of military action. President George W. Bush said on September 20, 2001, "Whether we bring our enemies to justice, or justice to our enemies, justice will be done." This message and following statements by

President Bush and Secretary of Defense Rumsfeld articulated portions of what has come to be known as *just war theory*. This 1600-year-old Christian doctrine attempts to answer two questions: "When is it permissible to wage war?" and "What are the limitations on the ways we wage war?"

Historically, Christians have adopted one of three positions: (1) **Activism** – it is always right to participate in war, (2) **Pacifism** – it is never right to participate in war, or (3) **Selectivism** – it is right to participate in some wars. The just war theory represents the third position and was articulated initially by Augustine who developed it as a logical extension of Romans 13:1-7.

1 Every person is to be in subjection to the governing authorities. For there is no authority except from God, and those which exist are established by God.

2 Therefore whoever resists authority has opposed the ordinance of God; and they who have opposed will receive condemnation upon themselves.

3 For rulers are not a cause of fear for good behavior, but for evil. Do you want to have no fear of authority? Do what is good and you will have praise from the same;

4 for it is a minister of God to you for good. But if you do what is evil, be afraid; for it does not bear the sword for nothing; for it is a minister of God, an avenger who brings wrath on the one who practices evil.

5 Therefore it is necessary to be in subjection, not only because of wrath, but also for conscience' sake.

6 For because of this you also pay taxes, for rulers are servants of God, devoting themselves to this very thing.

7 Render to all what is due them: tax to whom tax is due; custom to whom custom; fear to whom fear; honor to whom honor.

Augustine argued that not all wars are morally justified. He said, "It makes a great difference by which causes and under which authorities men undertake the wars that must be waged."

This seven-point theory provides a framework for evaluating military action. A just war will include the following conditions: just cause, just intention, last resort, formal declaration, limited objectives, proportionate means, and noncombatant immunity. The first five principles apply as a nation is “on the way to war” (*jus ad bellum*) while the final two apply to military forces “in the midst of war” (*jus in bello*). Let’s look at each of these in more detail.

Seven Points of a Just War

- ***Just cause*** – All aggression is condemned in just war theory. Participation must be prompted by a just cause or defensive cause. No war of unprovoked aggression can ever be justified.
- ***Just intention*** – War must be to secure a just peace for all parties involved. Revenge or conquest are not legitimate motives.
- ***Last resort*** – War must be engaged as a last resort only after diplomacy and economic pressure have been exhausted.
- ***Formal declaration*** – War must be initiated with a formal declaration by properly constituted authorities.
- ***Limited objectives*** – War must be characterized by limited objectives such a peace. Complete destruction is an improper objective. War must be waged in such a way that once peace is attainable, hostilities cease.
- ***Proportionate means*** – Combatants may not be subjected to greater harm than is necessary to secure victory. The types of weapons and amount of force used should be limited to what is needed to repel aggression and secure a just peace.
- ***Noncombatant immunity*** – Military forces must respect individuals and groups not participating in the conflict. Only governmental forces or agents are legitimate targets.

Objections to Just War

Two types of objections often surface against the idea of just war theory. First, there is the moral objection. Pacifists argue that it is never right to go to war and often cite biblical passages to bolster their argument. For example, Jesus said believers should “turn the other cheek” (Matt. 5:39). He also warned that “those who take up the sword shall perish by the sword” (Matt. 26:52).

However, the context of the statements is key. In the first instance, Jesus is speaking to individual believers in his Sermon on the Mount, admonishing believers not to engage in personal retaliation. In the second instance, He tells Peter to put down his sword because the gospel should not be advanced by the sword. But at the same time, Jesus actually encouraged his disciples to buy a sword (Luke 22:36) in order to protect themselves.

Two political objections have been cited in the last few months against the application of just war theory to our war on terrorism. Critics say that the idea of a just war applies to only to nations and not to terrorists. Even so, that would not invalidate American military actions in Afghanistan or Iraq.

But the criticism is incorrect. It turns out that Christian thought about just war predates the concept of modern nation-states. So the application of these principles can apply to governments or terrorist organizations. Moreover, the very first use of American military force in this country was against Barbary Pirates (who were essentially the terrorists of the 18th century).

Critics also argue that since terrorism is an international threat, the concept of just war would require an international declaration of war. This is not true. The U.S. or any other country does not need to get international approval to defend

itself. Even so, both President George H. W. Bush and President George W. Bush have brought the issue of Iraq to the United Nations for a vote. But as the current president made clear, he sought UN approval, not permission. He would like multilateral approval and help, but the U.S. is prepared to go it alone if necessary.

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Privacy 2000

Introduction

Privacy is something I believe we all take for granted until we lose it. Then we begin to think about how someone invaded our privacy, often by incremental steps. In this article we are going to discuss ways in which we have lost our privacy. Most of the intrusions into our lives come from government, but not all. Businesses also buy and sell information about us every day. Most of us would be shocked to find out how much personal information is in databases around the country.

As we cover this important issue of privacy and focus on a specific threats to our privacy I want to begin by highlighting how quickly our privacy is being lost and how often it takes place without any debate.

Let's look at the last few years of congressional debate. It's amazing to me that there never was an extended debate on the issue of privacy. Granted there wasn't a lot of debate on a number of issues, but the lack of debate on this fundamental issue shows how far down the road we have gone. Let's look at a few of these issues.

For example, we saw absolutely no debate on issues such as the national ID card, the medical ID number, the administration's encryption policy, and the expansion of the FBI's wiretap capability.

Some of the proposals were defeated, at least for now. The national ID card was defeated, for example, not because Congress debated the issue, but because thousands of Americans wrote letters and made phone calls. Most other issues, however, are moving ahead. Congress gave the FBI permission to use "roving wiretap surveillance." That means that the next time you use a pay phone at your local grocery store, it may be tapped merely because there's a criminal suspect within the area. One wiretap order in California authorized surveillance on 350 phones for over two years. In another case, five pay phones were tapped, intercepting 131,000 conversations.

Those are just a few of the examples we will discuss on the subject of privacy. Unfortunately whenever someone cries for privacy, another is sure to ask, "What do you have to hide?" The question confuses privacy and secrecy. I don't really have anything I want to keep secret, but I'm not too excited about the government listening to every one of my phone conversations. You may not want your future boss to know that you have a genetic predisposition to breast cancer. You may not want a telemarketer to know what you just recently purchased so that he can call your home number and try to sell you more. The point is that each day we are losing a bit of our privacy. And we will continue to do so unless we work to establish some limits to this invasion of our privacy.

National ID Card

Issuing internal passports has been one of the methods used by communist leaders to control their people. Citizens had to carry these passports at all times and had to present them to authorities if they wanted to travel within the country, live in another part of the country, or apply for a job.

A few years ago, the Department of Transportation called for the establishment of a national ID system by October, 2000. Although presented as merely a move toward standardization, this seemed to many as a move toward a national passport to allow the government to "check up" on its citizens.

A little history is in order. Back in 1996, Congress passed the Illegal Immigration Reform and Immigrant Responsibility Act. This charged the federal Department of Transportation with establishing national requirements for birth certificates and driver's licenses. Add to this the 1996 Kennedy-Kassebaum health-care law that implies that Americans may be required in the future to produce a state- issued ID that conforms to federal specifications.

If all of this sounds to you like Big Brother or even the mark of the beast, then you have company. Congressman Ron Paul believes that the Department of Transportation regulations would adversely affect Americans and fought to end these regulations.

The law ordered the Attorney General to conduct pilot programs where the state driver's license includes a "machine-readable" social security number. It also ordered the development of a social security card that uses magnetic strips, holograms, and integrated circuits.

The good news is that the work by Congressmen Ron Paul and Bob Barr paid off and the attempt to create a national ID card was stopped, for now. But it is likely to surface again. After all there has been a push to establish a federal database for Americans and having each person carry an ID card would allow that information to be linked to a federal database. And while it would help the government catch illegal aliens, it could also be used to track law-abiding American citizens.

Tracking down illegal aliens and standardizing licenses are worthy goals. But the ends do not justify the means. That is

why so many people wrote Congress to stop this push for a national ID card. Sometimes in the midst of this political debate, citizens must ask themselves how much they value their freedom and privacy.

Congressman Bob Barr says, "Novelists Aldous Huxley and George Orwell have given us countless reasons why we shouldn't trade our privacy for any benefit, no matter how worthwhile it sounds." In the end, we must ask, At what cost? Is it worth trading our privacy for the benefits government promises? The answer is no, and that's why we need to pay attention to governmental attempts to invade our privacy.

Carnivore

We've talked about attempts to establish a national ID card and attempts to expand wiretaps. Another threat to privacy is Carnivore, the FBI's newest electronic snooping device that can read your e-mail right off your mail server.

Packed in a slim laptop computer, this program looks downright docile, but privacy advocates believe that it is quite dangerous. This automated system to wiretap the Internet is called Carnivore because it rapidly finds the "meat" in vast amounts of data. The programmers devised a "packet sniffer" system that can analyze packets of data flowing through computer networks to determine whether it is part of an e-mail message or some other piece of Web traffic.

The FBI has been quietly monitoring e-mail for about a year. Finally the bureau went public with their operation to what the *Wall Street Journal* called "a roomful of astonished industry specialists." Although the device has been used in less than 100 cases, there is every reason to believe that it will be expanded. A judge can issue a court order to tap your e-mail just as they tap your phones.

In this electronic age, new devices threaten our privacy. And

in this current political climate, administration officials seem to have little concern about threats to our Fourth Amendment rights. Critics argue that Carnivore, like some ravenous beast, will be too hungry to be trusted. But the FBI says that this new device can be tailored to distinguish between packets of information and only grab e-mails from the suspect. Carnivore appears to be more discriminating than a standard telephone wire tap. The FBI says that messages belonging to those not being probed (even if criminal) would not be admissible in court. Perhaps that is true, but privacy advocates wonder how this new device will be used in the future.

Carnivore is nothing more than a standard computer with special software. The computer is kept in a locked cage for about a month and a half. Every day an agent comes by and retrieves the previous day's e-mail sent to or by someone suspected of a crime. But it can also capture file downloads and chat room conversations. And once it is installed, the FBI can dial into Carnivore to make changes and monitor data that have been collected.

Critics are concerned that Carnivore will soon become a hungry beast, ready to devour personal and confidential information in people's e-mail messages. The FBI says that won't happen, but such assurances do nothing to mollify the critics. Maybe Carnivore will never tap into your e-mails, but its existence is just one more good reason why we should be careful about what we put in our e-mails.

Encryption

The privacy threats surrounding today's technology are numerous, and I want to turn to computers and talk about another important issue: encryption. Now I know that's probably an unfamiliar word. But stay with me. Encryption is big word for a big issue that I think you need to know about.

Encryption is a relatively new technology that enables you to have private phone conversations and send e-mail messages that are secure. Encryption codes your words so that they cannot be deciphered by people listening in on your conversation or reading your mail.

As you may know, nosy people already can listen in on your wireless phone calls (cellular or cordless phones). And they can intercept and read your e-mail. Sending e-mail without encryption is like mailing a postcard—everyone can read it along the way. And we all know that people will do exactly that. If you have ever had a phone on a party line, you know that people listen in.

What you may not know is that various branches of the government are demanding the authority to read encrypted messages. Now remember that the Fourth Amendment guarantees citizens be free of unreasonable searches and seizures. Nevertheless, these and other law enforcement officers believe they have the right to open your mail.

What they are asking for is the key to the code. When you send a message in code, you need a key to enable you to send the code and the recipients need the same key to read the code. The Clinton administration is demanding access to all encryption keys. This is like giving the government the power to steam open all the letters we send in the mail. Frankly you only see this level of surveillance in totalitarian countries. If government has the key, then it could call up information on you, your family, your medical records, your bank records, your credit card purchases, and your e-mail messages to all of your friends and relatives.

What is even more disturbing is the current attempt by government to limit American citizen's access to strong and power encryption software. A new study from the Cato Institute says that "People living outside the United States find it amusing and perplexing that U.S. law regulates the

distribution of strong encryption.”

Everyone wants encryption in the computer age. Citizens want private communication. Businesses want to prevent billing records and personnel records from falling in the wrong hands. Consumers don't want their credit card numbers widely distributed. That is why we need strong encryption software, and that is why government should not be given a key to the messages we send. Most Americans would not like to turn over so much of their privacy to the government, but unfortunately most Americans don't realize that they already have.

Privacy and Your Life

We have been talking about the threats to our privacy through wiretaps of our phones and e-mail correspondence, as well as through the issuing of a national ID number. Common citizens are having their privacy violated in new and unexpected ways.

Such is life in the cyberage. As more and more people are seeing their privacy violated, they wonder what to do in a time of financial and personal indecent exposure. What used to be called public records weren't all that public. Now they are all too public. And what used to be considered private records are being made public at an alarming rate. What should we do?

First, don't give out personal information. You should assume that any information that you do give out will end up on a database somewhere. Phone solicitors, application forms, warranty cards all ask for information you may not want to give out. Be careful how much information you disclose.

Second, live your life above reproach. Philippians 2:14-15 says “Do all things without grumbling or disputing, that you may prove yourselves to be blameless and innocent, children of God above reproach in the midst of a crooked and perverse generation, among whom you appear as lights in the world.” 1 Timothy 3:2 says that an elder must be “above reproach” which

is an attribute that should describe all of us. If you live a life of integrity, you don't have to be so concerned about what may be made public.

Third, exercise discretion, especially when you use e-mail. Too many people assume they have a one-on-one relationship with someone through the Internet. The message you send might be forwarded on to other people, and the message may even be read by other nosy people. One Web site provider says, "A good rule of thumb: Don't send any e-mail that you wouldn't want your mother to read."

Finally, get involved. When you feel your privacy has been violated, take the time to complain. Let the person or organization know your concerns. Many people fail to apply the same rules of privacy and confidentiality on a computer that they do in real life. Your complaint might change a behavior and have a positive effect.

Track congressional legislation and write letters. Many of the threats to privacy I've covered started in Congress. Citizens need to understand that many governmental policies pose a threat to our privacy. Bureaucrats and legislators are in the business of collecting information and will continue to do so unless we set appropriate limits.

Sadly most Americans are unaware of the growing threats to their privacy posed by government and private industry. Eternal vigilance is the price of freedom. We must continue to monitor the threats to our privacy both in the public and private sector.

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Church and State

Introduction

Soon after assuming office as president, Thomas Jefferson received a letter from the Danbury Baptist Association of Connecticut containing warm congratulations for his victory. In January of 1802 Jefferson drafted a response of unpredictable importance. The contents of the letter have influenced the shape of the American debate over the place of religion in public affairs ever since. Addressing the Baptists, Jefferson wrote:

Believing with you that religion is a matter which lies solely between man and his God, that he owes account to none other for his faith or his worship, that the legislative powers of government reach actions only, and not opinion, I contemplate with sovereign reverence that act of the whole American people which declared that their legislature should “make no law respecting an establishment of religion, or prohibiting the free exercise thereof,” thus building a wall of separation between Church and State. [\[1\]](#) (emphasis added)

The idea of a “high wall of separation” first entered into our nation’s judicial conscience in the 1947 *Everson v. Board of Education* case. Although the court decided to allow public funding for the transportation of Catholic school students, it invoked the “high wall” doctrine as a rule for determining the future use of public funds. Justice Hugo Black appealed to Supreme Court precedent as well as the intent of the Founding Fathers in winning his 5-4 decision which included the “high wall” language. Justice Black wrote that our founders “reached the conviction that individual religious liberty could be achieved best under a government which was stripped of all power to tax, to support, or otherwise to assist any or all

religions, or to interfere with the beliefs of any religious individual or group.”[\[2\]](#) This 1947 decision became the catalyst for a growing debate in the last half of the 20th century regarding the relationship between faith and government in America.

The phrase *high wall of separation* has divided Americans into a number of different groups depending upon their theological and political leanings. Some feel that the high court drastically overstepped the original meaning of Jefferson’s words, going far beyond his original intent. Others applaud the Court’s attempt to separate once and for all this country’s bias towards Christianity, especially its Protestant wing. Since the question often revolves around the original intent of the Founding Fathers, many seek to determine whether or not the Founders supported a Christian state, a secular state, or something in between.

All of this points to a few important questions faced by Christians. How should individual believers and the church as a whole relate to the state and its various institutions? What about the role individuals should take in politics, efforts to reform government, and attempts to pass laws that make our society behave more “biblically”? In this article we will look at three different responses to these questions and examine some of the pros and cons of each. Since every believer is limited in both their time and resources, it is important to think carefully about where we focus our efforts in furthering God’s kingdom. The purpose of this discussion is not to question anyone’s commitment to Christ, but to merely step back and look at some of the underlying assumptions held by each of these three positions.

Anti-Religious Separatists

Americans support the notion of separation of church and state by a small majority.[\[3\]](#) Just what we mean by *separate* seems to be the real issue. Some go as far as to argue that any

position on public policy that is motivated by a religious belief is out of bounds and should not receive a hearing. This group, who might be called "anti-religious separatists," argues that religion is fine as long as it does not invade the public sphere. Religion must impact only private morality; if it leaks into the public square where policy making actually occurs, it is inappropriate at best. There are many examples of such anti-religious bias. Writing about a speech that Ronald Reagan made that included religious overtones, a *New York Times* article said, "You don't have to be a secular humanist to take offense at that display of what, in America, should be private piety. . . . Americans ask piety in Presidents, not displays of religious preference. Mr. Reagan uttered not just an ecumenical summons to the spirit. He was pandering to the Christian right that helped to propel his national political career." {4} Another presidential candidate wrote, "No president should attempt to transform policy debates into theological disputes." {5} Some believe the separation of church and state to mean a complete separation of religious values from public policy debates.

It's one thing to complain of inappropriate public piety, it is quite another to apply an anti-religious bias to court decisions and other actions that affect all Americans, religious or not. In one of the most important Supreme Court decisions on the separation of church and state in regards to education, Justices William Douglas and Hugo Black concurred that religious schools are by nature harmful. Writing specifically about Catholics schools they said:

The whole education of the child is filled with propaganda. That, of course, is the very purpose of such schools, the very reason for going to all of the work and expense of maintaining a dual school system. Their purpose is not so much to educate, but to indoctrinate and train, not to teach Scripture truths and Americanism, but to make loyal Roman Catholics. The children are regimented, and are told what to

wear, what to do, and what to think. [\[6\]](#)

Although this quote refers specifically to Catholic schools, its description could apply to many types of private religious schools. This caricature of private Christian schools, that they do not teach but indoctrinate, that they fail to convey Americanism (whatever that is), is still a concern of many who have observed and objected to the recent rapid growth in private schooling.

Those who hold an “anti-religious separatist” viewpoint often talk positively of an American civil religion. The idea is that some religion might be better than no religion at all, but it must never actually enter into policy decisions. A thin veneer of religion is all that is needed. An example might be President Dwight Eisenhower urging Americans to spend the first Fourth of July holiday of his administration in prayer and penance. He then proceeded to fish in the morning, go golfing in the afternoon, and play cards all evening. [\[7\]](#)

When Christians advocate such a vague form of public religion, they do great harm to the faith. A lukewarm civil religion does not address the redeeming sacrifice that makes Christianity what it is. Nor does it value the revealed knowledge found in the Bible. The idea of providing America with a non-preferential treatment of religion is legitimate. The danger lies in the promotion or religious activity that waters down the beliefs of the various faiths, both Christian and non-Christian.

Christian America

It is a popular notion among Christians that America was founded as a Christian nation, and that the goal of believers everywhere should be to place our government back into the hands of committed Christians who hold acceptable views on theological and moral issues. As a corollary to this position,

it follows that our nation's institutions, its schools, courts, regulatory commissions, etc, should be established on Christian principles. Various Christian groups use language that supports this view. The Christian Coalition, Eagle Forum, Concerned Women for America, and others often present this perspective. Jerry Falwell has stated, "Any diligent student of American history finds that our great nation was founded by godly men upon godly principles to be a Christian nation."[\[8\]](#) John Whitehead, in his 1977 book *The Separation Illusion*, wrote, "In recent years Christians and non-Christians alike have been questioning whether America was ever a Christian nation. Without doubt it was, but secular historians have eradicated as much Christian influence as possible from history."[\[9\]](#)

Pat Robertson began the Christian Coalition in response to this perceived conspiracy to purge our history and government from Christianity. Stating its goals, its executive director said, "What Christians have got to do is take back this country, one precinct at a time, one neighborhood at a time, and one state at a time, I honestly believe that in my lifetime we will see a country once again governed by Christians . . . and Christian values."[\[10\]](#)

This view has much to commend itself in the actual words used by our Founding Fathers. John Eidsmoe, Peter Marshall, Marshall Foster, and David Barton have provided a wealth of examples in their writings of how the Founders used Christian ideas and terminology to describe their efforts to create a new nation.

Those who hold to this view are comfortable with making Christianity the semi- established religion of America. Everywhere the government is involved in our lives would take on a Christian flavor. Every citizen, regardless of religious affiliation, would be responsible for understanding and adjusting to this ubiquitous Christian culture.

To many, this would be doing to those of other faiths, including atheists, just what we have been accusing them of doing to Christians. Forcing people to separate their public lives from their beliefs and thus denying them their first amendment freedom of religion. Another question that arises is, What are Christians going to do if they fail to muster the necessary votes to put into place the people and legislation that they desire?

This line of thinking can easily lead to a “whatever it takes” mentality to return the nation to its Christian roots, including armed revolt if necessary. This form of Christian ethnocentricity discounts the importance of Christians in other countries and the possibility that God might use other nations as well as the U.S. to accomplish His purposes.

There is no question that we have been blessed as a nation because our Founding Fathers built our government on Christian principles regarding human nature and a theistic view of reality. We enjoy common grace as a people when our laws conform to God’s standard of justice. The question that we must ask is, Can we as Christians can impose a biblical culture on a majority who no longer acknowledge the authority of Scripture? Since only 32 percent of Americans agree that “The government should take special steps to protect the Judeo-Christian heritage,” this question is more than theoretical.[\[11\]](#) Perhaps a better goal would be to work for a government based on the concepts of freedom and neutrality with regards to religion.

Positive Neutrality

The idea of positive neutrality begins with the assumption that both religious structures and the state possess a certain degree of sovereignty over their respective domains. Each possess certain rights and responsibilities and should be free to operate without interference from the other. As the Dutch Protestant Abraham Kuyper stated it: “The sovereignty of the

State and the sovereignty of the Church exist side by side, and they mutually limit each other.”[\[12\]](#) Christians can find support for this view in biblical passages that describe both the church and the state as divinely ordained realities (1 Peter 2 and Romans 13).

Positive neutrality argues that religious organizations have both rights and responsibilities. According to Stephen Monsma, author of *Positive Neutrality*, religious groups have the right to develop and teach their core beliefs, to shape their member’s behavior and attitudes, to provide a wide range of services to members and non-members, and to participate in the policy making process of our republic. On the responsibility side, religious organizations must both accept and seek to enhance the authority and legitimacy of the state and encourage its members to obey its lawful decisions. Religious groups should also seek to develop civic virtue that enhances public life and not attempt to take over those things given to the state to perform. This does not mean that religious groups do not have the right to criticize the state; it means that they may not work to remove its legitimacy.

According to the notion of positive neutrality, the state also has certain rights and responsibilities. The government should make decisions that coordinate, protect, encourage, and empower society’s various spheres of influence (including the religious sphere) with the goal of promoting justice, the public interest, the common good, or some other similar goal. The state is not to transgress the sovereignty of the other spheres although there are times when it is appropriate for the state to give material aid, in a neutral manner, to organizations in another sphere.

The immediate impact of moving towards a system of positive neutrality would be reflected in three areas. First, our political system would have to tolerate and accommodate a wider range of religious practices. Second, the state would have to protect the right of religious groups to influence

public policies. And finally, rather than working only through secularly based groups and programs, the government would fund the activities of both religious and secular groups for the purpose of providing needed social programs. These changes may be possible only by dropping the "secular purpose" part of what is known as the Lemon test, a three part test for appropriate government spending resulting from the *Lemon v. Kurtzman* Supreme Court case in 1971.

What this means, in effect, is that when the government gives financial aid to schools, homeless shelters, day care, or other agencies, it cannot discriminate against religiously based organizations. To continue to do so shows a bias towards secular organizations, motivations, and ideals.

Conclusion

We have considered three views of how the church and the state should relate to each other. The first was the anti-religious separatists. This group included those who desire what could be called a naked public square, naked of any religious influence. The second was the Christian America perspective; it advocates a sacred public square and the semi-establishment of the Christian religion. The third view is called positive neutrality, which argues for an open public square. The first two positions discriminate against the religious rights of Christians or non-Christians, the last treats all religious groups equally and does not favor secular organizations over religious ones.

Let's look at the specific issue of religion in our schools and see how the notion of positive neutrality might change what we consider to be constitutional and what isn't. Currently the Court uses a three part test to determine constitutionality. First, a program must have a secular purpose. Second, it cannot further a religious effect, and finally, it may not cause excessive entanglement between religion and the state. In its attempt at applying these

rules, the Court has created a very unclear line of what is permissible and what isn't. It has forbidden state-composed prayers, Bible reading, reading of the Lord's Prayer, posting the Ten Commandments, a minute of silence for meditation and prayer, mandating the teaching of evidence for creationism, and certain types of prayers at graduation ceremonies. However, it has permitted release time programs held off campus for religious instruction, teaching about religion, transportation for private school children, a minute of silence for meditation, and voluntary, student-led and -initiated religious clubs.

The obvious result of the Lemon test has been a bias against the religious and for the secular, not neutrality. In trying to account for local religious practices, some justices have argued that prayer and religious celebrations are actually secular and traditional activities rather than acts of worship. This tactic satisfies no one. Positive neutrality argues for a full and free play of all religious groups and of both religion and secularism. True neutrality is achieved by welcoming and encouraging all religions and secular philosophies to participate in the open marketplace of ideas on campus.

True neutrality could be accomplished in our public schools by applying the equal access principle the Court used in *Westside Community Schools v. Mergen*. This decision treated all extracurricular clubs, both religious and secular, with neutrality. This principle could be applied to prayer, the study of origins, and the posting of the Ten Commandments. In effect, this would remove some of the anti-religious bias that pervades public schools.

Neutrality is also enhanced when the government encourages educational choice by funding private schools regardless of their religious or non-religious nature. By allowing vouchers for parents to use to send their children to religious schools of their choice, the government would be treating religious

and non-religious schools in a neutral manner.

Positive neutrality insists that religious ideas should never be forced to hide themselves behind secular ones in order to participate in the public square. The government is not being neutral when it endorses a secular idea over a religious one in our schools or in other social programs. While many Americans are unhappy with the government's current bias against religious beliefs, it remains to be seen if they are ready for real religious freedom that would allow full participation in the public realm by all faiths and philosophies.

Notes

1. Edwin Gaustad, *Sworn On The Altar Of God* (Grand Rapids, MI: Eerdmans, 1996), 99.
2. Wayne House, ed., *Restoring The Constitution* (Dallas, TX: Probe Books, 1987), 298.
3. Stephen V. Monsma, *Positive Neutrality* (Grand Rapids, MI: Baker Books, 1993), 57.
4. Ibid., 63.
5. Ibid.
6. Ibid., 71.
7. George Will, "Who Put Morality In Politics?" *Newsweek*, 1980.
8. Monsma, 73.
9. John Whitehead, *The Separation Illusion* (Milford, MI: Mott Media, 1977), 17.

10. Monsma, 73.

11. Ibid., 57.

12. Ibid., 179.

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The Moral Fallout of the '98 Elections

Now that the November elections have passed, it is time to apply a little 20/20 hindsight to the results. An initial observation is that even the experts were surprised by the outcome, as Democrats gained five seats against the Republican majority in the House, while drawing even in the Senate. Less than a month before the elections, the political director of the Democratic National Committee stated that losing less than twenty-six House seats and less than six Senate seats would be a victory for Democrats. Even moderate political analysts believed that Republicans would secure net gains of eight House seats, three Senate seats, and three governorships. Yet, this election was the first one since the presidency of FDR in which the party of the president did not lose seats in a congressional election. It would seem that these elections deserve special consideration.

The reason why so many had expected poor election results for the Democrats was obviously the scandal that has enveloped the Clinton presidency in the last year. Many Republican leaders seemed to regard the election as a referendum on the President, discounting polls which suggested otherwise. The question is, How could so many "experts" have so misread this

election?

Perhaps one of the most significant aspects of this year's results has to do with the vote of religious conservatives. By comparing this year's vote with the elections of 1994, when Republicans regained control of the House after years of a Democratic majority, we notice a major shift in the voting activity of the so-called "religious right." In 1994, 67 percent of self-described religious conservatives voted Republican for Congress, while only 20 percent voted for Democrats. In the 1998 elections, however, 54 percent of religious conservatives voted Republican, and 31 percent voted for Democrats, a significant 24 percent swing.

This, in itself, helps explain the strong showing of Democrats, but prompts the question, Why did religious conservatives have such a dramatic shift in voting patterns? Several attempts will be made here to answer this question.

Earlier this year, James Dobson of *Focus on the Family* issued a kind of ultimatum to the Republican Party leadership. Expressing frustration at the failure of Republicans to pass significant legislation in areas such as abortion, he threatened to take as many of his radio listeners as he could away from the Republican Party if they did not make more of an effort to focus on social issues important to evangelicals. Immediately after that threat, there was a sudden emphasis by Republican leaders on abortion and homosexuality, and once again the ban on partial-birth abortions was brought to a vote. However, it was again vetoed by President Clinton. Even though, in that respect, Republicans have made an effort to reflect the social concerns of evangelical Christians, their failure to make any progress even with a majority may have left many supporters alienated.

Another factor may have been the failure of Republicans to stand up to President Clinton in the last-minute budget negotiations in October. Instead of pressing for their own

agenda months earlier, when Mr. Clinton was at his weakest, Republicans were pressed into a corner by the threat of another government shutdown. Their failure to acknowledge that their constituents were concerned with more than just President Clinton's behavior ultimately seems to have backfired. The main message this year was that conservatives themselves sent a message to Republicans that they can no longer be counted on to simply vote anti-Democrat. As Steve Forbes has said, "A party that loses sight of its values and principles loses its base."

Presidential Scandal and the '98 Elections

Republicans and Democrats alike had anticipated major gains for the Republicans in the House, mainly because of the scandal involving President Clinton. House Speaker Newt Gingrich had predicted a gain of as many as thirty seats. Yet when the votes were tallied, Democrats had actually gained five seats, and Newt Gingrich has now resigned his position as Speaker of the House. Does this mean that voters rejected an agenda favorable to religious conservatives?

Many Christians have been dismayed by the apparent lack of voters who were willing to punish Mr. Clinton for his actions. Of course, Mr. Clinton himself was not running for office, but it was thought that, by voting against Democrats, voters would signal their disapproval of President Clinton's behavior. Instead, it appears that voters voted for candidates on their own merits; it would seem that voters were in most respects voting *for* candidates and issues, not just *against* Mr. Clinton.

Some, associating the Democratic Party with the Lewinski scandal, have suggested that the positive gains of Democrats indicates that Americans are less and less concerned about the morality of their political leaders. Several factors have to

be considered before making that judgment. In the first place, no single party has a monopoly on morality. This became especially evident when it was revealed in recent months that several prominent Republicans had been involved in sexual affairs in the past. And even though the current legal issue against Mr. Clinton is all about perjury under oath and suborning of perjury, as well as possible obstruction of justice, it is impossible to separate these issues from President Clinton's involvement with Ms. Lewinski. Consequently, the emphasis in the press on the sexual nature of the scandal has led many to conclude that Mr. Clinton's behavior is not unique.

Another key factor in how the American people have reacted to the Lewinski scandal is a simple psychological response to the long period between President Clinton's denial of an affair and his eventual admission of an "inappropriate relationship." In the eight months between those two speeches, most Americans had gradually become convinced that the President lied in his initial denial. Consequently, when President Clinton admitted he had misled the public, the shock factor was absent—many people had already concluded that he wasn't telling the truth. And the constant emphasis in the news about the story eventually led many to conclude that our elected officials were obsessed with the scandal. Though it has been suggested that the reluctance to condemn Mr. Clinton's actions is indicative of a nation that has lost its moral compass, it could be that it also points to a sense of morality that is repulsed by publicly discussing private matters.

Exit polls indicate that over half of all voters did not consider President Clinton an issue in the election. Some candidates and issues which he supported won, and some lost. It seems what was most significant was that Republicans in this session of Congress failed to establish an agenda of their own that emphasized traditional conservatism. As we will see in the next section, it is evident that voters did not

reject the social and moral concerns of Christians, but rather the failure of some Republicans to make a principled stand on the issues.

Major Victories for Christian Conservatives

The mainstream press has attempted to portray the lack-luster performance of Republicans at the national level as a major blow to the religious right, yet exit polls indicate that the major difference this year was that it was the religious right itself that shifted its allegiance away from the Republican Party. The clear message is that Republicans cannot expect religious conservatives to slavishly vote Republican every time. Voters seem much more willing to look at each individual candidate on his or her own merit, rather than simply following a party line. It would appear that some of its strongest supporters are attempting to send Republican Party leaders a message.

Christians and other religious conservatives who are concerned that the elections indicate a major shift away from traditional morality may be focusing too strongly on their reaction to the Clinton scandal. Whereas 20 percent of voters went to the voting booth with the clear intent of voting against Mr. Clinton, another 20 percent voted with support of the President in mind. Those two groups thus canceled each other out. The other 60 percent of voters maintained that they voted with no thought of President Clinton. And since many Democrats attempted to distance themselves from President Clinton during their campaigns, it would be a stretch to suggest that those who voted Democrat were voting for the President. And when we consider the issues which were voted on this past November, we can't help but notice that major victories were won in areas important to Christians.

Perhaps one of the most defining moments of these elections

was the banning of same-sex marriage in both Hawaii and Alaska. Of course, the silence from the major media has been deafening, especially when it had been suggested just two years ago by gay activists that Hawaii would open the floodgates for same-sex marriage. Even though homosexual activists poured considerable amounts of money and energy into their campaigns, nearly 70 percent of both Alaskan and Hawaiian voters affirmed marriage as being between one man and one woman. In a related issue, Republicans had high hopes that Matt Fong would defeat liberal Senator Barbara Boxer in California, but Fong shocked many conservative supporters late in the campaign by making concessions to the gay and lesbian community. Needless to say, Fong lost, mainly due to his failure to take a principled stand.

Also, another major issue for Christians has been the emphasis on the sanctity of life. In the home state of Jack Kevorkian, Michigan voters defeated doctor-assisted suicide by a wide margin. Colorado voters also placed a limitation on abortion by requiring parental consent for teenagers seeking abortion. Unfortunately, Colorado and Washington both refused to outlaw partial-birth abortions, although the votes were very close.

In sum, while conservatives seem to be laying all their bets on the Republican Party, and because Republicans didn't do as well as expected, there has been a tendency to say conservatism, and especially religious conservatism, was a big loser on election day. But when we look at the results of particular races, we see that only a handful of true conservatives lost at the national level, and many referendums were won. Any attempt to view the elections as an outright rejection of a conservative religious worldview cannot be supported by the facts.

Moral Judgment and the Sexual Revolution

As we have examined the November elections, we have concluded that the attitude of most Americans toward President Clinton

was left out of the ballot box. President Clinton was not running for office, and the major shift in voting patterns was demonstrated by religious conservatives, who appear to have punished Republicans for failing to act like the majority in Congress. Probably the best way to gauge how Americans view the President is to recall the polls that have been taken since the Lewinski matter erupted in January of 1998.

Certainly one of the most curious aspects of this political year has been the consistently high job approval ratings the President has enjoyed, while at the same time he is considered a poor role model by a majority. The very fact that people have made a moral judgment of the President is once again a positive indication that American society is not simply concerned with pragmatism. But on the other hand, the majority of Americans seem to be willing to forgive Mr. Clinton and simply want the issue to go away. In this respect, Americans seem perfectly content to ignore the scandal as long as there is peace abroad and economic prosperity at home. Besides, it is the opinion of many that the scandal is "just about sex." If anything, it is that small phrase which should be of concern for society, since it seems to imply that sexuality is of little importance. A biblical worldview is entirely opposed to such a notion.

According to Genesis 2, God's desire is that one man and one woman should become "one flesh" in the act of marriage—a euphemism for sexual union. But since the beginning of time, humanity has rejected God's plan, and the consequences have been devastating. In the United States, there has been a concerted effort since the 1960's to overcome any social restrictions against sex outside of marriage, all in the name of personal freedom. But in fact, many of the social pathologies in this country can be traced to a distorted view of sexuality. When men and women reject the sacredness of sexuality and view sex as simply recreational, the natural results are obvious: unwanted pregnancies, abortion, sexually

transmitted diseases, AIDS, divorce, single-motherhood, and poverty. Not so obvious is another related issue. When young men grow up without fathers, they typically learn conceptions of manhood from other youth, rather than learning from their fathers. Violent gangs are often the only families that some young men ever identify with. Thus, to speak of sexuality as though it is of little import is a tragic mistake.

Of course, because the sexual revolution has had such a powerful grip on society, it is easy to see why so many are able to separate President Clinton's personal life from his public duties. When any society loosens its attitude toward a particular activity, the members of that society will feel less ashamed for engaging in that activity. As a consequence, those who engage in that activity will be much less likely to condemn anyone who does the same thing, since to do so would necessarily be a condemnation of themselves. More than likely, the willingness for many to simply ignore the Lewinski matter is a residue of a casual view of sexuality. However, the American people must remember that the issue before them is not only a sexual scandal, but a question of the rule of law. That issue has broader implications for us all.

The Case for the Common Good

As we have been considering the recent national elections and the surprising results, we have considered the possible connection between the results and the public's reaction to President Clinton and the Lewinski scandal. We have noted that exit polls indicate that candidates were typically judged on their own merits. Thus, overall results cannot be said to reflect favorably or negatively on Mr. Clinton. We also noted that the sexual revolution has lessened the tendency of Americans to judge anyone for sexual indiscretions. But, what must now be emphasized is that the President's impeachment hearings are based on allegations of perjury and obstruction of justice. That many Americans are willing to dismiss such an

offense should be of concern to all of us.

Perhaps the first thing that should be acknowledged by all is that President Clinton is well-liked by many Americans. Consequently, this case is similar to the O.J. Simpson trial, where a well-known and well-liked celebrity won a trial of public opinion. In this situation, millions of Americans are sympathetic toward the President. Unfortunately, many Americans have construed their affection for the President as being admissible as evidence in a court of law. In reality, juries are not simply allowed to determine a person's fate by majority rule. And contrary to what has been stated recently by media friends of President Clinton such as Geraldo Rivera, perjury is a criminal offense. To simply ignore its possibility in this case would be devastating for our legal system.

When we consider that this country's government is founded on an intricate system of checks and balances, we must ultimately recognize that the rule of law is essential to a just society. When people are discriminated against, or granted special favors in the legal system, the result is injustice. President Clinton himself recognizes this, as he is the top law enforcement officer in the land. In addition, the following statement is found in the Justice Department's manual for federal prosecutors: "Because false declarations affect the integrity of the judicial fact-finding process, all offenders should be vigorously prosecuted."

Unfortunately, contemporary society tends to denigrate public service, and place a premium on the comforts of private and family life. Consequently, many people are willing to ignore the legal case against President Clinton since they assume it does not directly concern them. But, as Alexis de Tocqueville reminded us over 150 years ago in his great work *Democracy in America*, one of the dangers of democracy is that it can flatten people's personalities, making them "creatures of mass opinion and enslaving them to the drive for material security,

comfort and equality.” But if the American people are willing to forfeit the integrity of the law out of a desire for convenience or prosperity, it demonstrates not so much the lack of a moral compass as it indicates that many Americans no longer recognize the concept of the common good.

When a government becomes too powerful, de Toqueville warns, its citizens are willing to sacrifice freedom for comfort. Should contemporary society assume that President Clinton should not have to be held accountable for perjury, it would establish a legal precedent that would call into question the rule of law in our society. To that extent our elected congressional leaders must remember that their first responsibility is to the laws which they as a body have sworn to defend. While the spectacle of impeachment hearings is a sad prospect, even more tragic would be the cynicism that would be the result of ignoring this case for reasons of political expediency.

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Christian View of Government and Law

Kerby Anderson helps us develop a biblically based, Christian view of both government and the laws it enforces. Understanding that the New Testament does not direct a particular type of government, Kerby leads us to understand how the principles of the New Testament will help us select governmental models that are conducive to Christian life and witness.

Christian View of Government

Government affects our lives daily. It tells us how fast to drive. It regulates our commerce. It protects us from foreign and domestic strife. Yet we rarely take time to consider its basic function. What is a biblical view of government? Why do we have government? What kind of government does the Bible allow?

Developing a Christian view of government is difficult since the Bible does not provide an exhaustive treatment of government. This itself is perhaps instructive and provides some latitude for these institutions to reflect the needs and demands of particular cultural situations. Because the Bible does not speak directly to every area of political discussion, Christians often hold different views on particular political issues. However, Christians are not free to believe whatever they want. Christians should not abandon the Bible when they begin to think about these issues because there is a great deal of biblical material that can be used to judge particular political options.

The Old Testament teaches that God established government after the flood (Gen. 9:6). And the Old Testament provides clear guidelines for the development of a theocracy in which God was the head of government. These guidelines, however, were written for particular circumstances involving a covenant people chosen by God. These guidelines do not apply today because our modern governments are not the direct inheritors of the promises God made to the nation of Israel.

Apart from that unique situation, the Bible does not propose nor endorse any specific political system. The Bible, however, does provide a basis for evaluating various political philosophies because it clearly delineates a view of human nature. And every political theory rests on a particular view of human nature.

The Bible describes two elements of human nature. This viewpoint is helpful in judging government systems. Because humans are created in the image of God (Gen. 1:26–27), they are able to exercise judgment and rationality. However, humans are also fallen creatures (Gen. 3). This human sinfulness (Rom. 3:23) has therefore created a need to control evil and sinful human behavior through civil government.

Many theologians have suggested that the only reason we have government today is to control sinful behavior because of the Fall. But there is every indication that government would have existed even if we lived in a sinless world. For example, there seems to be some structuring of authority in the Garden (Gen. 1–2). The Bible also speaks of the angelic host as being organized into levels of authority and function.

In the creation, God ordained government as the means by which human beings and angelic hosts are ruled. The rest of the created order is governed by instinct (Prov. 30:24–28) and God's providence. Insect colonies, for example, may show a level of order, but this is due merely to genetically controlled instinct.

Human beings, on the other hand, are created in the image of God and thus are responsible to the commands of God. We are created by a God of order (1 Cor. 14:33); therefore we also seek order through governmental structures.

A Christian view of government differs significantly from views proposed by many political theorists. The basis for civil government is rooted in our created nature. We are rational and volitional beings. We are not determined by fate, as the Greeks would have said, nor are we determined by our environment as modern behaviorists say. We have the power of choice. Therefore we can exercise delegated power over the created order. Thus a biblical view of human nature requires a governmental system that acknowledges human responsibility.

While the source of civil government is rooted in human responsibility, the need for government derives from the necessity of controlling human sinfulness. God ordained civil government to restrain evil (cf. Gen. 9). Anarchy, for example, is not a viable option because all have sinned (Rom. 3:23) and are in need of external control.

Notice how a Christian view of human nature provides a basis to judge various political philosophies. For example, Christians must reject political philosophies which ignore human sinfulness. Many utopian political theories are based upon this flawed assumption. In *The Republic*, Plato proposed an ideal government where the enlightened philosopher-kings would lead the country. The Bible, however, teaches that all are sinful (Rom. 3:23). Plato's proposed leaders would also be affected by the sinful effects of the Fall (Gen. 3). They would not always have the benevolent and enlightened disposition necessary to lead the republic.

Christians should also reject a marxist view of government. Karl Marx believed that human nature was conditioned by society, and in particular, the capitalist economy. His solution was to change the economy so that you would change human nature. Why do we have greed? Because we live in a greedy capitalist society. Marx taught that if society changed the economy from capitalism to socialism and then communism, greed would cease.

Christians should reject the utopian vision of marxism because it is based upon an inaccurate view of human nature. The Bible teaches that believers can become new creatures (2 Cor. 5:17) through spiritual conversion, but that does not mean that the effects of sin are completely overcome in this life. The Bible also teaches that we will continue to live in a world tainted by sin. The view of Karl Marx contradicts biblical teaching by proposing a new man in a new society perfected by man's own efforts.

Since civil government is necessary and divinely ordained by God (Rom. 13:1–7), it is ultimately under God's control. It has been given three political responsibilities: the sword of justice (to punish criminals), the sword of order (to thwart rebellion), and the sword of war (to defend the state).

As citizens, Christians have been given a number of responsibilities. They are called to render service and obedience to the government (Matt. 22:21). Because it is a God-ordained institution, they are to submit to civil authority (1 Pet. 2:13–17) as they would to other institutions of God. As will be discussed later, Christians are not to give total and final allegiance to the secular state. Other God-ordained institutions exist in society alongside the state. Christians' final allegiance must be to God. They are to obey civil authorities (Rom. 13:5) in order to avoid anarchy and chaos, but there may be times when they may be forced to disobey (Acts 5:29).

Because government is a divinely ordained institution, Christians have a responsibility to work within governmental structures to bring about change. Government is part of the order of creation and a minister of God (Rom. 13:4). Christians are to obey governmental authorities (Rom. 13:1–4, 1 Peter 2:13–14). Christians are also to be the salt of the earth and the light of the world (Matt. 5:13–16) in the midst of the political context.

Although governments may be guilty of injustice, Christians should not stop working for justice or cease to be concerned about human rights. We do not give up on marriage as an institution simply because there are so many divorces, and we do not give up on the church because of many internal problems. Each God-ordained institution manifests human sinfulness and disobedience. Our responsibility as Christians is to call political leaders back to this God-ordained task. Government is a legitimate sphere of Christian service, and so we should not look to government only when our rights are

being abused. We are to be concerned with social justice and should see governmental action as a legitimate instrument to achieve just ends.

A Christian view of government should also be concerned with human rights. Human rights in a Christian system are based on a biblical view of human dignity. A bill of rights, therefore, does not grant rights to individuals, but instead acknowledges these rights as already existing. The writings of John Locke along with the Declaration of Independence capture this idea by stating that government is based on the inalienable rights of individuals. Government based on humanism, however, would not see rights as inalienable, and thus opens the possibility for the state to redefine what rights its citizens may enjoy. The rights of citizens in a republic, for example, are articulated in terms of what the government is forbidden to do. But in totalitarian governments, while the rights of citizens may also be spelled out, power ultimately resides in the government not the people.

A Christian view of government also recognizes the need to limit the influence of sin in society. This is best achieved by placing certain checks on governmental authority. This protects citizens from the abuse or misuse of governmental power which results when sinful individuals are given too much governmental control.

The greatest threat to liberty comes from the exercise of power. History has shown that power is a corrupting force when placed in human hands. In the Old Testament theocracy there was less danger of abuse because the head of state was God. The Bible amply documents the dangers that ensued when power was transferred to a single king. Even David, a man after God's own heart (1 Sam. 13:14; Acts 13:22), abused his power and Israel experienced great calamity (2 Sam. 11-21).

Governmental Authority

A key question in political theory is how to determine the limits of governmental authority. With the remarkable growth in the size and scope of government in the 20th century, it is necessary to define clearly the lines of governmental authority. The Bible provides some guidelines.

However, it is often difficult to set limits or draw lines on governmental authority. As already noted, the Old Testament theocracy differed from our modern democratic government. Although human nature is the same, drawing biblical principles from an agrarian, monolithic culture and applying them to a technological, pluralistic culture requires discernment.

Part of this difficulty can be eased by separating two issues. First, should government legislate morality? We will discuss this in the section on social action. Second, what are the limits of governmental sovereignty? The following are a few general principles helpful in determining the limits of governmental authority.

As Christians, we recognize that God has ordained other institutions besides civil government which exercise authority in their particular sphere of influence. This is in contrast to other political systems that see the state as the sovereign agent over human affairs, exercising sovereignty over every other human institution. A Christian view is different.

The first institution is the church (Heb. 12:18–24; 1 Pet. 2:9–10). Jesus taught that the government should work in harmony with the church and should recognize its sovereignty in spiritual matters (Matt. 22:21).

The second institution is the family (Eph. 5:22–32, 1 Pet. 3:1–7). The family is an institution under God and His authority (Gen. 1:26–28, 2:20–25). When the family breaks down, the government often has to step in to protect the rights of

the wife (in cases of wife abuse) or children (in cases of child abuse or adoption). The biblical emphasis, however, is not so much on rights as it is on responsibilities and mutual submission (Eph. 5:21).

A third institution is education. Children are not the wards of the state, but belong to God (Ps. 127:3) and are given to parents as a gift from God. Parents are to teach their children (Deut. 4:9) and may also entrust them to tutors (Gal. 4:2).

In a humanistic system of government, the institutions of church and family are usually subordinated to the state. In an atheistic system, ultimately the state becomes a substitute god and is given additional power to adjudicate disputes and bring order to a society. Since institutions exist by permission of the state, there is always the possibility that a new social contract will allow government to intervene in the areas of church and family.

A Christian view of government recognizes the sovereignty of these spheres. Governmental intervention into the spheres of church and family is necessary in certain cases where there is threat to life, liberty, or property. Otherwise civil government should recognize the sovereignty of other God-ordained institutions.

Moral Basis of Law

Law should be the foundation of any government. Whether law is based upon moral absolutes, changing consensus, or totalitarian whim is of crucial importance. Until fairly recently, Western culture held to a notion that common law was founded upon God's revealed moral absolutes.

In a Christian view of government, law is based upon God's revealed commandments. Law is not based upon human opinion or sociological convention. Law is rooted in God's unchangeable

character and derived from biblical principles of morality.

In humanism, humanity is the source of law. Law is merely the expression of human will or mind. Since ethics and morality are man-made, so also is law. Humanists' law is rooted in human opinion, and thus is relative and arbitrary.

Two important figures in the history of law are Samuel Rutherford (1600-1661) and William Blackstone (1723-1780). Rutherford's *Lex Rex* (written in 1644) had profound effect on British and American law. His treatise challenged the foundations of 17th century politics by proclaiming that law must be based upon the Bible, rather than upon the word of any man.

Up until that time, the king had been the law. The book created a great controversy because it attacked the idea of the divine right of kings. This doctrine had held that the king or the state ruled as God's appointed regent. Thus, the king's word had been law. Rutherford properly argued from passages such as Romans 13 that the king, as well as anyone else, was under God's law and not above it.

Sir William Blackstone was an English jurist in the 18th century and is famous for his *Commentaries on the Law of England* which embodied the tenets of Judeo-Christian theism. Published in 1765, the *Commentaries* became the definitive treatise on the common law in England and in America. According to Blackstone, the two foundations for law are nature and revelation through the Scriptures. Blackstone believed that the fear of the Lord was the beginning of wisdom, and thus taught that God was the source of all laws. It is interesting that even the humanist Rousseau noted in his *Social Contract* that one needs someone outside the world system to provide a moral basis for law. He said, "It would take gods to give men laws."

Unfortunately, our modern legal structure has been influenced

by relativism and utilitarianism, instead of moral absolutes revealed in Scripture. Relativism provides no secure basis for moral judgments. There are no firm moral absolutes upon which to build a secure legal foundation.

Utilitarianism looks merely at consequences and ignores moral principles. This legal foundation has been further eroded by the relatively recent phenomenon of sociological law. In this view, law should be based upon relative sociological standards. No discipline is more helpless without a moral foundation than law. Law is a tool, and it needs a jurisprudential foundation. Just as contractors and builders need the architect's blueprint in order to build, so also lawyers need theologians and moral philosophers to make good laws. Yet, most lawyers today are extensively trained in technique, but little in moral and legal philosophy.

Legal justice in the Western world has been based upon a proper, biblical understanding of human nature and human choice. We hold criminals accountable for their crimes, rather than excuse their behavior as part of environmental conditioning. We also acknowledge differences between willful, premeditated acts (such as murder) and so-called crimes of passion (i.e., manslaughter) or accidents.

One of the problems in our society today is that we do not operate from assumptions of human choice. The influence of the behaviorist, the evolutionist, and the sociobiologist are quite profound. The evolutionist and sociobiologist say that human behavior is genetically determined. The behaviorist says that human behavior is environmentally determined. Where do we find free choice in a system that argues that actions are a result of heredity and environment? Free choice and personal responsibility have been diminished in the criminal justice system, due to the influence of these secular perspectives.

It is, therefore, not by accident that we have seen a dramatic change in our view of criminal justice. The emphasis has moved

from a view of punishment and restitution to one of rehabilitation. If our actions are governed by something external, and human choice is denied, then we cannot punish someone for something they cannot control. However, we must rehabilitate them if the influences are merely heredity and environmental. But such a view of human actions diminishes human dignity. If a person cannot choose, then he is merely a victim of circumstances and must become a ward of the state.

As Christians, we must take the criminal act seriously and punish human choices. While we recognize the value of rehabilitation (especially through spiritual conversion, John 3:3), we also recognize the need for punishing wrong-doing. The Old Testament provisions for punishment and restitution make more sense in light of the biblical view of human nature. Yet today, we have a justice system which promotes no-fault divorce, no-fault insurance, and continues to erode away the notion of human responsibility.

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UN Conferences

Habitat II and Sustainable Development

Although United Nations conferences have been taking place frequently over the last two decades, most Americans have ignored the proceedings and their ominous implications. Recent conferences in Cairo, Beijing, and Istanbul have been a vivid reminder of the radical ideology of the UN and the threat it poses to our faith, family, and freedom.

The direction of the last few conferences illustrates this

point. The 1992 Earth Summit in Rio de Janeiro established an environmental foundation for all the UN's radical social and economic agendas. The 1994 Cairo Conference focused on population control and attempted to push abortion and contraception as solutions to the perceived "problem" of overpopulation. The 1995 Women's Conference in Beijing, China, proved to be the most radical of all. It continued to push abortion as a human right and attempted to make sexual orientation a human right by promoting the idea that genders are not clearly defined but are socially constructed. The White House has already created an Inter-Agency Council to implement the Beijing platform in the private sector and every executive agency.

The recently completed conference in Istanbul, Turkey, built upon the foundation of the other conferences and was the culmination of the conferences. Wally N'Dow, Secretary General of Habitat II, predicted that the conference would be a "new beginning that will reflect and implement the actions called for at the unprecedented continuum of global conferences that have marked this closing decade of the century." He said that "a new global social contract for building sustainable human settlements must be forged" for the "new global urban world order." Mindful of the controversy surrounding the other conferences, he declared, "There will be no roll-back of any of the conferences, including Beijing."

Habitat II focused on the problems of urban centers. Its goal was to create "economically, socially and environmentally thriving urban communities" in order to better the lives of people living in third-world countries. Although the goals were commendable, the agenda of the conference participants went far beyond urban blight.

A key concept in the Habitat II agenda was sustainable development. In the school curriculum developed by the UN, sustainable development was defined as "meeting the needs of the present generation without damaging the Earth's resources

in such a way that would prevent future generations from meeting [their needs]." It includes "changing wasteful consumption patterns" and "emphasizing equitable development" in order to "bridge the gap between rich and poor countries." In practice, sustainable development is a radical concept that will limit the amount of food, energy, or general resources that citizens of a nation can consume. Rather than consuming what they can afford, "rich" nations (like the U.S.) might only be allowed to consume what they need to stay alive.

One UN publication declares that we "must learn to live differently" and calls for this international agency to "ensure that the benefits of development are distributed equally." To achieve this so-called "equal distribution," there must be a redistribution of wealth throughout the planet. The UN has already drafted specific plans for implementing sustainable development in the U.S. In spite of the frightening implications of these conferences, U.S. taxpayers have been footing the bill for them and their radical agendas.

Habitat II: Global Taxes and National Sovereignty

The most recent conference in Istanbul, Turkey, known as Habitat II is illustrative of another major concern: namely, the threat these conferences pose to our national sovereignty.

Habitat II called for national governments to manage economic systems. These include public and private investment practices, consumption patterns, and public policy. UN Secretary Boutros Boutros Ghali told the first plenary session that he wanted the conference to be a "Conference of Partners."

Another section was devoted to the international community and its involvement with national governments. The Global Plan of Action calls for the international community to force changes

in the world's economic structures.

The UN also intends to reach sustainable development by changing the structure of national governments. In fact, the Habitat agenda depends upon UN oversight of national, regional, state, and local governments. The document asks city administrators to re-design their regulations, political systems, and judicial and legislative procedures. It was no accident that the conference was filled with mayors from many U.S. cities as well as from cities around the world.

The Habitat document proposed that "government at all levels should encourage . . . walking, cycling, and public transport . . . through appropriate pricing . . . and regulatory measures." Governments are charged with the responsibility of encouraging citizens to walk, ride bicycles, or take public transportation. This would be accomplished by the heavy taxation and burdensome regulations often found in socialist economies.

UN Secretary General Boutros Boutros Ghali has also called for global taxes on international currency transactions, energy, and travel to fund the United Nations. During the conference, the U.S. was harshly criticized for being delinquent in its payment to the UN. It currently owes \$1.5 billion. Currently the U.S. pays about 25 percent of the UN budget and nearly 40 percent of the "peacekeeping" costs. The UN hopes that in the next few years they are able to implement this global tax so they can be free of U.S. influence and enact their radical global agenda.

This global tax proposed by Boutros Boutros Ghali would be received from international currency transactions, energy shipments, and international travel. If implemented, it would remove the UN's dependence on sovereign nations. No longer would the United States or other countries have a check and balance against an international organization. The UN could pay for its activities, fund UN peacekeeping forces, and

conduct many of its affairs independently of the United States.

Canadian developer Maurice Strong is often considered a likely candidate to become the future Secretary General of the United Nations. He has called for a shift in our current thinking. He has stated that this change in thinking "will require a vast strengthening of the multilateral system, including the United Nations. . . . We must now forge a new Earth Ethic' which will inspire all people and nations to join in a new global partnership of North, South, East and West."

This global vision should especially concern Christians mindful of end-times prophecy. At the time when the world seems to be moving swiftly towards global government, the prospects of a stronger United Nations autonomous of sovereign nations is a scary scenario. This bolder and stronger United Nations would further erode U.S. sovereignty and strengthen the hand of world leaders who are promoting globalist visions of a one-world government.

UN Conferences: Four Areas of Concern

Now I want to discuss the possible effects of the UN conferences on our families and communities. I see several issues on great concern to Christians.

The first issue is education. Many of the concepts from Habitat II, like "sustainable development," have already infiltrated America's schools. Textbooks promote global citizenship and minimize national sovereignty. Other textbooks blame rich northern countries (like the U.S.) for retarding the growth and development in lesser developed countries. "Tolerance" and "global peace" are emphasized as the ultimate aims of society. The Goals 2000 federal program for education in this country provides the perfect mechanism to transmit these global UN philosophies into school curricula. A second issue is the impact on families. The Habitat II conference

continued the UN attempt to redefine the family. Many UN leaders see the traditional family as an obstacle to UN dominance.

The Habitat II platform stated that "in different cultural, political and social systems, various forms of the family exist." Many participants asked that "sexual orientation" be included as a civil rights category. In many ways, this merely extended the concept promoted during the Beijing Women's Conference that gender be defined not as male and female, but as one of five genders that are socially constructed. Habitat II also promoted "gendered cities" which are to be organized in terms of "gender roles." The third issue has to do with population. The UN Population Fund says that population growth is a key inhibitor of sustainable growth. UN recommendations of population control are based upon the faulty premise that the world is in the midst of a population explosion that cannot be controlled. Participants raised the fear of losing resources even though there is empirical evidence to the contrary.

Because of the UN's anti-population bias, the Habitat II document emphasizes "sustainable development" as the mechanism for population control. Thus, "family planning" is a key concept, and the document therefore emphasizes surgical abortions and chemical abortions (RU-486). The Habitat platform specifically mentions "reproductive health services" for women in human settlements and calls for government management of economic and population growth.

A final issue concerns the area of ecology and pollution. At the 1992 UN Earth Summit, Canadian developer Maurice Strong stated, "It is clear that current lifestyles and consumption of large amounts of frozen convenience foods, use of fossil fuels, appliances, home and workplace air conditioners and suburban housing are not sustainable." Many believe Maurice Strong will probably succeed Boutros Boutros Ghali as UN Secretary General and are rightly concerned about his New Age

views on ecology. The Habitat II document encourages nations to use heavy taxation and various regulations to ensure that citizens walk, ride bicycles, and take public transportation.

The threats posed by these UN Conferences (including the recent conference in Istanbul) are real. American citizens must fight these radical ideas and ensure that our politicians do not give away our sovereignty on the pretext of easing ecological problems. We should be good stewards of the environment, but we should not place that responsibility in the hands of those in the United Nations who want to use it as a tool for global dominance.

Globalism and the Traditional Family

Now I would like to turn our attention to the goals of the globalists. Though they are a diverse and eclectic group of international bankers, politicians, futurists, religious leaders, and economic planners, they are unified in their desire to unite the planet under a one-world government, a single economic system, and a one-world religion. Through various governmental programs, international conferences, and religious meetings, they desire to unite the various governments of this globe into one single network.

Although this can be achieved in a variety of ways, the primary focus of globalists is on the next generation of young people. By pushing global education in the schools, they believe they can indoctrinate them to accept the basic foundations of globalism. According to one globalist, global education seeks to "prepare students for citizenship in the global age." Globalists believe that this new form of education will enable future generations to deal effectively with population growth, environmental problems, international tensions, and terrorism.

But several obstacles stand in the way of the globalists' goals. Consequently, they have targeted three major

institutions for elimination because their continued existence impedes their designs to unite the world under a single economic, political, and social global network.

The three institutions under attack by globalists today are: the traditional family, the Christian church, and the national government. Each institution espouses doctrines antithetical to the globalist vision. Therefore, globalists argue, these institutions must be substantially modified or replaced.

The traditional family poses a threat to globalism for two reasons. First, it is still the primary socializing unit in our society. Parents pass on social, cultural, and spiritual values to their children. Many of these values such as faith, hard work, and independence collide with the designs of globalists who envision a world in which tolerance for religion, dependence on a one-world global community, and international cooperation are the norm. These values are not taught in traditional American families, therefore globalists seek to change the family.

Second, parental authority in a traditional family clearly supersedes international authority. Children are taught to obey their parents in such families. Parents have authority over their children, not a national or international governmental entity. Globalists, therefore, see the traditional, American family as an enemy, not as a friend.

Well-known humanist and globalist Ashley Montagu speaking to a group of educators declared that, "The American family structure produces mentally ill children." From his perspective, the traditional family which teaches such things as loyalty to God and loyalty to country is not producing children mentally fit for the global world of the twenty-first century.

One of the reasons globalist educators advocate childhood education begin at earlier and earlier ages is so that young

children can be indoctrinated into globalism. The earlier they can communicate their themes to children, the more likely will be the globalists' success in breaking the influence of the family.

But the traditional family is just one of the institutions globalists seek to change. We must now turn our attention to globalistic attacks on these other institutions.

Globalism Opposes Christianity and Nationalism

We have seen that globalists oppose the traditional family, but we must also be aware that they believe that the Christian church and a sense of national identity are contrary to their vision.

Globalists feel that the Christian church threatens their global program because of its belief in the authority of the Bible. Most other religious systems (as well as liberal Christianity) pose little threat. But Christians who believe in God, in sin, in salvation through faith in Jesus Christ alone, stand in the way of the globalist vision for a one-world government and a one-world religion.

The coming world religion will merge all religions and faiths into one big spiritual amalgam. Hinduism and Buddhism are syncretistic religions and can easily be merged into this one-world religion. But orthodox Christianity cannot.

Jesus taught that "I am the way, and the truth, and the life; no one comes to the Father, but through Me" (John 14:6). Globalists, therefore, see Christianity as narrow, exclusive, and intolerant. Paul Brandwein even went so far as to say that, "Any child who believes in God is mentally ill." Belief in a personal God to which we owe allegiance and obedience cannot remain if globalists are to achieve their ultimate vision.

National governments also threaten globalism. If the goal is to unite all peoples under one international banner, any nationalism or patriotism blocks the progress of that vision.

Globalist and architect Buckminster Fuller once said that, "Nationalism is the blood clot in the world's circulatory system."

Among nations, the United States stands as one of the greatest obstacles to globalism. The European community has already acquiesced to regional and international plans, and other emerging nations are willingly joining the international community. By contrast, the United States remains independent in its national fervor and general unwillingness to cooperate with international standards. Until recently, Americans rejected nearly everything international, be it an international system of measurements (metric system) or an international agency (such as the United Nations or the World Court).

The globalist solution is to promote global ideas in the schools. Dr. Pierce of Harvard University speaking to educators in Denver, Colorado, said, "Every child in America who enters schools at the age of five is mentally ill, because he comes to school with allegiance toward our elected officials, toward our founding fathers, toward our institutions, toward the preservation of this form of government." Their solution, therefore, is to purge these nationalistic beliefs from school children so they will come to embrace the goals of globalism.

All over the country programs on Global Education, Global History, and Global Citizenship are springing up. Children are being indoctrinated into a global way of thinking. Frequently these programs masquerade as drug awareness programs, civics programs, or environmental programs. But their goal is just the same to break down a child's allegiance to family, church, and country, and to replace this allegiance with the

globalists' vision for a one-world government, a one-world economic system, and a one-world religion. These then are three institutions the globalists believe must be modified or destroyed if they are to achieve their globalist vision. Christians must, therefore, be diligent to defend their family, their church, and their country.

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National Child Care

National Child Care Debate

Imagine a country in which nearly all children between the ages of three and five attend preschool in sparkling classrooms, with teachers recruited and trained as child care professionals. Imagine a country that conceives of child care as a program to welcome children into the larger community and awaken their potential for learning and growing.

So begins one of the chapters by Hillary Rodham Clinton in her book *It Takes a Village*. The discussion represents yet another attempt to erect a national system of child care. In the early 1970s, Senator Walter Mondale pushed the Child Advocacy Bill through Congress only to have it vetoed by President Nixon. Again in the late 1980s, Congress flirted with socialized day care when Senator Christopher Dodd proposed The Act for Better Child Care.

Fortunately, the bill went nowhere.

But has the time come again for a national discussion of day care? Hillary Clinton proposes that the United States adopt the French model of institutionalized day care: "More than 90

percent of French children between ages three and five attend free or inexpensive preschools called *écoles maternelles*. Even before they reach the age of three, many of them are in full-day programs.” The First Lady then goes on to present the French experience in glowing terms and provides additional examples to bolster her push for a national day care system.

Many social commentators believe our contemporary day care debate has dramatically shifted from whether the federal government should be involved to how the federal government should be involved. What was once in the domain of the family has shifted to the government due in large part to the increasing number of women in the work force. During the Carter Administration, a federal child care tax credit was enacted and the budget for this tax credit has mushroomed to billions of dollars annually.

The debate is changing as well because the child-rearing patterns in America are changing. Through most of our history, women traditionally assumed primary responsibility for rearing children. Now as more and more mothers head off to work, nearly half of the nation’s children under six years old are in day care facilities.

This dramatic shift from child-rearing within the family to social parenting in day care facilities is beginning to have frightening consequences. Stories of neglect, abuse, and abandonment are merely the tip of the iceberg of a multi-billion-dollar-a-year industry that is largely unregulated.

Sadly, this change in the way we raise children has been motivated more by convenience and selfishness than by thoughtful analysis of the implications. Psychologist Burton White, author of *The First Three Years of Life*, laments that “We haven’t moved to day care because we were seeking a better way of raising children, but to meet the needs of the parent, mostly the mother. My concern is that this trend constitutes a disastrous effect on the child.”

This essay looks at the important issues concerning the subject of day care. What are the implications of a nationally-subsidized day care system? How does day care affect early childhood development? What are the psychological costs? What are the social costs? What are the medical costs? These are just a few of the questions we will try to answer in these pages. Psalm 127 reminds us the children are “a gift of God.” Before we develop national programs that may harm our children, we need to count the costs and make an informed decision.

Use and Misuse of Statistics

Hillary Rodham Clinton isn't the only national figure proposing a nationally-subsidized day care system for the United States. In his 1996 State of the Union address, President Bill Clinton also proposed a national day care system.

Before we discuss the potential impact of a national day care system, we must deal with the use and misuse of statistics. Proponents of national day care frequently say that the traditional family is dead and that two-thirds of mothers with preschool children are in the work force.

Let's set the record straight. Reporters and social commentators have frequently said that less than 10 percent of U.S. families are “traditional families” with a breadwinner husband and homemaker wife. The 10 percent figure actually comes from the U.S. Labor Department and only counts families with an employed father, a stay-at-home mother, and two children still at home. Using that criteria, my own family would not be a traditional family because we have three children, not two children, still at home. Dr. Jim Dobson's family would not be a traditional family because his two children no longer live at home. In fact, a mother who works out of her home would not qualify as a member of a traditional family. I think you can see the problem. The 10 percent figure

is artificially restrictive.

What about the number of women in the work force? Again, we need to check the definition used to define working women. The Department of Labor figure counts mothers who work part time (as little as one hour per week) as well as women who have flexible hours. The figure also counts mothers who work seasonally. Furthermore, it counts mothers who work from their homes. Again, you can see that this number is artificially inflated.

According to the recent Census Bureau data, 54 percent of the 17 million children under the age of five are primarily cared for by a mother who stays at home. An additional seven percent represents "tag-team parents" who work different shifts and share child-rearing responsibilities. And another four percent have "doubletime mothers" who care for their child while they babysit other children or earn income in some other way. Thus, the primary child care arrangement for 65 percent of all preschool children is care by one or both parents.

This isn't exactly the figure you will hear during a national debate on day care. Instead of hearing that two-thirds of mothers with preschool children are in the work force, we should be hearing that two-thirds of all preschool children are cared for by one or both parents.

Actually the percentage should be even higher. Another 11 percent of preschool children are cared for by grandmothers or other relatives. This would mean that a full 76 percent of all preschool children are cared for by a parent or close relative. But don't expect the mainstream media to use this figure when debating the so-called "crisis of child care."

Perhaps that is the most important lesson of this debate. President Clinton and the First Lady, along with countless child care advocates, want to talk about the crisis of child care. Statistics that do not justify federal intrusion into

the family are ignored. Before we start down the road to socialized day care, we need to consider whether the problem is as acute as portrayed.

Psychological Costs

At this point I would like to discuss the psychological costs of day care. Now that we have been effectively conducting an unofficial experiment with day care over the last few decades, the evidence is coming in disconcerting evidence of the psychological harm done by institutionalized care. Jay Belsky, a child care expert at Penn State's College of Health and Human Development, says "It looked like kids who were exposed to 20 or more hours a week of nonparental care in their first year of life what I call early and extensive nonparental care, and here comes the critical phrase, of the kind that was routinely available to families in the United States today seemed to be at elevated risk. They were more likely to look insecure in their relationships to their mothers, in particular at the end of their first year of life."

Unfortunately most parents are unaware of this growing research. So is the average citizen who will no doubt be convinced by "experts" that we need a nationally-subsidized system of institutional care. Marjorie Boyd, writing in *The Washington Monthly*, found that "Practically everyone is for day care, but practically all the evidence says it's bad for preschoolers in all but its most costly forms. Most people do not know that psychologists and psychiatrists have grave misgivings about the concept because of its potential effect on personality; nor do they know that the officials of countries that have had considerable experience with day care are now warning of its harmful effects on children."

The concerns can be categorized under three areas: bonding, personality development, and substitute care. Bonding takes place in the hours and days following birth, usually between the mother and the child. Bonding demands consistency, and day

care interrupts that consistency especially when there is not one person providing the primary care for the child. Children placed in a day care center too early are deprived of a primary care giver and will manifest psychological problems.

Personality development is another concern. Most children will get off to a better start in life if they spend the majority of their waking hours during the first three years being cared for by their parents and other family members rather than in any form of substitute care.

A final concern is the negative effect of substitute care on a child. Jean Piaget has shown that children are not capable of reflective thinking at young ages. For example, they do not have a concept of object permanence. If you hide a ball, the infant will stop searching for it because it has ceased to exist in the child's mind. In the same way, when mom leaves the day care center, she has ceased to exist in the mind of the child. The mother may reflect on her child all day while at work, but the child has erased her from his or her mind.

These then are just a few of the psychological concerns knowledgeable people have about institutionalized day care. Before we begin to fund national day care, we should stop long enough to discuss the impact such institutionalized care would have on our children and the nation.

Additional Psychological Costs

Another concern is what Dettrick Bonfenbrunner calls "social contagion." Poorly supervised day care creates an atmosphere that socializes the children in a negative manner. For example, Bryna Siegel (psychologist at Stanford University) reported in her nine- year study that day care children were "15 times more aggressive... a tendency toward more physical and verbal attacks on other children." By that she did not merely mean that the children were more assertive, but that they were more aggressive.

J. C. Schwartz and his colleagues have shown that children who entered day care before they were twelve months old are more physically and verbally abusive when they are older. They found this abuse was aimed at adults, and also found these children were less cooperative with grownups and less tolerant of frustration than children cared for by their mothers.

Christians should not be surprised by these findings given our biblical understanding of human sinfulness. Each child is born a sinner. When day care workers put a bunch of "little sinners" together in a room without adequate supervision, sin nature will most likely manifest itself in the environment.

Proponents of socialized day care begin with a flawed premise. They assume that human beings are basically good. These liberal, social experiments with day care begin with the tacit assumption that a child is a "noble savage" that needs to be nurtured and encouraged. Social thinkers ranging from Jean Jacques Rousseau to Abraham Maslow begin with the assumption about human goodness and thus have little concern with the idea of children being reared in an institutional environment.

Christians on the other hand believe that the family is God's primary instrument for social instruction. Children must not only be nurtured but they must also be disciplined. Children are to be reared by parents in the context of the family, not in institutionalized day care.

Over the last three decades, America has been engaged in a social experiment with day care. As more and more children are put into institutionalized care, we are reaping the consequences.

Emotionally scarred children who have been "warehoused" in sub-standard facilities are more likely to drop out of school, be arrested, and end up on welfare rolls. The cost to society in terms of truancy, delinquency, and crime will be significant.

E. F. Ziglar (Yale University) has said that "When parents pick a day care center, they are essentially picking what their child will become." This is not only true for the individual child; it is true for society. As a nation we have been choosing the children we will have in the future by promoting day care, and the future does not look good.

Financial and Medical Costs

Finally, I would like to look at the financial and medical costs of day care. The financial costs can be significant. Many women who place their children into institutional care fail to estimate the additional (often hidden) costs of their choice. Quality day care is not cheap nor are many of the other costs associated with going to work.

Sara Levitan and Karen Cleary Alderman state in their book, *Child Care and the ABCs Too* that "The cost of preschooler's day care services added to work expenses can easily absorb the total earnings of some women working part time." They continue,

Disregarding the cost of transportation and other work-connected expenses or the imputed cost of performing household tasks in addition to work (overtime duty), it is apparent that the daily salary of at least half of working women did not provide the cost of a single child's day care meeting federal standards.

By contrast, the value of a mother is vastly underestimated. Financial analyst Sylvia Porter states that the twenty-five million full-time homemakers contribute billions to the economy each year, even though their labor is not counted in the gross national product. She calculates that the average mother contributes nearly \$30,000 a year in labor and services. She arrived at this figure by calculating an hourly fee for such functions as: nurse-maid, housekeeper, cook,

dishwasher, laundress, food buyer, chauffeur, gardener, maintenance person, seamstress, dietician, and practical nurse.

Health costs are also considerable. Young children are still in the process of developing their immunity to certain diseases, and are more likely to get sick when exposed to other children on a daily basis. While some ailments are slight, others can be very serious. For example, infectious diseases (especially those involving the middle ear and hearing ability) are three to four times as prevalent in group care as compared to home care.

Dr. Ron Haskins and Dr. Jonathan Kotch have identified day care attendance as the most significant factor associated with the increased incidence of bacterial meningitis. Likewise, cytomegalovirus (the leading cause of congenital infections in newborns) has also been linked to day care centers. These and other correlations should not be surprising given the intimate contact with so many unrelated children in an environment of playing, sleeping, eating, and using toilet facilities.

As we have seen in this discussion, the costs of day care are high. As Christians we must begin with the biblical foundation found in Psalm 127 that children are "a gift of God." God has entrusted us with our children for a period of time. We cannot and should not shirk our responsibility or pass that responsibility on to others.

At the moment, this nation seems poised to implement a comprehensive, national program of day care. Before we develop national programs that may harm our children, we need to count the costs and make an informed decision.

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It Takes a Village

Does It Take a Village to Raise a Child?

We rarely do book reviews on the Probe radio program, but from time to time a book is published that is so significant that we depart from our normal format. This essay is a discussion of the book *It Takes a Village* by Hillary Rodham Clinton.

Now it should be obvious that a discussion of this book will no doubt be controversial. After all, the Clinton administration, as well as the First Lady, has been under attack. We will not even venture to discuss any of the allegations that are so much a part of the news. Likewise we will try to avoid any partisan considerations of particular programs and policies.

The focus of this essay will be on the book *It Takes a Village*. It sets forth a clear-cut agenda, and we as Christians need to ask ourselves if this is an agenda that can be supported from the Bible. Mrs. Clinton epitomizes what many people believe could be called "the new feminism." And it is fair to say that Hillary Clinton is perhaps the most visible, prominent feminist in the world. As First Lady her ideas are given national prominence. As First Lady she addresses international women's conferences (like the ones held in Cairo and Beijing). When she writes a book setting forth her ideas, it is appropriate to evaluate those ideas in light of Scripture.

I would like to begin by focusing on the title of the book, *It Takes a Village*. The title comes from an African proverb which states that "It takes a village to raise a child." This oft-repeated African proverb has become the mantra of recent

international women's conferences (Cairo, Beijing). I believe it represents the new paradigm of feminist and socialist thinking.

At its face, there is nothing controversial about the idea that it takes more than parents to raise a child. Grandparents, friends, pastors, teachers, boy scout leaders, and many others in the community all have a role in the lives of our children. In her book, Mrs. Clinton does acknowledge that "parents bear the first and primary responsibility for their sons and daughters."

Unfortunately, the rest of the book contradicts that early statement. The First Lady essentially extends her notion of the village far beyond the family to include various organizations, especially the federal government. By the end of the book, it appears that Mrs. Clinton has never met a government program she didn't like.

She says that those who hold to an anti-government position are the "noisiest" position and getting all the attention from the media. But she goes on to say that "despite the resurgence of anti-government extremism, it is becoming clear that most Americans do not favor a radical dismantling of government. Instead of rollback, they want real reform. And when a strong case can be made, they still favor government action, as they have demonstrated recently in their support for measures like the Family and Medical Leave Act, the Brady Bill, and the new Direct Student Loan program."

By the end of the book Mrs. Clinton has endorsed nearly every government program of the last thirty years including those mentioned above and others like Goals 2000, Parents as Teachers, and AmeriCorps. The *village*, in Mrs. Clinton's book, is much more than the communities in which we live—it is a metaphor for the continued expansion of government into every aspect of our lives.

Areas of Agreement

If you were to pick up Hillary Clinton's book and begin reading it, you would no doubt be surprised by what you found. Christians will find lots of areas of agreement. In fact, one talk show host even made a confession on air that he expected to find more to disagree with than he did. Instead, he found lots of material in Mrs. Clinton's book with which he could wholeheartedly agree.

I believe this is precisely the reaction Mrs. Clinton intended. She spends countless pages analyzing the social problems facing our children and providing constructive ideas for parents and communities to follow. Not only is she critical of drugs, violence, illegitimacy, and the plight of American education, she is also critical of such things as the impact of no-fault divorce laws. People looking for a clearly stated liberal agenda will not easily find it in this book. In fact, it is probably fair to say that whole chapters in her book could have been written by Dr. James Dobson.

Mrs. Clinton hastens to add that "this book is not a memoir; thankfully, that will have to wait. Nor is it a textbook or an encyclopedia; it is not meant to be. It is a statement of my personal views, a reflection of my continuing meditation on children." Though it does contain a fair amount of technical material, it is still a warm, nurturing, and inviting book. The First Lady also tells of her own family, which she describes as looking "like it was straight out of the 1950s television sitcom *Father Knows Best*." As a counterpoint, she talks about Bill Clinton's dysfunctional family, and even shares tender, intimate stories about rearing Chelsea.

However, interspersed between these long, warm, nurturing sections which appeal to your emotions are political statements about how government should be used to help the family. I fear that readers without discernment will easily embrace the political agenda of Hillary Rodham Clinton. Each

problem or concern is quickly answered by a government program or governmentally-sponsored community program.

Many will remember that the First Lady used a similar tactic in the past to try to sell her plan to nationalize health care. Often she would tell heart-rending stories of families without health insurance in order to bolster her plan to implement nationally-subsidized health care. The same technique can be found throughout *It Takes a Village*.

No one will disagree with many of the problems she catalogs. In fact, former Secretary of Education Bill Bennett catalogs many of these same problems in his *Index of Leading Cultural Indicators*. The source of disagreement comes when proposing government solutions to each problem. Many of these problems themselves are the result of earlier government "solutions" that created these problems. Discerning readers should always be asking whether or not these problems can more effectively be solved by individual initiative, community activities, and church programs.

Is This a "Campaign Book"?

At this point, I would like to raise the question of politics. In particular, many people wonder if this work isn't just a "campaign book."

I think we need to be honest enough to say that it is. After all, the publication of this book was originally intended to aid her husband's campaign. In the book, Mrs. Clinton lists what she believes are her husband's successes: Family and Medical Leave Act, AmeriCorps, Goals 2000, the Brady Bill, and the Direct Student Loan Program. On the other hand, she soft-pedals the radical parts of the Clinton agenda. Abortion is mentioned once (only in a passing reference to the Cairo Document). Condoms are ignored. Joycelyn Elders and Dr. Henry Foster, Jr., are not discussed. Certainly the book was intended to help the Clinton re-election campaign even if

current events surrounding the First Lady have begun to cloud the issue.

In some ways, the book provides the most consistent and comprehensive statement available of the First Lady's agenda for the rest of the 1990s. Whether the President wins re-election is almost irrelevant to the impact of this book. Mrs. Clinton has become the most visible, articulate feminist in the world. What she says in the United States, and what she says at international women's conferences (like Beijing, China) hold significant weight. So let's consider what she says.

Even though Mrs. Clinton attempt to soft-pedal some of the more radical aspects of her agenda, controversy inevitably slips through. For example, many of what she claims are the President's successes can hardly be considered successes, programs such as: Goals 2000 and Parents as Teachers. Many of her other favorites indicate a clear endorsement of socialist programs by Mrs. Clinton.

Let's look at just one example. Mrs. Clinton believes that the best way to solve what she believes is the problem of adequate day care facilities, is to adopt the French model of day care. She asks us to "imagine a country in which nearly all children between the ages of three and five attend preschool in sparkling classrooms, with teachers recruited and trained as child care professionals." She goes on to say this exists where "more than 90 percent of French children between ages three and five attend free or inexpensive preschools called *écoles maternelles*. Even before they reach the age of three, many of them are in full-day programs."

Her desire is to replicate this system in the United States so that the state can have an early maternal influence on the children of America. She envisions a country in which "Big Brother" essentially becomes "Big Momma."

But is this really what we want in the United States? A nationally subsidized day care system that puts three-year-olds (even two-year-olds) in institutionalized care? Throughout the book Mrs. Clinton seems to be making the tragic assumption that the state can do a better job of raising children than parents. She proposes a system in which the First Lady becomes the "First Mom"—a system in which children are no longer the responsibility of the parents, but become instead wards of the state.

Nostalgia Merchants

Next I would like to discuss the issue of nostalgia. Mrs. Clinton believes that any attempt to return to "the good old days" is flawed. She says, "Those who urge a return to the values of the 1950s are yearning for the kind of family and neighborhood I grew up in and for the feelings of togetherness they engendered. The nostalgia merchants sell an appealing Norman Rockwell-like picture of American life half a century ago." She continues, "I understand that nostalgia. I feel it myself when the world seems too much to take. . . . But in reality, our past was not so picture perfect. As African-American children who grew up in a segregated society, or immigrants who struggled to survive in sweatshops and tenements, or women whose life choices were circumscribed and whose work was underpaid."

In reality, no one is calling for a return to the evils of earlier decades. Yes, racism and sexism are a sad part of our American history. But pro-family leaders are not calling for a return to those values. They are, however, reminding the American people that there was a time, not so long ago, when values and virtue were a part of the social fabric. Today that fabric is unraveling.

Former Secretary of Education Bill Bennett has compiled an *Index of Leading Cultural Indicators* which compares social statistics from 1960 to the present day. Although the

population has increased approximately 41 percent, crime has increased 300 percent, and violent crime has increased 560 percent. The illegitimate birth rate has increased 400 percent, the number of divorces has more than doubled, and the number of children in single parent homes has tripled.

Pro-family leaders rightly call for a return to the fundamental Judeo-Christian values that made America great. They are not calling for a return to segregation or Jim Crow laws. They are not calling for a repeal of laws mandating equal pay for equal work. Mrs. Clinton's comments about these so-called "nostalgia merchants" are disingenuous at best.

Another interesting comment has to do with Mrs. Clinton herself. Anytime someone disagrees with her perspective, the motive is labeled as chauvinism. In other words, if you disagree with the First Lady, it must be because you have difficulty dealing with a strong woman who exercises political power.

Let me say that my concerns with Mrs. Clinton's perspectives have to do with the issues, not the person. My disagreements are based upon the substance of those programs and are not based upon the fact that they are proposed by a woman. In fact, I highly admire a number of women who have served in political office like Margaret Thatcher and Jeanne Kirkpatrick. The ideas expressed in Mrs. Clinton's book are dangerous regardless of whether they are proposed by a woman or a man. The issue is not the messenger, but the message.

Mrs. Clinton's Government Solutions to Social Problems

At this point I would like to conclude by addressing some additional issues related to the book. First, Mrs. Clinton often proposes socialist solutions to the problems she raises in her book. Earlier I noted that she proposed a nationally-subsidized day care system modeled after France as a solution

to her perceived problem of quality day care. In other parts of her book she also proposes liberal, government solutions.

She writes that "Other developed countries, including some of our fiercest competitors, are more committed to social stability than we have been, and they tailor their economic policies to maintain it." She then goes on to make a case for the German economic model, complete with an industrial policy in which "there is a general consensus that government and business should play a role in evening out inequalities in the free market system."

When it comes to education, she proposes a national agenda over local control of the schools. Mrs. Clinton believes education will be enhanced by nationalizing it through such programs as Goals 2000 and School-to-Work programs.

And don't think that Mrs. Clinton has abandoned the idea of nationalized health care. She sees nationally-subsidized health care as the solution to everything from infant mortality to health care delivery.

From start to finish, Mrs. Clinton proposes government as the answer to every problem. In some cases, the government is behind the scenes providing funding and direction to community-based organizations. In others, it is the primary provider. But whenever a problem is raised, the First Lady seems content to have government take care of it.

By the end of the book, Mrs. Clinton has endorsed such groups as HIPPIY, Parent Education Program, Healthy Start, Children's Defense Fund, Parents as Teachers, Carnegie Council on Children, Head Start, and Zero to Three. Many of these groups, along with the government programs she endorses, make up the foundation of her liberal, big-government agenda for children in the 1990s. Readers without discernment may easily be seduced into believing that these programs are the only way to make life better for their children.

As Christians, I believe we must ask where is the church in this book? Where are communities? Where is individual initiative and responsibility? The world's largest bureaucracy is the Department of Health and Human Services. Mrs. Clinton seems to be saying throughout the book that the solution to nearly every problem will come from enlarging this enormous bureaucracy even more.

I believe the real issue is that Mrs. Clinton's book, *It Takes a Village*, is flawed at its premise. Government is not a village. Parents do not need government bureaucrats and federal programs to raise their children. In many ways, the problems Mrs. Clinton discusses are the result of government "solutions" proposed decades earlier (through the New Deal and Great Society programs). Families don't need more government; they need less government. In a very limited sense we might agree that it does take a village to raise a child, but that doesn't mean it takes the government to raise a child. Children should be raised by families, churches, and communities—not by the federal government.

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Congressional Reforms

The Flat Tax

"Our government is too big, and it spends, taxes and regulates too much. Of all the supposed crises we're facing today, this is the one that really matters." So said Representative Dick Armey when he introduced his proposal for a flat tax.

The American public sector is now larger than the entire

economy of any other country except Japan. Government employment surpasses jobs in the manufacturing sector. "Today, the average family now pays more in taxes than it spends on food, clothing, and shelter combined. All told, nearly 40% of the nation's income is now spent not by the workers who earned it, but by the political class that taxed it from them."

Congressman Armey believes we need a change. He wants to freeze federal spending, erase stupid governmental regulations, and retire the current Rube Goldberg tax code with a simple, flat tax and a form that could fit on a postcard.

The proposal has tremendous merit, which is why its chances of passing in this session of Congress are slim and none. But Armey is not a Congressional Don Quixote tilting at bureaucratic windmills. He knows that taxpayers are fed up with waste, fraud, and tax confusion. They are eager to change the system and willing to change congressmen if they won't take action.

In this essay we will be looking at the merits of this proposal. The center piece of the proposal is the flat tax. Seven decades of corporate lobbying and congressional tinkering have left the tax code in a mess. Rates are high, loopholes abound, and families must bear an unfair burden of the tax code. Armey's bill would scrap the entire code and replace it with a simple 17% flat tax for all.

All personal income would be taxed once at the single, low rate of 17%. There would be no special tax breaks of any kind except the following: (1) a child deduction of \$5300 (twice what it is today), and (2) a personal allowance – \$13,100 for an individual, \$17,200 for a single head of a household, and \$26,200 for married couples.

Businesses would pay the same 17% as individuals. A corporation would subtract expenses from revenues and pay the

same, flat tax. The benefits should be obvious. Americans spend approximately 6 billion person-hours figuring their taxes each year. This lost time costs the economy \$600 billion annually, and people spend another \$200 billion in time and energy looking for legal ways to avoid taxation. Lawyers, accountants, and all taxpayers will be freed up to focus their time and energy on more productive aspects of the economy.

Economic growth will be another benefit of the plan. Arme y's bill not only lowers tax rates but eliminates double taxation of savings, thus creating a new incentive for investment. No more capital-gains tax, no estate tax, no tax on dividends. This bill will substantially stimulate the economy and create new jobs.

Perhaps the greatest benefit will be tax fairness. We say that in our society everybody should be treated the same, but we have a tax code that does anything but do that. Under the current code, politicians and lobbyists determine which groups should pay more and which groups should pay less. Under the Arme y bill everyone pays the same.

The bill does more than simplify the tax code. It has two other major features. First, it would address the issues of spending cuts and program sunsets. Arme y's bill uses a variation of the old Gramm-Rudman law to freeze total federal spending for one year and then allow it to grow only at the rate of inflation after that.

This proposal will eliminate \$475 billion in currently projected spending increases. It will guarantee the government will become no larger in real terms than it is today.

Arme y would cut budgets the old-fashioned way: he makes bureaucrats earn them. If a department or agency doesn't perform, it won't continue to exist unless it can justify its existence. Can you imagine the hearings for various agricultural subsidies, pork barrel projects, or for the

Strategic Helium Reserve?

Under this proposal new programs will be especially unwelcome. Currently Congress writes new spending bills authorizing "such sums as may be necessary." Armev's bill would require that "such sums" come from existing programs. Congress will no longer be allowed to write a blank check.

A second feature of Armev's bill is to end indiscriminate regulations. The enormous number of government regulations are effectively a hidden tax on business and individual taxpayers. Armev estimates these regulations cost Americans \$580 billion a year. Thus, these regulations are an even greater burden than the income tax itself.

Armev's bill would force the President to produce a regulatory budget. This would expose, for the first time, the hidden cost of regulations. Congress would then be required to do a cost-benefit analysis and risk assessment on any bill with new regulatory authority.

The bill would also address the erosion of property rights. Any time government regulators write a rule that reduces the value of a person's property, the government must compensate that person just as if the government confiscated the land to build a park or highway. No longer would environmental extremists be able to take a person's land by regulatory fiat.

Finally, the bill ends the deceptive device that has made Big Government possible: income-tax withholding. If taxpayers paid their taxes the same way they pay for their houses or cars, government would not have grown so big. Withholding taxes before the taxpayers see it allows government to grow ever larger. This bill ends withholding and thereby puts one more check on the political class.

The flat tax has merit and is illustrative of the many Congressional reforms being put forward in this session of Congress.

Congressional Privilege

Thomas Jefferson wrote that “the framers of our Constitution... took care to provide that the laws should bind equally on all and especially that those who make them shall not exempt themselves from their operation.”

James Madison wrote in the *Federalist Papers* that Congress “can make no law which will not have its full operation on themselves and their friends, as well as on the great mass of the society. This has always been deemed one of the strongest bonds by which human policy can connect rulers and the people together.”

Unfortunately, Congress has exempted itself from many of the laws you and I must obey. Recent votes in the House and the Senate have been an attempt to put Congress under some of these laws. Look at this short list of major pieces of legislation Congress has been able to exempt itself from in the past.

The Civil Rights Act of 1964 – Protects against discrimination based on race, color, sex, national origin, religious affiliation.

Americans with Disabilities Act – Protects against discrimination based on disability. Has subjected employers to burdensome architectural renovations and hiring.

Age Discrimination in Employment Act – Protects against age discrimination. Does not apply to House. Applies to Senate through internal rules.

Occupation Safety and Health Act – Sets minimum health and safety standards in the workplace.

Fair Labor Standards Act – Requires employers to pay minimum wage, time and a half, and overtime. Amendments in 1989 covered House employees. Senate is exempt.

Rehabilitation Act of 1973 – Requires federal agencies to submit affirmative action plans for the disabled to the Equal Employment Opportunity Commission.

National Labor Relations Act – Proscribes unfair labor practices, gives workers right to form unions, requires employers to bargain. Congress is exempt.

Freedom of Information Act – Provides public access to government documents. Congress is exempt, although it does publish floor and committee proceedings.

Privacy Act – Protects individual employees at agencies subject to the act. Congress is exempt.

You might wonder how Congress can justify exempting itself from the laws the rest of us must obey. You might think there would be some Constitutional justification due to the separation of powers. Well, not exactly. Though the argument does have some merit, listen to the justification given the last session of Congress.

Senator Wendell Ford (D-KY) spoke against extending a smoking ban to Senate rooms lacking separate ventilation. He said, "This is going to affect each and every member of this chamber, and the administrative confusion that this will cause for members will be enormous. One day we will have an EPA administrator in our office ...telling us our separate ventilation system for tobacco is insufficient. Then the next day the OSHA inspector is going to arrive and tell us we do not have sufficient ventilation for fumes coming from the new carpeting, or the paint or the varnish. Next thing you know, we will have HHS coming in and telling us we cannot eat at our desks."

All I can say to Senator Ford is, "Yes, you will." You will be subjected to the same regulatory insanity most of us have had to live with for years! Perhaps the members of Congress will be more careful about the bills they pass in the future, when

they have to live under the same laws we must obey. No one should be above the law, not even members of Congress.

Capital

Last November, the Republicans won a battle for Capitol Hill. Now they are waging another battle for America's financial capital. Nearly every day, Capitol Hill is abuzz with discussion of cuts in the capital gains tax, a middle class tax cut, and even a whole new tax code. We are going to look at a number of these proposals.

The first proposal is a cut in the capital gains tax. Proponents say that the economy will be strengthened by cutting the capital gain tax and indexing capital gains to inflation. Instead of the current tax rates ranging from 15% to 28%, the rates would be cut to rates ranging from 7.5% to 19.8%.

Opponents of a capital gains tax cut say it would merely be a "tax break for the rich." But statistics show that the middle class would be the primary beneficiary.

President Clinton recently defined the middle class as those making less than \$75,000 (his middle class tax cut is intended for those making less than \$75,000). Even using this \$75,000 cutoff point, we find that 74% of the people who earn capital gains come from the middle class or below. Since 26% of people making capital gains have incomes above that cutoff point, reducing the capital gains tax is *not* "giving a tax break to the rich."

The benefit to the economy would be substantial. By lowering tax rates on capital, capital becomes more plentiful. Making capital more plentiful will make labor more scarce relative to capital and bid up the price of labor, resulting in more jobs and higher wages.

Another way to look at this is to recognize that more capital

per worker makes workers more productive (better and more efficient equipment) making businesses willing to pay more for labor.

Another way to strengthen the economy is to replace the current tax system with a flat tax as we discussed earlier. The income tax would be 20% in the first two years and 17% thereafter.

Individuals would deduct \$13,100, and married couples would deduct \$26,200. Each dependent would add \$5300 to the tax-exempt portion of the family. In other words, a family of four would not pay any taxes on the first \$36,800 of family income!

If a flat tax is passed, there would be no tax on income from capital gains, interest, dividends, or estates. The current tax code actually discourages capital formation by taxing future financial gains. This plan would promote capital formation by eliminating tax on such investments.

Essentially people can spend their money as they earn it or defer gratification until the future. Currently, if they spend their money immediately, they do not increase their income-tax bills. But, if they invest their money and plan to consume it in the future, they risk paying income taxes on their interest, dividends, or capital gains.

This tax plan would allow businesses to pay the same flat rate on the difference between their gross revenues and their business deductions. It would also change the method of depreciation. Currently businesses must now depreciate their capital expenditures over the life of the equipment they buy. Arney's plan would allow them to fully expense those costs the year they incur.

In essence, the proposals are simple: if you want more of something, reduce the tax on it. If you want more capital, then reduce (or eliminate) the current taxes on capital. In the end, people and the economy will benefit.

Welfare Reform

Senator Daniel Patrick Moynihan (D-NY) has boldly stated, "We have no health care crisis in this country. We do have a *welfare* crisis." The social statistics bear out his conclusion. Since 1960 the welfare rolls have increased by 460 percent. Since 1965 Americans have spent more than \$5 trillion on welfare. Currently more than 14 million individuals (including 1 in 7 children) are on welfare.

The current welfare system rewards dependency and punishes initiative. In Maryland, a single parent with two children would need to earn a minimum of \$7.50 an hour to earn the same amount as provided by welfare grants and benefits. No wonder so many welfare mothers therefore conclude that staying on welfare is better than getting off.

Various welfare proposals submitted to Congress attempt to modify the welfare system by addressing the following issues:

The first is child support. Many fathers are not providing child support, and these bills would tighten the loopholes and make these dads pay up. Currently unwed fathers are not named on birth certificates. The omission frequently foils attempts to collect child support. But if dad pays, then mom's check does not have to be so large. The proposed bills would require the mother to identify the father in order to receive a welfare check. States can threaten deadbeat dads with garnishing wages and suspending professional and driver's licenses.

Second is the marriage penalty. If a pregnant teen get married or lives with the father of her child, she is frequently ineligible for welfare. Congressional proposals would encourage states to abolish the "marriage penalty" and make it easier to married couples to get welfare.

A third proposal is a family cap. Welfare mothers in some

states can increase the size of their welfare checks by having more children. Congressional bills being considered would allow states to cap payments. If a welfare mother has another child, her check remains the same.

Already in New Jersey, Arkansas, and Georgia, families receive no increase for children born while on the dole. Congressional proposals would extend and encourage this opportunity to other states. The evidence so far is that this family cap may have some deterrence.

A fourth issue is work. Often if a welfare mother gets a job, her check is reduced, and she is likely to lose such benefits like Medicare and free child care. The new proposals before Congress would drop benefits after two years, but allow welfare mothers to work during that period.

Finally, these proposals address the government bureaucracy. Currently governors have to ask the Federal government if they can revamp their state welfare system. And the federal bureaucracy costs money. If you took the money spent for welfare and gave it to poor families it would amount to \$25,000 a year for every family of four.

These bills would also freeze or change welfare payments. They would replace Food Stamps and AFDC with block grants to the states. This money would come from savings from cutting cash payments to women having children out of wedlock. As states receive these block grants, they would be free to design their own system.

The Bible clearly admonishes us to help those less fortunate, but it instructs us to do it intelligently. In 2 Thessalonians 3:10 we read that if "a man will not work, he shall not eat." We need to revamp the current welfare system to meet real needs and stop subsidizing those who will not work. Congressional proposals are designed to help the helpless but stop rewarding the lazy.

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