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ARCHIVES

## BRIEF STUDIES

### THE SUPREME COURT DECIDES

(NOTE: This paper was read on June 25, 1954, as an introductory statement to a special conference of church leaders called by President Dr. J. W. Behnken to consider the problems arising from a recent decision of the Supreme Court declaring segregation in public schools to be unconstitutional.)

A few weeks ago the Southern Baptists held their annual convention here in St. Louis. Toward the end a resolution was introduced condemning the practice of racial segregation and encouraging all churches to eliminate discrimination as soon as possible. A number of people argued against adopting such a resolution at this time. One speaker in particular objected to the resolution on the grounds that if it were passed, such action would imply that Baptists had not been acting as Christians on this point for all these many years. Happily, the resolution was adopted despite this most singular argument against its acceptance. Those who voted for the motion were generally aware of the fact that their vote implied a condemnation of such churches as had espoused segregation in the past. Thereby the convention was given an occasion for repentance of its past shortcomings.

The recent decision of the Supreme Court against racial segregation must prompt us, too, to give many of our moments to some serious reflection on the sins of our own Church in this area. In the past our courage often failed us when we should have spoken boldly against the evils of prejudice. We sometimes indulged in carefully worded double talk when we should have spoken unequivocally. We frequently resorted to the subterfuge that segregation was more a social question than a moral one — as if there were a sharp line separating these two fields! It took a secular court to say in unmistakable language what we should have been urging for many decades. A great battle has been won, but little credit goes to us. Our trumpet gave a very uncertain sound in days now happily behind us. We professed to be speaking for a Savior who had "broken down the middle wall of partition," but we quailed at the sight of the artificial barriers which our society had erected. While men clamored for justice, we tossed them a mammy song, to use the words of Heywood Broun. Lord, have mercy upon us! Christ, have mercy upon us! Lord, have mercy upon us!

In the second instance, this decision of the Supreme Court provides us with the opportunity to reflect on the role of the Church in a free society. Democracy, it has been said, is not so much a way of govern-

ing as a way of determining who shall govern and how far. For that reason the community stands above the state.

It is in the many communities of America that public opinion is shaped; and that opinion in turn gives direction to our Government. In fact, it was the pressure of public opinion that made it almost inevitable for the Court to render a unanimous decision on the subject of segregation. This outcome would not have been so certain ten years ago. However, ever since the Armed Forces in 1947 abolished segregation, public opinion on this matter had gradually developed to a point where nothing less than a decision against segregation could be expected.

The market place, where ideas are expressed and discussed, is a fundamental institution of freedom. In that market place we have not only the right but also the responsibility as individuals, as congregations, and as a Synod to make our position known on questions that involve moral principle. Our silence can only be interpreted as negligence in a clear and present duty which we have as Christians in a free society. Our churches and our people live in the communities of America; these communities stand above government, above the state. Our task there is to speak, to speak clearly and boldly, using the means of communication, by which public opinion is formed, to help direct the discussion that creates the climate of public opinion.

This point is so important, it would seem, that it needs some elaboration, particularly in the context of the problems that will now develop from the decision of the Supreme Court. A free society assumes the existence of God. Consequently it works with the concept of a law above the laws of the land. This idea is a reflection of that natural Law which is written into men's hearts by their Creator. It is this Law which is considered the source of human rights. That is the significance of the statement in the Declaration of Independence that men "are endowed by their Creator with certain unalienable rights."

It is this very belief in a higher Law which gives the Church and her members their opportunity and their responsibility to help give content to this Law and to sharpen men's consciences in the observance of such a higher Law. This is the particular contribution that we must make as church people to a free society. If we lived in India, where the setting of the Church is entirely different, we should not have this responsibility. Under such environs the Church must often remain content to develop itself within its own framework. However, our situation is quite different. For that reason our responsibilities are greater. Racial discrimination is certainly a matter contrary to that

higher Law, even in its vaguest interpretation. For us who have the revelation of that higher Law in specific terms any practice of prejudice or segregation should be an even more serious matter.

The formation of public opinion is a process in education by which people are gradually prepared to accept a new point of view. The decision of the Supreme Court, with its careful distinction between the statement of principle and the implementation of an opinion rendered, reminds us of the need of a program of education covering the many ramifications of the new situation created by this revolutionary utterance of the Court. Some denominations, the Presbyterians and Baptists especially, have already started on this task. We shall do well to do likewise, boldly setting forth the truths of Scripture as they apply to this specific area.

The Apostles themselves can serve to guide us in our method. Someone once remarked that the Apostles would not have signed the Proclamation of Emancipation as Abraham Lincoln did. That statement may be true. Instead they attacked the social problems of their day on a broader scale and in greater depth. As a consequence they have made a more lasting contribution to the welfare of men in all the centuries following their activity. They have helped to create a civilization which produced a William Wilberforce, an Abraham Lincoln, and the 1954 decision of the Supreme Court.

Take the Apostle Peter as a case in point. In his First Letter he reckons with the institution of slavery as it existed at that time in the Roman Empire. The Apostle does not, as he might have done, attack this institution directly. He does not ask a decadent social order to liberate its slaves. Nor does he advocate violence. Spartacus had tried that. His feeble attempt resulted only in a loss of lives running to the thousands. No less than six thousand slaves were crucified along the roads leading into Rome.

The Apostle's approach is quite different. He teaches, he instructs, he admonishes. He stresses the equality of slaves and free men in Christ. He speaks of slaves not as chattel, but in terms of respect for human personality. And he points to Jesus as the Example to be imitated by all such as suffer injustice.

This doctrine was revolutionary. It was unheard of in a society whose most distinguished philosopher could say, "It is to be doubted that women and slaves have souls." This new doctrine had the upsetting qualities described in the Magnificat: "He hath put down the mighty from their seats and exalted them of low degree" (Luke 1:52).

The Apostle set forth the principles. The Church soon began to

make the application. It admitted slaves and free men to the same Lord's table. Christian masters began to treat their slaves more humanely and, in many instances, set them free. Moreover, the Church dignified manual labor, teaching that as God had worked for six days and rested on the seventh day, Christians need not be ashamed to work with their hands. All this instruction was the ferment which soon began to leaven the whole lump of society. Some slaves became bishops. Felicity, the slave girl, and Perpetua, the noble woman, suffered martyrdom together at Carthage in 203, conscious that both had been redeemed by the same Savior to inherit the same eternal life. Both could say, "This is my day of coronation."

As a result, the accession of Constantine to power in Rome found the Church ready to apply her principles of ethics to a whole society. The new Emperor, converted to a dynamic new religion, called in the bishops of the Church as advisers. These suggested to him ways of modifying Roman law, encouraging the manumission of slaves, forbidding the exposure of children, and advocating the care of the weak and helpless.

Boldly the Apostles and the Church proclaimed a Savior of all men, rich and poor, Greek and barbarian, black and white. We shall need to follow their example as we now face a new social situation, where the law of the land has declared segregation to be unconstitutional. We shall need to go further and say that it is unchristian. We shall need to make the necessary application of the principles set forth by the Apostle Paul in his famous talk to the philosophers on Mars Hill: "God hath made of one blood all the nations of the earth" (Acts 17:26). For the content of our instruction in this area we can do no better than to interpret for our age the message of the Letter to the Ephesians. It is this Epistle which brings also the problem of discrimination into proper focus by relating it to the redemptive activity of our Lord and Savior Jesus Christ.

This will be no easy task. The elimination of segregation is a highly complex undertaking. It will require the practice of love on both sides of any situation. However, this is the task to which we have been called. We are to love one another even as Christ has loved us. He loved Himself not at all and us completely. That is our standard.

The Apostle Paul makes the application of this principle in his Letter to the Philippians. There, in Chapter 2, he reminds us that we are to show the same attitude as that demonstrated by our Lord. In lowliness of mind each of us is to esteem the other better than himself. Where this principle is practiced any social problem, no

matter how complex, will cease to exist, except in the form of the question, "To whom am I neighbor?" into which love turns the theoretical and sometimes evasive, "Who is my neighbor?" For then we shall all be mindful of the fact that we are one in the Church with Christ. Where this unity prevails, there can be no "separate but equal facilities." We are one in our sinfulness, sharing equally the grace that our heavenly Father has bestowed upon all men.

If we follow in this direction we shall soon discover the truth of the words once uttered by George Bernard Shaw, namely, that the Bible is more up to date than the morning newspaper, more recent, in fact, than the Supreme Court decision of a few weeks ago. If, however, through lack of courage or for some other reason, we should fail to implement the truths of Scripture at this point, history may well write for us an epitaph the words used by Francis Hackett to describe Catherine of Aragon: "Catherine was immured in her own squat righteousness. She wanted the environment to adapt itself to her, and, if it refused, she stood the siege until her walls became her tombstone."

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