

# RELIGIOUS LIBERTY MANUAL

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# SECTION 1

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## INTRODUCTION

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### **Purpose of *Religious Liberty Manual***

**T**he purpose of this *Religious Liberty Manual* is to empower church pastors and religious liberty leaders to conduct a religious liberty ministry that proclaims the liberating gospel of Jesus Christ as the source of human freedom. This gospel-centered ministry is grounded in a biblical theology that is shared in the three documents of **Section 2**.

**Section 3** focuses on the outreach and nurturing components of this ministry. Practical suggestions and sample letters are shared that will enable pastors and members to respond to Sabbath employment conflicts and to pursue exemption from membership in labor unions. In addition, information and guidelines are offered that will make efforts to influence legislation more effective. In each of the three areas of Sabbath accommodation, labor union membership exemption, and public advocacy, the primary purpose of our efforts is sharing the gospel with employers, labor union leaders, and public officials. Pursuing a Sabbath accommodation or an exemption from labor union membership for a member or the passage of a piece of legislation is not the end that is sought. These are the means that provide an opportunity to speak with business, labor, and public leaders of the sin-pardoning sacrifice of Jesus that elicits a loving response of loyalty as well as a proactive commitment to protect the freedom of conscience of others.

**Section 4** provides help in structuring the religious liberty ministry at the local church.

**Section 5** provides additional resources, such as Title VII of the 1964 Civil Rights Act, guidelines of the Equal Employment Opportunity Commission (EEOC), and a brief bibliography.

# SECTION 2

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## THEOLOGICAL FOUNDATIONS OF RELIGIOUS LIBERTY MINISTRY

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### The Gospel and Religious Liberty

by Arnold Trujillo, Associate Director, Department of Public Affairs and Religious Liberty, Pacific Union Conference

**T**he foundation of the Seventh-day Adventist religious liberty ministry rests on the bedrock of revelation found in the Holy Scriptures. Four great biblical truths—the **creation** of humanity, the sacrificial **atonement** of Jesus, the new birth of the believer, and the **Second Advent**—are the building blocks for this ministry. Historically, much has already been written in Adventist policy statements and literature about the relationship of Creation and the Second Advent to the ministry of religious liberty (see the two documents that follow). Until very recently little could be found about the relationship of the atonement and the new birth with freedom of religion. It is the atonement and the new birth that will be emphasized in this document.

To summarize briefly, the Creation story reveals a loving God who created humans with a will free to accept or reject God’s leadership, and the Second Advent story reveals Satan’s human surrogates attempting to coerce humanity to reject God. It is the historic and anticipated use of coercion by counterfeit religionists that to date has provided the rationale for the ministry of religious liberty.

But how do the atonement and the new birth fit in? Do the central events of human history, namely, the death, burial, and resurrection of Jesus Christ, fit in? How?

While Eden reveals the love of Jesus in granting Adam and Eve freedom to choose, Gethsemane reveals the love of our Saviour in willingly accepting the separation from His beloved Father so we might be free from the penalty of sin. In Eden there was a tree of the knowledge of good and evil that provided an opportunity for our first parents to

exercise their free will. At Golgotha there was a tree on which the Son of God was crucified and died because He wanted to liberate us and regain our freedom.

It is the freedom, the liberation, the emancipation of the human will, that was purchased at Calvary. Before Christ, humanity was enslaved. After the cross and the new birth, humanity is free.

It is because freedom was purchased by Jesus, our beloved Saviour, at such great cost that we, His followers and disciples, value it. We value freedom, not because we are selfish or fearful, but because we cherish the sacrifice of Christ. It is this appreciation, this gratitude, that is a springboard for proactively championing the protection of the free exercise of religion for people of all faiths or of no faith. It is also the reason that we must oppose any attempt to coerce the conscience.

The ministry of religious liberty is a fruit of the gospel of Jesus Christ, whose sacrifice liberates humanity from the penalty of transgression and whose abiding presence frees us from the enslaving power of the carnal heart. It is through the pardon and power of the Son that humanity has indeed been set free!

#### What Is the Gospel?

Jesus provides the answer in Luke 4:18: “The Spirit of the Lord is upon me, because he hath anointed me to preach the gospel to the poor; he hath sent me to heal the brokenhearted, to preach deliverance to the captives and recovering of sight to the blind, to set at liberty them that are bruised.”

At the beginning of His public ministry Jesus speaks of “liberty.”

Is the human family a captive race in need of deliverance? Does the human family need to be liberated? Paul surely thinks so. Notice what he says: “O wretched man that I am! Who will deliver me from this body of death?” (Romans 7:24, NKJV). “Do you not know that to whom you present yourselves slaves to obey, you are that one’s slaves whom you obey?” (Romans 6:16, NKJV).

Notice what Jesus says in John 8:32-36: “And you shall know the truth, and the truth shall make you free.’ They answered Him, ‘We are Abraham’s descendants, and have never been in bondage to anyone. How can you say, ‘You will be made free?’ Jesus answered them, ‘Most assuredly, I say to you, whoever commits sin is a slave of sin. And a slave does not abide in the house forever, but a son abides forever. Therefore if the Son makes you free, you shall be free indeed’”(NKJV).

The good news of the gospel is that Jesus, the Son of God, has freed us from the enslavement of sin. We have been freed from the penalty of sin through the atonement. We have been freed from the power of sin through the new birth experience of the abiding presence of Jesus in the believer’s life.

### **The Gospel Offers *Pardon* From Sin’s Penalty How? When?**

If we are to understand and appreciate the value of our pardon, we must go to an olive garden, a hill called Golgotha, and a borrowed tomb outside the gates of Jerusalem some 2,000 years ago. The Gospel writer Matthew shares those events. Let us begin with Thursday night:

#### **Gethsemane**

Matthew 26:36-39: “Then Jesus came with them to a place called Gethsemane, and said to the disciples, ‘Sit here while I go and pray over there.’ And He took with Him Peter and the two sons of Zebedee, and He began to be sorrowful and deeply distressed. Then He said to them, ‘My soul is exceedingly sorrowful, even to death. Stay here and watch with Me.’ He went a little farther and fell on His face, and prayed, saying, ‘O My Father, if it is possible, let this cup pass from Me; nevertheless, not as I will, but as You will’”(NKJV).

Have you ever wondered what it was that caused the intense mental anguish of Jesus in Gethsemane?

Was it fear of rejection by His disciples?

Was it fear of the beatings?

Was it fear of the crown of thorns?

Was it fear of the Crucifixion?

It was *not* the fear of the beatings, the crown of thorns, or rejection. It was the fact that the Father was placing our sins on Him, that He was to be our sin bearer. “And the Lord has laid on Him the iniquity of us all” (Isaiah 53:6, NKJV). “For He shall bear their iniquities” (verse 11, NKJV). “And He bore the sin of many” (verse 12, NKJV).

The result of our sins being placed on Him was separation from His heavenly Father: “But your iniquities have separated you from your God” (Isaiah 59:2, NKJV). Sin always separates from God. Our sins separated Jesus from His Father. It was this separation from His Father that was the bitter cup that was so loathsome to drink on that Thursday night so long ago.

#### **Calvary**

To appreciate the price the Godhead paid for our pardon from the penalty of our sins we must go not only to the Garden of Gethsemane but also to a hill called Golgotha and Calvary. For it was on that hill that a cross was planted between heaven and earth. On that cross the Father’s Lamb offered His life to take away our sin. Jesus was crucified at 9:00 on Friday morning. Six hours later, at 3:00 in the afternoon, our Saviour died. Notice how Matthew records the event: “Now from the sixth hour until the ninth hour there was darkness over all the land. And about the ninth hour Jesus cried out with a loud voice, saying, ‘Eli, Eli, lama sabachthani?’ that is, ‘My God, My God, why have You forsaken Me?’” (Matthew 27:45, 46, NKJV).

On the cross Jesus could not see through the portals of the tomb. The intensity of the mental anguish blocked out the physical pain of the cross. Jesus was willing to be eternally separated from His Father to provide reconciliation for you and me.

Notice how Ellen White describes Calvary: “But now with the terrible weight of guilt He bears, He cannot see the Father’s reconciling face. The withdrawal of the divine countenance from the Saviour in this hour of supreme anguish pierced His heart with a sorrow that can never be fully understood by man. So great was this agony that His physical pain was hardly felt.

“Satan with his fierce temptations wrung the heart of Jesus. The Saviour could not see through the portals of the tomb. Hope did not present to Him His coming forth from the grave a conqueror, or tell Him of the Father’s acceptance of the sacrifice. He feared that sin was so offensive to God that Their separation was to be eternal” (*The Desire of Ages*, p. 753).

What caused Jesus’ physical death? He died of a massive heart attack. His heart physically burst. This heart attack was caused by the mental anguish of being separated from His Father, anguish that your sins and my sins caused. He died of a broken heart.

“But it was not the spear thrust, it was not the pain of the cross, that caused the death of Jesus. That cry, uttered ‘with a loud voice’ (Matthew 27:50; Luke 23:46), at the moment of death, the stream of blood and water that flowed from His side, declared that He died of a broken heart. His heart was broken by mental anguish. He was slain by the sin of the world” (*ibid.*, p. 772).

### Joseph’s Tomb

We have followed Jesus to Gethsemane and Calvary. Now we must go to Joseph’s tomb. We must ask why Jesus remained in the tomb until Sunday morning. Did His remaining in the tomb, separated from His heavenly Father, have anything to do with our pardon from the penalty not only of our sins, but of the sins for all of humanity? Please note the inspired references that follow: “But the angel answered and said to the women, ‘Do not be afraid, for I know that you seek Jesus who was crucified. He is not here; for He is risen’” (Matthew 28:5, 6, NKJV). “And if Christ is not risen, then our preaching is empty and your faith is also empty. . . . And if Christ is not risen, your faith is futile; you are still in your sins!” (1 Corinthians 15:14-17, NKJV). Ellen White comments on Christ’s imprisonment in the tomb: “**He who died for the sins of the world was to remain in the tomb the allotted time. He was in that stony prison house as a prisoner of divine justice. He was responsible to the Judge of the universe. He was bearing the sins of the world, and His Father only could release Him**” (*The Seventh-day Adventist Bible Commentary*, Ellen G. White Comments, vol. 5, p. 1114).

The resurrection of Jesus declares that we have been freed from the penalty of sin. The just, perfect law of God has been satisfied. The cup of divine justice has been

emptied of the last drop. The penalty for all sins for all of humanity for all time has been paid! Praise the Lord!

Freedom is not free.  
Christ had to pay the price,  
He had to sacrifice,  
For our liberty.

### The Gospel Offers Power How?

The gospel of Christ offers not only pardon from the penalty of sin but also power for victorious living. The hymn says, “There is pow’r, pow’r, wonder-working pow’r in the blood of the Lamb.” Paul identifies the source of this transforming power: “And you, who once were alienated and enemies in your mind by wicked works, yet now He has reconciled in the body of His flesh through death, to present you holy, and blameless, and above reproach in His sight. . . . To them God willed to make known what are the riches of the glory of this mystery among the Gentiles: which is Christ in you, the hope of glory. Him we preach, warning every man and teaching every man in all wisdom, that we may present every man perfect in Christ Jesus” (Colossians 1:21-28, NKJV).

The indwelling Christ provides power to liberate from the enslavement of sin. There is no power in self. There is power only in Christ. The abiding presence of Jesus lives in us as He lived when He walked the streets of Nazareth. You may ask: “How are we to live?” Paul provides the answer: “I have been crucified with Christ; it is no longer I who live, but Christ . . . who loved me and gave Himself for me” (Galatians 2:20, NKJV).

Did you catch the how? We live by faith. We live by trusting Jesus, depending on Jesus, and leaning on Jesus. Jesus lived a life in complete harmony with His Father’s will by depending on His Father’s power. We live by depending on the power of the indwelling Christ.

Christ in us brings our lives into harmony with His will. The transformation is described in Hebrews 8:10: “‘For this is the covenant that I will make with the house of Israel after those days,’ says the Lord: ‘I will put My laws into their minds, and I will write them on their hearts. And I will be their God, and they shall be My people’”(NASB).

It is the power of the indwelling Christ that brings humanity into harmony with the Decalogue.

### Conclusion: The Gospel Offers Free Will

Christ not only paid the penalty for sin and provided the power to overcome sin, but in so doing also purchased for humanity a free will. While humanity in Eden had a free will, when sin entered, humanity became slaves. Slaves have no freedom of choice. Before Christ there was only slavery. After Christ's sacrifice human-kind could choose to accept or reject the sacrifice. Christ's sacrifice provides every inducement to choose Him. The cross of Christ provides incontrovertible evidence that God is love. Love motivated the Father to give His Son. Love motivated the Son to assume human form forever and to endure the cross and the separation from the Father in order to pay the penalty for our sin. Christ's love for unworthy humanity infuses us with infinite value and worth. But in spite of all of the wooing and drawing of the Holy Spirit, humans can still say no. *We have the freedom to choose.* This *freedom* is the result, the effect, the *fruit of*

*the gospel.* "It is for freedom that Christ has set us free" (Galatians 5:1, NIV). Put simply: **Our pardon earned at Gethsemane, Calvary, and Joseph's tomb + the power of Christ's abiding presence = freedom.**

This makes the religious liberty ministry not merely a self-preservation endeavor. We can no longer limit our perception of the religious liberty ministry as a magazine subscription campaign or a fund-raising effort for a legal defense fund or a member's employment protection program or an anti-Sunday law plan. We must champion religious liberty because it flows from the "everlasting gospel." We must, therefore, defend the freedom of those who do not worship as we do or who do not worship at all. We must resist all attempts to coerce worship, not to protect our rights, but to defend God's character, for coerced worship violates the freedom of choice purchased by the cross.

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## Biblical Foundations of Religious Liberty

1993 NAD Year-end Meeting Statement

**B**ecause God created human beings in His own image (Genesis 1:26, 27), they possess both a moral conscience and the right to make free choices. The principle of love, from which free choice flows, is at the heart of divine government. When the archenemy of God and man attempted to abrogate this principle, God moved to reestablish His eternal ideal; in love He gave the world His Son, who, also in love, gave humankind His life. Thus the earthly life and death and resurrection of Christ demonstrate to the universe the validity and infinite worth of freedom as the foundation of God's government.

The universe is governed by immutable laws that preserve order and harmony. Just as gravity regulates the world of matter, so an enlightened conscience is to control universal morality. Scripture teaches that a "good conscience" is formed in the believer by developing a personal, trusting relationship with God, leading one to an understanding of divine purposes and assuring willing obedience to the moral law (1 Timothy 1:5-19).

Although God established His relationship with humanity to be one of perfect freedom, this kind of freedom does not equate with willful and self-centered independence. Christ defines freedom as deliverance from the bondage of sin: Real freedom, He says, is linked with knowing "the truth" (John 8:31-34; 14:6). Developing a loving relationship with God leads to voluntary dependence on Him and frees one from the self-centeredness that ultimately would lead to self-destruction.

The Christian today echoes the psalmist of yore: "I delight to do thy will, O my God: yea, thy law is within my heart" (Psalm 40:8). From the bonding of the human with the divine comes a sacred, intimate relationship between God and His creation (2 Peter 1:4), compared in Scripture to the special love which exists between a devoted husband and wife (Ephesians 5:25). To the individual Christian this sacred relationship is the very essence of the gospel. It is vital to one's well-being. Nothing must interfere with it.

Through the church God desires to proclaim to the whole world the message of "peace" and "good will

toward men” (Luke 2:14) that the life of Jesus perfectly embodies. He has ordained that a special covenant relationship should exist between Himself and His church (Hebrews 8:6-13; 12:18-25). In the last days of earth’s history this covenant is renewed to “the remnant” (Romans 11:5; Revelation 12:17), to whom is committed a final message of hope to be heralded worldwide (Revelation 14:6-12). This is the divinely appointed global mission of the church. Bible prophecy indicates that the remnant church will face serious opposition from the state in carrying out this mission (Revelation 13:11-17), as has been true historically. Thus the church is wary of any controls which the state may seek to exercise over it.

As in the days of ancient Israel, the spiritual prosperity of the contemporary church depends on its faithfulness to the covenant. God’s words to Israel remain appropriate: “Keep therefore the words of this covenant, and do them, that ye may prosper in all that ye do” (Deuteronomy 29:9). As with ancient Israel, there is a real and present danger that the church today will rely on “the arm of flesh,” or government, for protection and support. Ellen White seriously warns of this eventuality (see appendix).

Scripture defines the proper role of the state over its subjects to include protecting rights and punishing lawlessness (Romans 13:1-7). When by law the state attempts to control religious belief and practice, it not only exceeds its authority; it abuses it. In the face of such man-versus-God conflict, Christians must choose “to obey God rather than men” (Acts 5:29). They recognize a higher obligation to disobey an unjust law, even as they understand they may bear the legal consequences.

For Christians mere defense of existing laws protecting religious freedom is not sufficient; they must continually monitor and seek to improve the climate of freedom in which their government functions. Of this responsibility God speaks through Jeremiah to the Jewish captives in Babylon: “Seek the peace of the city whither I have caused you to be carried away captives, and pray unto the Lord for it: for in the peace thereof shall ye have peace” (Jeremiah 29:7).

Depending on the governmental system under which they live, Christians may enjoy varying degrees of religious freedom. Generally their personal interests, and those of the church, are enhanced by following the counsel to “seek the peace” and to pray for governmental leaders. Given the variety of political structures, however, there cannot be

only one way to promote “peace.” The church should use all lawful means to maintain religious freedom to the fullest possible degree. Individually and collectively, church members will exert their civic influence to improve the quality of freedom available under their form of government.

In the United States, for example, the use of civic influence includes seeking to maintain the institutional separation of church and government that has brought to its citizens a high level of freedom in a very diverse society. In other nations use of civic influence may entail the defense of other important governmental frameworks for the protection of religious freedom. Throughout the world the church recognizes a variety of valid political mechanisms for the protection of religious liberty.

When religious liberty issues are debated, the “golden rule” should be followed (Matthew 7:12). Different, unpopular, and even conflicting religious beliefs deserve equal protection and respect. Unity within diversity is difficult to achieve whether in the state, in the church, or in the relationship between church and state. Since Christians hold dual citizenship they are accountable to the sovereignty of God as well as to proper human authority (Matthew 22:16-21). While they will seek for harmony, they will also defend the right to be different, which includes the right to be wrong.

The church, of course, is not identical to the “kingdom of God,” but is to strive to exemplify the principles of that kingdom here on earth. Scripture’s most compelling portrayal of freedom is most vividly presented by Jesus in His earthly ministry. His call is invitational, voluntary, not in the least coercive: Follow Me freely if you would follow Me authentically. Never did He assume kingly authority, although that was His right.

Jesus enunciates these principles in the Sermon on the Mount; therein He expresses the values the church is to demonstrate in society. In its internal governance the church must respect the God-given rights and freedoms of its members. Because the methods by which secular society enforces authority are foreign to the spirit of Christ (Matthew 20:25-28), the power of the sword gives way to the teaching ministry He demonstrated. As was true in the personal life of Jesus, the only weapon the church may use in self-defense is the “sword of the Spirit,” the Word of God.

As a practical matter, the church acknowledges cir-

cumstances mandating interaction with the government because of legal or civil requirements. Though it may necessarily operate within either a pervasively sectarian or a secular society, the church will be faithful to the biblical principles forbidding either control by the government or dependence upon it. Otherwise, trust in God for His sustenance would be supplanted.

In the cosmic struggle between good and evil, followers of Jesus have become “a spectacle unto the world, and to angels, and to men” (1 Corinthians 4:9). Fulfilling its global mission, the church will be true to the principles of its divine calling. It will moderate the extremes of worldly culture, and it will uphold the right of individuals to live in freedom. (This document was voted at the North American Division year-end meeting, 1993.)

## APPENDIX

“It was apostasy that led the early church to seek the aid of the civil government, and this prepared the way for the development of the papacy” (Ellen G. White, *The Great Controversy*, p. 443).

“In the movements now in progress in the United States to secure for the institutions and usages of the church the support of the state, Protestants are following in the steps of papists” (*ibid.*, p. 573).

“The alliances made by the Israelites with their heathen neighbors resulted in the loss of their identity as God’s peculiar people. . . . The experience of Israel will be the experience of all who go to the world for strength, turning away from the living God” (*The Seventh-day Adventist Bible Commentary*, Ellen G. White Comments, vol. 4, p. 1155).

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## Public Affairs and Religious Liberty Departmental Policies

### HC 05 Church Government Relationships in the North American Division

**HC 05 02 Fundamental Principles**—1. In a changing world it is essential to retain in clear focus the unchanging principles that govern the relationships between God the Creator and humanity, between church and government, and to make clear the application of those principles to specific situations as they develop. Seventh-day Adventists believe these fundamental principles to be:

a. That God as Creator of all things has established the relationships that should prevail between Himself and humanity, and between church and government.

b. That God endowed humanity with intelligence, with means for obtaining a knowledge of the Creator’s purpose and will for the individual, with moral perception and conscience, with the power of free choice to determine one’s own destiny, and with responsibility to the Creator for the use one makes of these faculties; and that the first

and supreme duty is to know and to cooperate with the Creator’s revealed will.

c. That an individual’s relationship to other human beings rests on the basic principle of unselfish love, as illustrated in the words “Whatsoever ye would that men should do to you, do ye even so to them” (Matthew 7:12), and that application of this principle involves recognition of the equal rights of others under God and a direct responsibility to God for our treatment of one another.

d. That the church is a divinely ordained institution, the role of which is to preserve and to proclaim God’s message to humanity, to assist individuals in making His design effective in their hearts and lives, and to unite its members in fellowship, worship, and service.

e. That civil government is ordained by God; that its divinely appointed function is to protect individuals in the legitimate exercise of their rights, to provide a suitable environment in which they can pursue the objectives set for them by their Creator.



f. That in view of its divinely ordained role, civil government is entitled to humanity's respectful and willing obedience in temporal matters to the extent that civil requirements do not conflict with those of God; in other words, humanity is bound to "render therefore unto Caesar the things which are Caesar's," but to reserve for "God the things that are God's" (Matthew 22:21), to exercise an active, personal interest and concern in matters affecting the public welfare and to be an exemplary citizen.

g. That humanity's twofold duty to God and to government implies that God has delegated authority over strictly temporal matters to government, while reserving to Himself authority over strictly spiritual matters; that in matters where secular and religious interests overlap,

government, in the best interests of both church and government, must observe strict neutrality in religious matters, neither promoting nor restricting individuals or the church in the legitimate exercise of their rights.

h. That religious freedom consists of the inalienable right to believe and to worship God according to conscience, without coercion, restraint, or civil disability, and to practice or to change one's religion and to promulgate it without interference or penalty.

i. That the right to religious freedom includes the obligation to grant the same right to others.

j. That each community of faith has the right to organize and operate in harmony with its own religious beliefs.

# SECTION 3

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## OUTREACH AND NURTURE OF RELIGIOUS LIBERTY MINISTRY

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### Tips for Pastors

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#### Encourage Members in Search of Spiritual Support

- Pray with members for guidance and enabling.
- Refer to Scripture counsel and/or Ellen G. White comments.

#### When First Contacted by Your Church Member:

- Encourage resourcefulness and creative problem solving as your member exercises trust in the Lord.
- Determine status and urgency of the problem.
  - a. If urgent, have member contact union Public Affairs and Religious Liberty (PARL) director immediately.
  - b. If not urgent, you or the member may customize the appropriate sample letter, call, or visit the employer (or other entity).

#### Advise Member to Keep Good, Complete, Accurate Records

Have member:

- a. Ask for written notices and responses.
- b. Keep copies of all correspondence, notes, memos, and documents in chronological order.
- c. Take detailed written notes of what is said and what happened at all meetings, conversations, and events with company and labor union officials. Include people, places, dates, times, summary, and exact words where possible.
- d. Observe deadlines. Document and protest disciplinary action taken by employer.

#### Follow Up With the Member

Visit regularly with the member having religious

liberty problems. Follow the resolution process. If necessary, assign a fellow church member to be a spiritual guardian and encourager. This is essential. The member is often facing a spiritual, financial, and sometimes family crisis.

#### Court Action

Court action is always the last resort. Therefore, do not build up false hopes that attorneys employed by the church will take the employer to court. Denominational lawyers handle realistically only 2 to 5 percent of church member religious liberty problems. Lawsuits are expensive and often take as long as three to five years to adjudicate. Even then, there is no guarantee of winning.

#### Choice

Explain to the member that he or she is the person accountable to God for keeping the Sabbath and must be the one to decide on the course of action. Help the member in building the commitment to and trust in God that will enable him or her to make the right choice as the Spirit leads him or her forward. Resist the temptation to “help” the church member make his or her decision. Validate the member while he or she is in the decision-making process.

#### What to Do if Your Church Member Is Fired

If the member has not received written notice that he or she has been fired, have the member return to the job and report for work.

Go to the employer or individual who makes the decisions.

- a. Explain the biblical position.
- b. Explain the church’s position and teaching.

Continued on page 14

## Sample letter from pastor (Sabbath)

(Date)

(Company Name)

(Address)

RE: Accommodation for Religious Belief and Practice

To Whom It May Concern (get name of supervisor or scheduler):

(*Member name*) is a member in good standing and in regular attendance at the (*your church name*) Seventh-day Adventist Church, of which I am the pastor. (*Member name*) asked that I write this letter as support for his/her request to be nonscheduled on his/her religious Sabbath in harmony with the Old and New Testament teachings of the Bible.

(*Member name*), like millions of other Seventh-day Adventists around the world, is unable to perform secular activities, employment or otherwise, during the 24-hour period from sunset Friday to sunset Saturday. He/she does not request to have the Sabbath off in order to have an extra day at home to catch up on odd jobs or to engage in recreation or amusements. Secular activities—shopping, sports, employment, entertainment—are laid aside. The Sabbath is sacred to (*member name*), and he/she devotes these hours to God.

Some accommodation options suggested in the Equal Employment Opportunity Commission's Guidelines on Religious Discrimination Because of Religion are:

1. Change employee to a shift or department that does not operate on Friday nights or Saturdays.
2. Swap shifts with another employee.
3. Work on Sundays or holidays in place of Saturdays.
4. Work a flexible schedule so that he/she can leave the job on Friday afternoon \_\_\_\_\_ minutes before sundown.
5. Make a temporary accommodation while a permanent one is being arranged.

If I can be of any assistance, I will be happy to discuss (*member name's*) Sabbath employment problem with you in person.

Sincerely yours,

Pastor

cc: Union Public Affairs and Religious Liberty Director  
(Member Name)

Please do not photocopy the sample letter. Instead, type or print your letter carefully. Make sure to keep a copy for yourself.

## Sample letter from pastor (Tests)

(Date)

(Person's Name)

(Organization Name)

(Street Address)

(City, State, Zip)

RE: (Type of Test)

Dear \_\_\_\_\_:

This letter is to verify that (member name) is a Seventh-day Adventist. He/she attends the (name of your church) Seventh-day Adventist Church here in (name of town). He/she has requested that I write this letter so that you can give him/her an alternate test date.

(Member name), like millions of other Seventh-day Adventists around the world, is unable to perform regular, secular employment activities during the 24-hour period from sunset Friday to sunset Saturday. He/she considers this time as holy. According to the provisions of Title VII of the Civil Rights Act of 1964 and the Equal Employment Opportunity Commission's 29 Code of Federal Regulations 1605.3(a) Guidelines on Discrimination Because of Religion:

### **Scheduling of Tests or other Selection Procedures.**

When a test or other selection procedure is scheduled at a time when an employee or prospective employee cannot attend because of his or her religious practices, the user of the test should be aware that the principles enunciated in these guidelines apply and that it has an obligation to accommodate such employee or prospective employee unless undue hardship would result.

Thank you so much for your cooperation in assuring (member name) an alternate test day.

Sincerely,

(Pastor's Name), (Church Name) Seventh-day Adventist Church

cc: Union Public Affairs and Religious Liberty Director

(Member Name)

Please do not photocopy the sample letter. Instead, type or print your letter carefully. Make sure to keep a copy for yourself.

Sample letter from pastor (Labor Unions)

(Date)  
(Employer)  
(Address)  
(City, State, Zip)

RE: (Church Member)

Dear (Employer):

(*Church member*) is a member of (has been attending) the (*name of your church*) Seventh-day Adventist Church and has come to a firm personal conviction that he/she cannot belong to or support a labor organization because of his/her religious beliefs. On behalf of the Seventh-day Adventist Church I join him/her in requesting that you accommodate his/her religious beliefs in a way that will exempt him/her from membership or financial support of (*name of local union*).

Historically, the Seventh-day Adventist Church has taught its members not to join or support labor unions. This is still the teaching of the church today. Seventh-day Adventists who do not join labor unions are motivated by religious conviction.

In harmony with the provisions of Title VII of the Civil Rights Act of 1964, as amended in 1972, and the EEOC Guidelines, (*member name*) desires to pay the equivalent of dues to a mutually agreeable charity as provided in the above-mentioned law.

Thank you for making this accommodation for (*member name*).

Sincerely,

Pastor  
cc: Union Public Affairs and Religious Liberty Director  
(Member Name)

Please do not photocopy the sample letter. Instead, type or print your letter carefully. Make sure to keep a copy for yourself.

- c. Support the employee's convictions.
- d. Share a copy of Title VII with the employer.

Contact the PARL office.

Have the member file for unemployment compensation immediately.

## Sabbath Accommodation in Employment

### Tips for Members

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#### Initial Stage

1. Contact your pastor, conference, or union office at the first sign of a Sabbath employment problem.

2. Conduct yourself above reproach at all times. Others often know more than we realize about Seventh-day Adventist beliefs and will watch all aspects of your life.

3. It is the little details in a case that are important to remember. At every step make detailed memos of . . .

- people
- places
- dates
- times of meetings
- conversations
- incidents that may take place

Be sure that copies of all of these memos are sent to the religious liberty coordinator in your area. Keep the conference or union religious liberty personnel informed concerning all changes in your phone number and address.

We recommend that you purchase a small notebook or journal in which to keep everything together. In addition, we request that you keep copies of any and all paperwork you receive regarding this situation. Don't forget to make copies of any letter or request for accommodation you might send to your employer.

The more consistent you are in keeping detailed notes, the more dependable your notes will be. This can only help you. The Equal Employment Opportunity Commission (EEOC) is oftentimes slow investigating cases. An average case can take anywhere from six months to one year to complete investigation. That is a long time to remember a date or a place, or exactly what went on in a meeting. If you can show that you kept a journal consistently, your story will be more credible to the investigator.

Copies of any memos, letters, or actions regarding your work situation should be sent to your local con-

ference or union Public Affairs and Religious Liberty (PARL) Department.

#### Your Rights Under the Law

4. The Civil Rights Act forbids discrimination on the basis of religion where there are 15 or more employees (state law may be less) unless accommodation would cause undue hardship.

Note: An employer (or an employment agency or a union) has a duty to attempt to accommodate the religious beliefs of employees (and applicants) unless the employer can show that accommodation would result in an *undue hardship* on the operation of the business.

#### Your Rights During the Job Selection Process

5. The EEOC guidelines forbid an employer to ask a prospective employee any questions regarding availability to work on specific days, such as Friday nights and Saturdays, until the job has been offered. At that point, if the employer has a business necessity, he/she may inquire into your availability for Sabbath work, but he/she then has the same obligation to attempt to make an accommodation as he/she does for employees already on the job.

6. In your interview, if it is made clear that you are being hired to work on a shift that includes the Sabbath, or that Sabbath work is a condition of employment, be certain that the job is offered *before* you discuss the Sabbath schedule problem. *Do not* accept employment conditions that include Sabbath work hoping to make a change later. When the job is definitely offered to you and the only problem is Sabbath scheduling, request an accommodation in harmony with Title VII of the Civil Rights Act and the EEOC guidelines. If the problem arises during the oral interview, follow up the conversation with the request in writing for an accommodation.

7. Some Sabbatarians have been refused employment when no Sabbath problem existed merely because the applicant brought up the subject (in the selection process) and the employer decided to eliminate any potential problem.

8. If the job description includes Sabbath work hours, request an accommodation at the time of your acceptance. Your employer is entitled to prompt notice, and you want to give him/her maximum opportunity to resolve the problem.

9. If the prospective employer fails to hire you, be sure to ask the reason you were denied employment, especially if the subject of Sabbath work has been raised.

10. If refused employment because of the Sabbath, obtain a copy of the labor contract to determine if it caused the accommodation not to be made.

11. Keep all papers, newspaper ads, notices, and other documents relating to the prospective employer's advertising for new employees.

#### **Sabbath Scheduling After Being Hired**

12. When you learn that you are scheduled to work on Friday night or Sabbath, immediately ask your work supervisor for an accommodation for your Sabbath needs. If an oral request is ignored or refused, *put your request in writing. Do not wait until the last minute.* Keep copies of letters, notes, and documents for your records.

13. Be sure to explain fully in writing your Sabbath needs. Do not write the letter alone; consult with your pastor and conference or union PARL Department. Include the following items in your letter:

- a. Sabbath begins at sundown Friday night and ends sundown Saturday night.
- b. You must have sufficient time to leave the job and reach home before the Sabbath begins.
- c. If you come to work after sundown on Saturday night, you cannot arrive until a specified time after sundown in order not to have to prepare for work on Sabbath.

#### **What to Do When Negotiating a Sabbath Schedule**

14. Do not be arbitrary or demanding.
  - Be cooperative and flexible.
  - Remember that you would not like an employee telling you how to handle your business.
  - Offer to work on Sundays, to work fewer hours if you can afford the loss in pay, to trade shifts, or to make a lateral transfer to another department in order to solve the problem.
    - Inquire into your seniority standing in any move to be sure you do not lose seniority or pension rights.
    - Do not offer to give up seniority rights or benefits without getting counsel from your union conference PARL Department.

15. Although the burden of making an accommodation rests on the employer, cooperate in helping your employer find an accommodation even if it means

changing shifts or transferring to a department with slightly less pay.

16. If a test for employment selection is given on the Sabbath, ask for an alternate examination schedule. If an oral request is denied, put it in writing. EEOC guidelines include specific requirements for employers to make accommodations for selection examinations.

#### **What to Do When Disciplinary Action Is Taken**

17. Secure a copy of the labor union contract or company work policies so that you know the procedures used for discipline and dismissal.

18. Insist on receiving written notices rather than oral notices for disciplinary actions such as layoffs or termination. If this is refused, make a memo of the incident for your records, noting as nearly as possible all relevant items discussed.

- a. If you are fired orally, ask for a written notice that includes the reason for dismissal.
- b. If you cannot obtain written notice, try to return to work to make sure they have, in fact, dismissed you. Send a letter to your employer acknowledging that you were fired orally without written notice and stating your understanding of the reason you were fired or otherwise disciplined. Please make sure you keep a copy of all correspondence.

#### **Unemployment Action**

19. If you are dismissed, apply for unemployment compensation immediately. It is important for you to say you were dismissed for following your religious beliefs and practices.

20. If you lose your job, look for work. Keep up a list of *every* contact: names, dates, places, etc.

21. If unemployment compensation is refused, contact the PARL Department.

*Do not try to handle appeal procedures alone.*

Contact your conference or union PARL Department.

22. When *any* document arrives, or when *any* disciplinary action is taken against you, be sure that your conference or union PARL Department is informed immediately. Deadlines for filing notices or appeals may be involved. Your legal right to appeal may be in danger if you delay.

### **Filing a Complaint or Grievance**

23. Never threaten court or agency action. Explore every possible solution first; threats often make obtaining accommodations more difficult.

24. Although you have a legal right to file a complaint of religious discrimination with a local, state, or federal agency, the church urges you to consult with your conference or union PARL Department *before* filing. The church asks you to do this because the results in your case may have either favorable or unfavorable effects on the outcome of other cases involving Seventh-day Adventists.

25. Before contacting, seeking help from, or filing a grievance with a labor organization (if one is involved), contact the conference or union PARL Department for counsel.

### **Additional Information Involving Sabbath Accommodation**

26. DO NOT QUIT YOUR JOB. NEVER make a statement such as “I’ll quit my job before I will work on the Sabbath.” In some cases this has been construed to be a “voluntary quit.” Rather, if it is necessary, say, “I would have to lose my job rather than work on the Sabbath.”

27. If you are coerced into signing a statement of resignation, or if you quit because an employer makes conditions unbearable, redress may still be available

depending on the circumstances.

28. Remember always to conduct yourself as a representative of Jesus Christ. Your witness, properly given, may lead someone else to Christ.

### **Remember**

The Seventh-day Adventist Church in North America and Canada operates a strong Religious Liberty Department. This department is concerned about your ability to maintain a job or receive benefits if necessary. Be sure to call your conference or union PARL Department whenever you need help or have questions.

### **Sample Letters for Member Use**

The following section contains copies of sample letters requesting Sabbath accommodation. Please read the letter carefully before sending it to your employer. Certain letters apply to certain circumstances.

Please do not photocopy the sample letters and send them. Instead, type or print your letter carefully, making sure to keep a copy for yourself and send one to your local conference or union PARL Department.

If you have any questions regarding which letter is right for your circumstances, or if your circumstances are unique and need special attention, do not hesitate to check with your pastor for any assistance.



For Member Dismissed Orally

(Date)

(Employer)

(Address)

(City, State, Zip)

RE: (Name of Church Member)

Dear \_\_\_\_\_:

On (date), I was informed orally by (name) that I was not to return to work because I would not work on the Sabbath, which I observe from Friday sundown to Saturday sundown. I requested a written notice, but it was not given to me. Since I received nothing in writing, I returned to work on\_\_\_\_\_, and\_\_\_\_\_, but was prevented from going to work by\_\_\_\_\_.

In lieu of a written notice but in harmony with the oral statements, I shall assume that I was dismissed because of my religious observance and practice.

Respectfully yours,

(Name)

Copies to:

Member's file

Union Public Affairs and Religious Liberty Department

Please do not photocopy the sample letter. Instead, type or print your letter carefully. Make sure to keep a copy for yourself.

## Sabbath Examination

(Date)

(Employer)

(Address)

(City, State, Zip)

RE: (Name of Church Member)

Dear \_\_\_\_\_:

As a member of the Seventh-day Adventist Church since \_\_\_\_\_, I observe the seventh day of the week as the Sabbath, as taught by the church in harmony with the Old and New Testament teachings in the Bible. (**When applicable:** I have worked for (name of company) \_\_\_\_\_ years and have had no Sabbath problems.) I am now asked to take an examination in order to be able to retain my job. I have been informed that the only time the examination is given is on Saturday, my Sabbath.

The Sabbath is sacred to me and my family, and I devote these hours to God. It would be a violation of my deeply held, sincere religious convictions to take the examination on the Sabbath, which begins at sundown Friday night and ends at sundown Saturday. I therefore respectfully request that you make an accommodation for my religious beliefs, observances, and practice in harmony with Title VII of the Civil Rights Act and the guidelines of the Equal Employment Opportunity Commission.

The EEOC guidelines specifically address the practice of giving examinations on days of religious observance. For your convenience, I am enclosing a copy.

Please let me know what can be done in order to accommodate my religious observance and practice.

Sincerely yours,

(Name)

Copies to:

Member's file

Union Public Affairs and Religious Liberty Department

Please do not photocopy the sample letter. Instead, type or print your letter carefully. Make sure to keep a copy for yourself.

## Letter Explaining Sabbath Begins at Sunset

(Date)

(Employer)

(Address)

(City, State, Zip)

RE: (Name of Church Member)

Dear \_\_\_\_\_:

As I believe you are aware, I am a Seventh-day Adventist, and as such, I observe the seventh day of the week (Saturday) as the Sabbath, as taught by my church in harmony with the Bible.

It would be a violation of my deeply held, sincere religious conviction to work on the Sabbath, which begins at sunset Friday and ends at sunset Saturday. Since our company operates on the basis of a five-day work week, Monday through Friday, there has not been any problem in my work schedule as yet, as far as being off on Sabbaths is concerned.

However, in the winter months, which we are approaching, the sun sets much earlier than at present, as early as \_\_\_\_\_ p.m. In order to retain my integrity in Sabbath observance, it is important that I be allowed to leave work each Friday just prior to sunset. I anticipate this arrangement would be necessary for only five to six weeks, or until the sun starts to set after 5:00 p.m. I realize the need for this requested accommodation is still a few months away, but I wanted to make arrangements in advance, so that we can discuss it and plan for the accommodation.

Please bear in mind that I do not request Sabbath hours off in order to engage in secular activities or just simply to be off work. It is our belief that during these sacred hours we must lay aside all secular activities, shopping, sports, entertainment, and employment. Beginning at sundown Friday until Saturday evening, my time is devoted to God.

I therefore respectfully request that you make an accommodation for my religious belief, observance, and practice (in harmony with Title VII of the Civil Rights Act and the guidelines of the Equal Employment Opportunity Commission) by allowing me to leave work on the Fridays in question just prior to sunset. I am certainly willing to come in to work early on Fridays or even to make up work on Sundays, or to cooperate in whatever other arrangements may need to be made so I can retain my Sabbath observance according to my conviction.

I look forward to hearing from you soon regarding this request.

Sincerely yours,

(Name)

Copies to: Member's file

Union Public Affairs and Religious Liberty Department

Please do not photocopy the sample letter. Instead, type or print your letter carefully. Make sure to keep a copy for yourself.

## New Employee Requesting Accommodation

(Date)

(Employer)

(Address)

(City, State, Zip)

RE: (Name of Church Member)

Dear \_\_\_\_\_:

In applying for work at \_\_\_\_\_, I have been informed that I am to be assigned to work on the Sabbath. As a member of the Seventh-day Adventist Church since \_\_\_\_\_, I observe the seventh day of the week as the Sabbath as taught by the church in harmony with the Bible.

I do not request to have the Sabbath off in order to have an extra day at home to catch up on odd jobs or to engage in recreation or amusements. Secular activities—shopping, sports, employment, and entertainment—are laid aside. The Sabbath is sacred to me and my family, and I devote these hours to God.

It would be a violation of my deeply held, sincere religious convictions to work on the Sabbath, which begins at sundown Friday night and ends at sundown Saturday. I therefore respectfully request that you make an accommodation for my religious beliefs, observances, and practice in harmony with Title VII of the Civil Rights Act and the guidelines of the Equal Employment Opportunity Commission.

I want you to know that I will assist you in finding an accommodation. Here are some suggestions:

1. Change to a shift or department that does not operate on Friday night or Saturday.
2. Swap shifts with other employees.
3. Work on Sunday or holidays in place of Saturday.
4. Work a flexible schedule so that I can leave the job on Friday afternoon \_\_\_\_\_ minutes before sundown. **(Fill in the time needed, depending on distance from home.)**
5. Make a temporary accommodation while a permanent one is being arranged. This could entail a temporary assignment to another job or the use of a portion of my annual leave.
6. Examine some other plan that you might suggest as a solution.

I will be glad to discuss this further with you in person.

Sincerely yours,

(Name)

Copies to: Member's file

Union Public Affairs and Religious Liberty Department

Please do not photocopy the sample letter. Instead, type or print your letter carefully. Make sure to keep a copy for yourself.

## Members Previously Accommodated

(Date)

(Employer)

(Address)

(City, State, Zip)

RE: (Name of Church Member)

Dear \_\_\_\_\_:

As a member of the Seventh-day Adventist Church since \_\_\_\_\_, I observe the seventh day of the week as the Sabbath as taught by the church in harmony with the Bible.

(When applicable: I have worked for this company for \_\_\_\_\_ years and have been granted Sabbath off. I respectfully request that this type of accommodation be continued, and that I not be required to work Saturday because of an arbitrary work rule.)

I do not request to have the Sabbath off in order to have an extra day at home to catch up on odd jobs or to engage in recreation or amusements. Secular activities—such as shopping, sports, employment, and entertainment—are laid aside. The Sabbath is sacred to me, and I devote these hours to God.

It would be a violation of my deeply held, sincere religious convictions to work on the Sabbath, which begins at sundown Friday night and ends at sundown Saturday. I therefore respectfully request that you make an accommodation for my religious beliefs, observances, and practice in harmony with Title VII of the Civil Rights Act and the guidelines of the Equal Employment Opportunity Commission.

I want to assist you in finding an accommodation. Here are some suggestions:

1. Change to a shift or department that does not operate on Friday night or Saturday.
2. Swap shifts with other employees.
3. Work on Sunday or holidays in place of Saturday.
4. Work a flexible schedule so that I can leave the job on Friday afternoon \_\_\_\_\_ minutes before sundown. (Fill in the time needed, depending on distance from home.)
5. Make a temporary accommodation while a permanent one is being arranged. This could entail a temporary assignment to another job or the use of a portion of my annual leave.
6. Examine some other plan that you might suggest as a solution.

I will be glad to discuss this further with you in person.

Sincerely yours,

(Name)

Copies to: Member's file  
Union Public Affairs and Religious Liberty Department

Please do not photocopy the sample letter. Instead, type or print your letter carefully. Make sure to keep a copy for yourself.

## For New SDA Starting to Keep Sabbath

(Date)

(Employer)

(Address)

(City, State, Zip)

RE: (Name of Church Member)

Dear \_\_\_\_\_:

A most important problem has been weighing heavily upon my mind, and since it concerns my work situation, I now formally bring it to you by letter. I think you know how greatly I appreciate my work with (name of company).

Recently I became a member of the Seventh-day Adventist Church (or: I am studying to become a member of the Seventh-day Adventist Church) and from a sincere religious conviction have begun to observe the Sabbath, which we keep, according to the Bible, from sunset Friday to sunset Saturday. It would now be a violation of my deeply held, sincere religious convictions to work during Sabbath hours. Therefore, I respectfully request that you make an accommodation of my religious belief and practice in harmony with Title VII of the Civil Rights Act and the guidelines of the Equal Employment Opportunity Commission.

I do not request to have the Sabbath off in order to have an extra day at home to catch up on odd jobs or to engage in recreation. All secular activities—shopping, sports, entertainment, and employment—are laid aside. The Sabbath is sacred to me, and I now devote these hours to God. I asked my pastor to write to affirm the credibility of my new religious beliefs and experience.

I would like to suggest that an accommodation could be made by flexible scheduling for those times when it would fall my turn to work on Friday nights or Saturdays to other days of the week that do not pose a problem to me. Please understand that I am willing to work Fridays until sunset, Sundays, holidays, and evenings to do fill-in work for other employees.

Whatever adjustments would need to be made, you can count on me to do everything I can to cooperate fully. I think you know that I have the interest of the company at heart. If the matter could be settled at an early date, I would greatly appreciate it. If it would help, I welcome the opportunity to discuss the matter further with you at your convenience.

Thank you for your consideration.

Sincerely yours,

(Name)

Copies to: Member's file

Union Public Affairs and Religious Liberty Department

Please do not photocopy the sample letter. Instead, type or print your letter carefully. Make sure to keep a copy for yourself.

## Unemployment Tips for Members

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### Don't Leave Work Unless You Have To

- a. Clarify with your employer: "Am I fired?"
- b. If you have not received a written notice, continue to work until you are not allowed to do so. At that time ask for a written notice rather than a verbal notice. If none is given, write the letter entitled "For Members Dismissed Orally."
- c. Don't quit prematurely.
- d. Clearly express your willingness to continue working.
- e. Express willingness to return to work after Sabbath.

### If Terminated, Claim Unemployment Benefits Immediately

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#### Unemployment Interview

The unemployment office may want to verify that you did not leave employment unnecessarily, and may ask for a detailed explanation of why you left work, why you were not able to return to work or continue working, who told you that you could not continue working, and exactly what was said. This is one reason it is important to keep detailed notes.

#### Common Reasons for Loss of Unemployment Benefits

- a. Failure to comply with unemployment instructions.
- b. Leaving employment without good cause.
- c. Not being available for work.
- d. Refusal to accept suitable work.
- e. Being discharged for misconduct.

You must be available for work each week, and you must regularly seek employment.

**NOTE:** Even being fired does not necessarily mean that you will receive unemployment benefits. If you quit, you must be able to show "good cause" for leaving work.

**Therefore:** *Do not quit your job. Do not resign from your job, whether it is a voluntary or a forced resignation.*

If you are having a problem with your employer and are requested to resign, let your employer know that you have no intention of resigning and that you enjoy your job with the company. If the subject is brought up repeatedly,

please contact your local conference or union PARL Department.

### Not Available for Work

If you try to receive unemployment benefits, you must be **available for work**; therefore, the interviewer will ask about:

- a. Lowest wages you are willing to accept.
- b. Maximum distance you will travel to work.
- c. Any restriction on hours of work available.
- d. Trades or occupations you consider acceptable.

**CAUTION:** Be sure that the restrictions you give when you are interviewed do not unnecessarily limit the number of jobs available to you. The unemployment office will evaluate whether there are any significant number of job positions (whether open or filled) that fit the restrictions you have defined and will consider whether the additional restriction of being unavailable for work on the Sabbath serves to exclude you from any available job market. In order to be eligible for any benefits you must be able to demonstrate that accommodation of your personal and religious needs has not served to effectively exclude you from availability for employment.

The unemployment office does not handle many religion cases. The guidelines are somewhat complex. It is easy for them to make a mistake. If you are told that your benefits are denied and wish to appeal that decision, you should file your appeal immediately. You may then ask the conference or union PARL Department for advice or assistance in filling out the forms.

The unemployment hearings are informal, and you are not required to have a representative. However, in many states the evidence heard at the first hearing is the only evidence you are allowed to present. You are often not allowed to present new evidence even if you are allowed to make a further appeal. Most often a hearing on the record is carried out at the next appeal level. Therefore, if the unemployment benefits are important to you, it would be wise immediately to contact your local conference or union PARL Department or an attorney familiar with unemployment proceedings for advice.

### About the EEOC

The U.S. Equal Employment Opportunity Commission, more commonly referred to as the EEOC, is a government agency established in 1965 in order to provide

enforcement of the Civil Rights Act. When a church member has a religious or Sabbath accommodation problem, Title VII of the Civil Rights Act is ideally set up to guard against any employer or prospective employer who may refuse religious accommodation even when it would not entail undue hardship.

Title VII and the EEOC guidelines prohibit employers from discriminating against individuals because of their religion in hiring, firing, and other terms and conditions of employment. Together they cover private employers and state and local governments that employ over 15 employees. Also covered are private and public employment agencies, labor organizations, joint labor-management committees, and the federal government.

Although Title VII applies to almost every type of job situation, the federal government has a smaller internal agency for employees within itself, referred to as the EEO. Federal government employees such as military personnel and post office workers must first seek a remedy with the EEO before going to the EEOC with charges of religious

discrimination.

We reassure employees who fall under the EEO that the EEOC provides oversight and regulation for all the practices and policies affecting the EEO. Therefore, any EEO decision in the investigative charge may be appealed to the EEOC.

Keep in mind that the EEOC's main goal is to provide equality of opportunity in the workplace. The EEOC is especially reactive to retaliatory discharges against any person who files a charge of discrimination with the EEOC/EEO. Although the EEOC wants to provide fair employment practices, it must also adhere to the guidelines it has set forth regarding filing procedures. Although these procedures are not complicated, they do have extremely rigid deadlines that must be met should a charge be filed.

**NOTE:** It is important to document all exchanges of information. Ask for written documentation of any adverse actions taken by your employer against you.



## Labor Union Membership Exemptions

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### Tips for Getting Membership Exemption

**Begin here:** Prayerfully and thoughtfully study the scriptural and E. G. White materials on the next few pages. If you're asked to explain your beliefs, have in mind a one- or two- minute explanation based on several Scripture passages. The union usually does not want a comprehensive explanation.

**Different laws apply to union membership according to whether the employer is in the public or private sector.**

1. Federal Employees—Title VII of the Civil Rights Act
2. State Employees, Public School Employees, Local Government Employees—State Government Codes
3. Private Employees—Title VII of the Civil Rights Act

**Most conscience exemptions excuse employees with religious objections from both membership in unions and financial support of unions, but the employee is required to make equivalent contributions directly to a nonunion, nonreligious charity.**

### How to Arrange Exemption

Contact your union conference PARL Department for copies of documents that support your request for an exemption to union membership because of your personal religious convictions and the official teaching of the Seventh-day Adventist Church. State that you are willing to pay an equivalent of initiation fees and periodic dues to a nonunion, nonreligious charitable fund. Do not provide this material until you are approached or notified of the membership requirement. Once you're notified, respond quickly.

### Guidelines for Charitable Contributions

- a. Charity should not be church- or labor union-related.
- b. Most laws require the collective bargaining agreements to suggest two or three appropriate charities. If the contract does not specify such charities, you should be able to select your own.

- c. If appropriate charities are proposed by the employer or union, show a Christian spirit of cooperation by accepting the suggestion.

- d. Have two or three suggestions in mind.

- e. Some tips to remember:

—Unions often prefer a charity that gives a local benefit so that other employees will see merit.

—If United Way or a similar organization is urged, ask the organization for information about arrangements to “ earmark ” your donations for a particular program of your preference.

—Your donations should go directly to the charity.

—Be prepared to send copies of your receipts to the union if the union prefers.

—Occasionally unions want you to send them a check payable to the charity and then the charity will send you a receipt.

—In some cases you may be able to arrange for your charity contributions to be made by automatic payroll deduction.

### Suggestions for Employee

- a. Do *not* apply for union membership, authorize payroll dues deduction, or make contributions through the union or union fund.

- b. Clearly explain that you are a Seventh-day Adventist and have religious objections to joining or supporting unions and want to arrange an exemption.

- c. Be willing to give copies of contribution receipts to the union or arrange payroll deduction for charity.

### Contact PARL for Assistance:

- a. If the employee needs material to study church teaching about unions.

- b. If the union needs documentation to verify church teaching.

- c. If the employer or union is unfamiliar with a conscience exemption.

- d. If there are any problems after the employee has requested an exemption.

- e. If a sample letter is needed.

**W**HEREAS, The Christian dare not violate his conscience by giving support to activities or policies incompatible with the principles and counsel set forth in God's Word; and

WHEREAS, An increasing number of Seventh-day Adventists are finding it necessary to explain the position of the church in relation to joining or financially supporting labor unions and similar organizations,

*We recommend,*

1. That the Seventh-day Adventist Church hereby reaffirm its historical position that its members should not join or financially support labor unions and similar organizations.

2. That the Seventh-day Adventist Church member is following the teaching of the church when because of religious convictions he refuses to join or financially support labor unions and similar organizations or associations, or discontinues membership or financial support of a labor union and similar organization or association.

3. That pastors diligently inform Seventh-day Adventist Church members through sermons, personal counseling, church publications and other media of the Bible principles and the Spirit of Prophecy counsel on which the church's position is based.

—North American Division Committee on Administration  
Mexico City  
October 16-20, 1972

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516-98N  
RELATIONSHIP OF CHURCH MEMBERS AND CHURCH INSTITUTIONS  
TO LABOR ORGANIZATIONS—POLICY AMENDMENT

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VOTED, To amend NAD HR 30, Relationship of Church Members and  
Church Institutions to Labor Organizations, to read as follows:

**HR 30 Relationship of Church Members and  
Church Institutions to Labor Organizations**

HR 30 05 Biblical Background—1.

a. For more than a century the Seventh-day Adventist Church has taught its members and instructed administrators of its church institutions that the Holy Bible clearly instructs that Christ is to be Lord of the life of every church member and church institution, and that He is to be the ultimate authority to Whom they will submit their decisions and relationships (Acts 2:36; 5:29; Colossians 3:23, 24). The church has historically taught that its members and institutions dare not violate their individual or corporate consciences by supporting organizations, policies, or activities incompatible with the principles set forth in the Holy Scriptures (Isaiah 8:12, 13; 2 Corinthians 6:14-18).

b. The Seventh-day Adventist Church is aware that unjust activities on the part of some employers and the exploitation of employees created a climate for strong labor unions. Such behavior is condemned in the Scripture. “Go to now, ye rich men, weep and howl for your miseries that shall come upon you. . . . Behold, the hire of the labourers who have reaped down your fields, which is of you kept back by fraud, crieth: and the cries of them which have reaped are entered into the ears of the Lord of Sabaoth.” (James 5:1-4). Jesus made His position clear when He said, “And the King shall answer and say unto them, Verily I say unto you, Inasmuch as ye have done it unto one of the least of these my brethren, ye have done it

unto me.” (Matthew 25:40). However, Jesus never used confrontational methods of economic pressure or physical threats. Labor organizations may have good motives but Christians can not unite with those who sometimes follow Christ and only sometimes trust His methods.

**HR 30 10 Historical Position**—Based on the biblical - No change

**HR 30 12 Employee Dispute Resolutions**—Seventh-day Adventist employers and employees are urged to employ the methods of Christ in the workplace and in every place. Disputes should be resolved peacefully in a way that will not create adversarial relationships. Working agreements may provide for the use of neutral and objective third parties in dispute resolution efforts. Employers and employees are to remember that Christ was a person of the second mile Who taught that we should love even our enemies.

**HR 30 14 Union Membership**—Seventh-day Adventist employees in secular workplaces are to follow the dictates of their consciences in matters of labor union membership. They are to avoid unchristian activities and avoid blanket or blind support of partisan political campaigns. Where union membership is required for employment in a given industry or position, and the member elects to remain in said position, he or she should minimize participation, serve in humanitarian projects, and request that his or her union dues be applied to a charitable organization.

(Person who has not been a union member but is being required to join a union under a collective bargaining agreement)

(Fill in blanks with the appropriate information and adapt as necessary.)

(NAME), President  
(NAME OF UNION)  
(ADDRESS)  
(CITY, STATE, ZIP)

Dear (MEMBER'S NAME):

I have been informed that under the collective bargaining agreement between (THE UNION NAME AND LOCAL #) and (COMPANY NAME), I am being asked to join the union.

I am herewith requesting exemption from the above. It is my sincere religious conviction that I cannot join or financially support an employee's union. This request is not based on any hard feelings toward any individual or to the labor organization. Rather, it is based on principles I have found in God's Word and as taught by my church. The attached letter from my church pastor and my denomination's official position statement will verify this.

I am requesting, based on my religious belief, that (NAME OF UNION) make accommodation for my religious observance and practice, as well as belief, as provided for in Title VII of the Civil Rights Act of 1964, and as amended in 1972, and by the EEOC guidelines. These statutory exemptions are reinforced by the National Labor Relations Act (and California Government Code). In harmony with the provisions stipulated in the above statutes, I will be glad to pay the equivalent of the dues and fees to a mutually agreeable non-labor, non-religious charity. I will submit to you copies of my receipts as proof of payment.

I request that this be initiated immediately in lieu of requiring me to become a dues-paying union member or to tender my dues under an agency shop provision. I am not authorizing a check-off of my dues.

To facilitate this request I am submitting a "Labor Union Agreement" to serve as a memorandum of understanding, which I have filled out and signed. The charity may be filled in when we determine this. The form then needs union and employer authorizing signatures with a completed copy returned to me to confirm this exemption.

Thank you for granting this request.

Sincerely yours,

(YOUR SIGNATURE)  
(TYPE YOUR NAME AND ADDRESS BELOW YOUR SIGNATURE)

Please do not photocopy the sample letter. Instead, type or print your letter carefully. Make sure to keep a copy for yourself.

### Basis for Public Policy Positions

Should theology be a basis for positions taken by the Seventh-day Adventist Church on issues of public policy? Are we violating principles of strict separation of church and state if we answer “yes” to this question? Perhaps a brief historical review of the source for Roger Williams’ views on separation of church and state will reveal an answer.

Let me quote from Jimmy Neff’s article *Roger Williams: Pious Puritan and Strict Separationist*, found in the *Journal of Church and State*, volume 38, number 3 (Summer 1996): “He [Roger Williams] was a man bound to his own age; his problems were the problems of his contemporaries, and his sources for solutions were essentially religious” (p. 531).

“It was not until Roger Williams made the case for religious liberty in *The Bloody Tenent of Persecution* (1644) that it became apparent that the logical implications of Puritan thought formed the theological underpinnings for the separation of church and state” (*ibid.*).

“In light of Williams’ acceptance of Puritan theology, which included the doctrine of election, it should not be surprising that he had nothing but contempt for any coerced faith, manipulation of conscience, or any form of compulsion in matters of faith, whether that conformity was demanded by the state or the apostate church. Such ideas were merely logical entailments of what he thought was meant by God’s sovereignty. In regards to being theologically consistent concerning God’s sovereignty, Roger Williams was a Puritan of the Puritans” (pp. 537, 538).

“In essence, Roger Williams’ whole case for separation of church and state . . . was grounded in nothing other than a strenuous allegiance to divine sovereignty. . . . So unlike Enlightenment thinkers, Williams’ argument for separation did not begin on anthropocentric grounds, but on theocentric footing” (p. 538).

It is clear from the references cited above that the American policy of separation of church and state finds its roots in the Puritan theology of Roger Williams. It seems to me, therefore, that Adventist theology can form the basis for positions taken on issues of public policy.

An example of what is meant by a church position on a public policy being grounded on our theology is our vigorous support of federal and state legislation protecting the free exercise of religion. Our support for the federal

Religious Freedom Restoration Act of 1993 was based first of all on our understanding of the freedom that flows from the gospel and second on the divine imperative to share what we have received. We are debtors of grace to all, therefore we champion freedom of religion for all, not just for ourselves.

Another example can be given. We oppose the goal of Christian Reconstructionists to make of America a Christian theocracy because freedom that was purchased at Calvary would be sacrificed on the altar of uniformity. In addition, Reconstructionist theology is void of grace, pardon, or love, as well as the power of the indwelling Holy Spirit. The coercive power of the state is depended upon to bring human behavior into obedience to God’s law.

While there are occasions when we must oppose positions taken by other organizations, it behooves us to find ways to take positive positions on public policy issues. Ellen White, in *The Great Controversy*, offers this advice:

“Yet he [Jacob] leaves nothing undone on his own part to atone for the wrong to his brother and to avert the threatened danger. So should the followers of Christ, as they approach the time of trouble, make every exertion to place themselves in a proper light before the people, to disarm prejudice, and to avert the danger which threatens liberty of conscience” (p. 616).

### Tips for Effective Advocacy

The local church pastor and religious liberty leader have the opportunity to serve the church and community by alerting them to the developments that may impact on religious freedom. The person elected to this office should be dedicated to and interested in matters of religious freedom. He/she should also be or become familiar with the fundamental principles of religious liberty and the position of the Seventh-day Adventist Church on major issues of church-state concern. The local church religious liberty leader may thus not only serve the members of the local church but may also become actively involved in religious liberty matters in the local community.

### Be Alert to the Following Religious Liberty Issues

Report to the local church the items with religious liberty significance. Some of the items should be reported to your local conference or union PARL director as well.

- Sunday law issues on all levels.
- City/state ordinances licensing or restricting

religious literature.

- City/state ordinances prohibiting religious solicitation or distribution of evangelistic material.
- Sabbath civil service problems.
- Public elections held on Sabbath.
- Laws that would place the government in the role of regulating or controlling religious activity or individual religious behavior.
- Gambling laws.
- Zoning laws affecting churches and schools.
- Ordinances that could impact on evangelism.
- Property regulations for churches or church schools.
- Tax exemptions for churches and church schools.
- Laws that would place government in control of funding religious activities.
- School prayer issues.
- Issues involving government aid to religious schools.
- Religious liberty or religious freedom amendments or statutes.
- Issues involving laws concerning the Ten Commandments.

#### **Watch for News Items of Concern to Religious Liberty**

As news items on religious liberty issues appear in your newspaper, news magazines, on the radio, and on television, be alert to all details. Be accurate in your fact finding. *Beware* of rumors spread via the underground press. If items sound too fantastic to be true, chances are they are. Verify them with your union conference PARL director. Report authentic news concerning religious liberty issues to your church members regularly. Include good news as well as bad news through church newsletters, the church bulletin, and during the church announcement time.

#### **Become Involved in the Local Community**

Become acquainted with your city/county public servants. Attend local meetings to become better acquainted with the problems in your area. The following

checklist will help you in your community contacts throughout the year:

1. Attend city and county governmental meetings periodically, even when no religious liberty issues are present, to become better acquainted with elected officials and the issues they deal with.
2. Inform your pastor and conference or union PARL director about major developments in your community that could affect religious freedom.
3. Organize local grassroots contacts when called for. Always consult with your union religious liberty director before proceeding on major issues.
4. Report to your church all items from city or county council meetings of religious liberty significance.
5. Be sure all of the council members receive *Liberty* magazine.
6. Keep a current name and address file of city and county officials, including council members.

#### **Advocate Religious Freedom in Your Local Newspapers**

When local or national issues arise, write carefully worded letters to the editor of your local newspaper. It is always well to check the contents of letters on sensitive issues with your pastor before submitting any letter.

#### **Give Recognition to the Significant Contribution of Civic Leaders**

When a civic official in your community takes a strong stand on upholding religious liberty, contact your union PARL director for assistance in recognizing the official by presenting an appropriate plaque or award at the church or in the official's office. Arrange for publicity in the local newspaper and in your union paper. **If you invite a public official to speak at your church, take precautions so that it does not become a political appearance.**

#### **Know State and National Leaders From Your Area**

Become acquainted with state and national legislators who serve your area. Write to them when religious liberty issues arise.

### The Way a State Legislature Works

Most state or provincial legislative bodies meet every year, although there are some that meet only every other year. You will need to check with your local state legislature to get a better idea of their calendar.

Except for Nebraska, all state legislatures are bicameral, which means they consist of two houses, called the senate and the house of representatives (or in some states called the assembly or house of delegates). The Nebraska legislature operates with only one house (unicameral).

Most legislative sessions begin in January and are completed by May or June. Some state sessions go into the summer, and about half a dozen meet year-round. Once again you should check with your state legislative yearly calendar.

You need to know who your state or provincial legislative leaders are and which districts they represent. In all states the speaker is the leader in the house of representatives. In the senate the top leader is either the president or the president pro tem. In some states the lieutenant governor presides over the senate and the majority party elects a president pro tem, who holds the real power in the state senate.

Be aware that most work is done in legislative committees. Become familiar with which legislators are on each committee. Committees can control which bills will live and which bills will die, even before they make it to the floor for a vote.

### How a Bill Becomes Law

In order for a bill to become law, it must make it through several steps in the legislative process. But remember, to kill a bill you need only succeed at one point along the way.

#### Step 1—Introduction of Bills

Every member of the legislature has the power to introduce a bill. A bill's first reading comes when the clerk announces the title and number to the full house. Careful consideration should be given when deciding which house a bill should be introduced in. Remember, there may be less resistance in one or another of the houses.

#### Step 2—Referral to Committee

After introduction of a bill, it is usually referred to a standing committee for consideration.

#### Step 3—Committee Consideration

In most states every bill that is referred to a committee is considered or heard by the full committee or subcommittee. Most bills will have a hearing at which testimony is taken. The committee chair very often decides a bill's fate at this step.

At step 3 the committee has a number of options. It can simply sit on the bill, which prohibits the bill's further advancement, or it can report the bill out of the committee with either a favorable or unfavorable recommendation.

#### Step 4—Floor Debate and Amendment

If a bill makes it to this point, it could be debated by the whole house and floor amendments can be made or offered. If a bill was reported out of a committee favorably (see step 3), it will most likely be placed on the calendar indicating at what time the bill is most likely to come up for consideration. This is sometimes referred to as the second reading of the bill. House rules will vary from state to state on procedure in order to lobby effectively at this step.

#### Step 5—Final Vote

This step is sometimes called the third reading. Following the floor debate and consideration, the bill is put to the final vote. If defeated in one house, a bill is usually dead only for that session.

### Consideration by the Second House

Once a bill has been accepted in one house, it will then go to the second house (except in Nebraska, where there is only one house). The bill will once again begin at step 1 and go through the entire procedure.

If the bill is approved by the second house, it will then go to the governor for final approval.

### The Governor

A surviving bill must go to the governor for final approval (with the exception of North Carolina, where the governor does not have the power to approve or veto a bill). The governor can either sign the bill, which permits it to become law, or the governor can veto the bill. If the governor does neither within a specified number of days, the bill becomes law just as if the governor had signed it.

## Tips for Communicating With Legislators

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### Whether Visiting or Writing

When dealing with federal representatives, concentrate on the delegation from your state or province (your U.S. senators and congresspersons). With them you, the constituent, have the greatest clout. After that, focus on the key committee or subcommittee personnel.

You will most often meet with an aide on the legislator's staff. He/she is the most important person to influence, since the legislator will depend on his/her recommendation for guidance in voting.

**Timing:** aim to contact the official when his or her opinions on the matter are still being formulated, not when the floor vote is imminent.

Do your homework well by learning as much as possible about your contact, especially his/her politics, religion, and general philosophy.

Preface your concern with thanks or compliments for stands or actions taken, or in some other way convey goodwill and respect.

Identify your concern precisely by reference to the bill's number or popular title, such as student aid.

Don't waste valuable time discussing dead horses (statehood for Hawaii), bills having no chance for passage (calendar reform), trivia (snuff boxes in the U.S. Senate chamber), or utopian schemes (world government).

Humbly point out the nature of the expertise, vantage point, or perspective from which you are coming (i.e., what gives you credibility to address the subject?).

Explain what is wanted: I want you to cosponsor a bill, request hearings on a bill, urge the committee to report the bill out, vote the bill, etc.

Consider using one or more of these argument types:

**Substantive:** "The contemplated action will . . ." or "The contemplated action is right because . . ."

**Political:** "Promoting this bill may cost you (gain you) support back home." Or "This bill is not consonant with your special dislike for . . ."

**Procedural:** "The proposal breaks with tradition." Or "The proposal allows inadequate time for discovery of the relevant facts."

Brevity is a cardinal rule. Extending your visit past 15 minutes or your letter past one page can be counterproductive.

Stick to the facts. You are opinionating when you

exaggerate or manufacture facts.

Avoid sarcasm, criticism, condescension, the display of anger, and needless politicizing of the discussion.

Don't pretend to wield vast political influence that can be used to the advantage or detriment of the person with whom you are dealing. Promises and threats smack of coercion and are resented.

Speak as a private citizen, not as a church official. On the other hand, remember that there is a spiritual aspect to all of your work.

### Extra Tips for Writing

Don't send form letters, group letters, resolutions, or preprinted postcards. These are recognized as resulting from organized campaigns and thus have virtually no impact.

Address your letter properly. Errors regarding the legislator's correct name, title, or address will cheapen your contact.

Try to have your letter reach the addressee midweek, when the mails are lighter and the chances are better for careful consideration.

If you write several legislators on the same topic, use originals in each case, not copies.

Faxes and e-mail offer a relatively inexpensive option to letters if time is short or your message unique. Except in these cases, however, they will not receive more attention.

Don't be a pen pal who writes periodically on a vast number of issues. The quality of your letters counts more than the quantity.

Stick to one subject per letter. This makes your letter easier to respond to properly.

Ask for a reply; this helps assure that your letter gets the attention it deserves.

### Extra Tips for Visiting

Sometimes two people may be better than one, but rarely are three better than two. Hold it down.

Present a concise written summary of your position and desires.

Work by appointment if that is your style, but don't minimize the value of being at the right place for chance encounters.

Be punctual for your appointment, but hang loose; it may begin late and might even be rescheduled.

While not dominating the discussion, keep control of its focus.



# SECTION 4

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## THE LOCAL CHURCH RELIGIOUS LIBERTY LEADER'S JOB DESCRIPTION

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The local religious liberty leader  
has the opportunity to serve the church  
in the following ways:

### Bible Principles

God asks His church to be not only a community of people sharing a common purpose and fellowship but also a light within the community it serves. To worship God according to conscience and to share Christ's love are cherished freedoms not universally enjoyed. The government of God is based on freedom of choice. This freedom predates Eden, going all the way back to the courts of heaven, where Lucifer and his sympathizers were given the freedom to choose whom they would serve. God chose to create humanity with the power of choice. "See, I have set before thee this day life and good, and death and evil. . . . Therefore choose life, that both thou and thy seed may live" (Deuteronomy 30:15-19).

Free exercise of religion is like a fragile flower; it must receive the most vigorous protection possible and the most gentle care to be found. Within these parameters freedom of conscience thrives.

True freedom is found only in God's law, a reflection of His character. James calls God's law "the perfect law of liberty" (James 1:25). Peter warned of those who have become slaves to wanton lust: "While they promise them liberty, they themselves are the servants of corruption: for of whom a man is overcome, of the same is he brought in bondage" (2 Peter 2:19).

Satan is freedom's greatest foe and under his regime liberty of conscience is trampled underfoot. Prophecy has foretold that Satan's plans would succeed amid the resurgence of church-state union.

A political power (beast of Revelation 13) will arise in the last days causing people to "worship" another religio-

political power. Religion and politics are symbolized in Revelation 17 by an apostate church (a decadent woman) being sustained by the government (the beast). The persecuting power of this union of church and state is illustrated by the woman who becomes drunk with the blood of the saints.

What then are we to do about these threats to religious freedom? The Spirit of Prophecy for our day admonishes, "It is our duty to do all in our power to avert the threatened danger. We should endeavor to disarm prejudice by placing ourselves in a proper light before the people. We should bring before them the real question at issue, thus interposing the most effectual protest against measures to restrict liberty of conscience" (*Testimonies*, vol. 5, p. 452).

For these reasons every church should elect a religious liberty leader to keep up with last-day events in order to keep the church informed of vital religious liberty issues.

### Overview

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The local church religious liberty leader has the opportunity to serve the church and community by alerting them to the developments that may impact on religious freedom. The person elected to this office should be dedicated to, and be interested in, matters of religious freedom. He/she should also be or become familiar with the fundamental principles of religious liberty, and the position of the Seventh-day Adventist Church on major issues of church-state concern. The local church religious liberty leader may thus not only serve the members of the local church, but may also become actively involved in

religious liberty matters in the local community.

The religious liberty leader should work closely with the pastor and/or church board to formulate plans for communicating important information to the congregation and to the community, reporting the most significant issues and events to the local or union conference public affairs and religious liberty director.

Some functions of this church office must be carried out at specific times during the year. Others will be done only upon the initiative of the person selected.

#### **Watch for News Items of Concern to Religious Liberty**

As news items on religious liberty issues appear in your newspaper, in news magazines, on the radio, and on television, be alert of all details. Be accurate in your fact-finding. BEWARE of rumors spread via the underground press. If items sound too fantastic to be true, chances are they are. Verify them with your union or local conference PARL director. Report authentic news concerning religious liberty issues to your church members regularly. Include good news as well as bad news through church newsletters, the church bulletin, and during the church announcement time.

#### **Become Involved in the Local Community**

Become acquainted with your city/county public servants. Attend local meetings to become better acquainted with the problems in your area. The following checklist will help you in your community contacts throughout the year:

1. Attend city and county governmental meetings periodically, even when no religious liberty issues are present, to become better acquainted with elected officials and the issues they deal with.
2. Inform your pastor and Union PARL director about major developments in your community that could affect religious freedom.
3. Organize local grassroots contacts when called for. Always consult with your union or conference religious liberty director before proceeding on major issues.
4. Report to your church all items from city or county council meetings of religious liberty significance.
5. Be sure all of the council members receive *Liberty Magazine*.
6. Keep a current name and address file of city and county officials including council members.

#### **Write Letters to the Editor**

When local or national issues arise, write carefully worded letters to the editor of your local newspaper. It is always well to check the contents of letters on sensitive issues with your pastor before submitting any letter.

#### **Serve as a Resource Coordinator**

Develop a file of religious liberty resource materials for your church. Material is available from the Union PARL on a variety of topics. Keep a file of newspaper clippings on pertinent topics. Develop a bibliography of books available at your church or city library.

#### **Watch for Religious Liberty Problems Among Church Members.**

Some church members are not aware that assistance is available to them as they face Sabbath employment problems or pressure to join labor unions. The first step is to place these members in touch with your pastor or the local conference or union office PARL Department. Pastors have guidelines for handling the initial steps. Most problem solving, whether for private sector or government, is done by the local conference or union office PARL director. You may contact them at (404) 299-1832.

#### **Give Recognition to the Significant Contribution of Civic Leaders**

When a civic official in your community takes a strong stand on upholding religious liberty, contact your union PARL director for assistance in recognizing the official by presenting an appropriate plaque or award at the church or in the official's office. Arrange for publicity in the local newspaper and in your union paper. **If you invite a public official to speak at your church, take precautions so that it does not become a political appearance.**

#### **Know State and National Leaders From Your Area**

Become acquainted with state and national legislators who serve your area. Write to them when religious liberty issues arise.

#### **Contact Your Legislators**

When significant religious liberty issues arise, your church members may be asked to write to members of the state or national legislature. Please refer to the "Contacting Your Legislator" section available in this manual.

The following points will help you to be ready to go into action when called upon to contact legislators:

1. Develop an up-to-date name and address list of your representatives in the state legislature and the U.S. Congress.

2. Request a response from the legislator.

3. Take great care to be *concise, courteous, and cogent*. No letter should exceed one page in length.

4. Unless you are asked to speak for the Adventist Church, or unless it is pertinent to the issue, it is unnecessary to mention your church affiliation in your letter. Your letter should be from you and reflect your personal views. If you think it is an important issue and the church should be involved or take an official stand, please contact PARL.

5. Do not use form letters. They are easily spotted. Do not copy sample letters verbatim. Use your own words to express your thoughts.

6. Refer to a piece of legislation by title or bill number. Call well-known bills by the name used in the media to describe them.

#### **Organize Religious Liberty Rallies for Your Church or District**

Encourage your pastor to schedule area-wide religious liberty rallies in your church or district. Sabbath afternoons are best; however, with proper publicity, evening meetings during the week are often successful. Follow-up promotion via the telephone is one way to obtain good attendance. Your conference or union can supply qualified speakers if notified well in advance.

#### **Spiritual Gifts**

The religious liberty leader is one of the important spiritual leaders in the local church. The spiritual gift of teaching (Romans 12:7) will be especially important to fulfilling this office.

The gift of tact (1 Corinthians 12:8; Proverbs 25:11) is essential, especially when dealing with public officials, news media persons, and the public in general.

The wisdom to say the right thing at the right time is a spiritual gift that is much in demand for religious liberty leaders. This goes along with the gift of discernment (1 Corinthians 12:10).

Discerning between true and false issues, spotting faulty reasoning, and holding one's tongue when tempted

to strike out in retaliation are necessary attributes of those who are the watchers on the walls guarding religious freedom.

#### **Be Alert to the Following Religious Liberty Issues**

Report to the local church the items with religious liberty significance. Some of the items should be reported to the local conference or union PARL director as well.

*Sunday law issues on all levels.* Report state and local problems to your union PARL director.

- City/state ordinances licensing or restricting religious literature.

- City/state ordinances prohibiting religious solicitation or distribution of evangelistic material.

- Labor Union problems. Seventh-day Adventist employment and attempts to organize Seventh-day Adventist institutions.

- Sabbath employment problems.

- Sabbath civil service problems.

- Sabbath examination problems.

- Sabbath problems with medical and dental boards.

- Public elections held on Sabbath.

- Laws that would place the government in the role of regulating or controlling religious activity or individual religious behavior.

- Gambling laws.

- Zoning laws affecting churches and schools.

- Ordinances which could impact on evangelism.

- Property regulations for churches or schools.

- Tax exemptions for churches and church schools.

- Ordinances that could impact on evangelism.

#### **Maintain a Religious Liberty Bulletin Board**

Seek permission from your pastor and/or church board to place a religious liberty bulletin board in an area in the church where members will find it easily. Post current news clippings, issue-oriented cartoons, and pertinent, timely quotations. Keep the bulletin board up to date.

#### **Tools and Resource Materials**

*Liberty* magazine is the primary tool used by the Seventh-day Adventist Church in the United States to speak to the issues of religious freedom and church-state separation. This journal is sent six times a year to govern-

mental officials at all levels. Subscriptions are funded by the Religious Liberty Offering taken in January in all North American Division churches.

**The following pamphlets are available from your union conference:**

*Contacting Your Legislator*—Contains ideas for communicating with government officials.

*Employment and Sabbath Keeping*—This is recommended for new church members or to be posted on your church bulletin board. It briefly answers some of the most commonly asked questions regarding Sabbath work issues.

*Providing Nurture, Information, Leadership*—An excellent public affairs resource pamphlet to use when making contact with community and state leaders.

*Church Members Sabbath Accommodation Kit*—This kit contains sample letters for members with Sabbath work problems.

*Guidelines on Religious Discrimination*—Reprinted from the *Federal Register*, these guidelines were published by the EEOC to help workers and employers find accommodations for religious observance and practices on the job.

### **Religious Liberty Offering and Campaign Period**

During the annual Religious Liberty Campaign in January and February, you should plan to spend at least two hours a week in preparations and contacts.

**The religious liberty leader should subscribe to *Liberty* magazine.**

### **Keep *Liberty* Magazine Before Your Church Members Throughout the Year**

Your first responsibility as religious liberty leader is to help your pastor conduct the Religious Liberty Campaign in your church and keep *Liberty* magazine and religious liberty issues before the church members throughout the year. Detailed instructions are provided by the North American Division office each January in the *Liberty* campaign packets. Read them carefully and you will find

it easy to carry out this responsibility. Set an example by your wholehearted support of *Liberty*. Then encourage church members to subscribe to *Liberty* for themselves and give generously to send *Liberty* magazine to community, state, and national officials and thought leaders. For assistance call your union or conference public affairs and religious liberty director, who is responsible for the *Liberty* program throughout your area.

**Become a reporter for *Liberty* magazine.** Keep a watch for items you think may be of interest to *Liberty* and send them to the editor.

**Plan ahead** to prepare a special program on the Sabbath you will take your Religious Liberty Offering. Plan a special religious liberty emphasis week with emphasis during the midweek service or prayer meeting. Prepare a special vesper program.

**Make it a team effort**, coordinating with the pastor, on when you will take the offering and what Sabbath the religious liberty sermon will be presented.

**Use the material provided** to you during the campaign. Special promotional material, including a poster and bulletin inserts, is prepared by the North American Division for use during this time.

### **The Importance of the Religious Liberty Offering**

Thanks to the dedicated efforts made by pastors and local church religious liberty leaders to promote and raise a good offering, the North American Division Public Affairs and Religious Liberty Department is able to continue a variety of functions for the church and its members.

Hundreds of church members with Sabbath or religious accommodation problems have been assisted at the local conference and union level.

A portion of the offering goes into a special legal defense fund, established and maintained for the specific purpose of assisting church members who find they must carry their Sabbath or religious accommodation cases to the courts.

*Liberty* magazine is sent to high level government officials, federal and state judges, and prominent social and religious leaders in North America.

# SECTION 5

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## ADDITIONAL RESOURCES

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### United States Code Service

42 USCS

The Public Health and Welfare § 2000e-2

### Title VII of the Civil Rights Act of 1964

Title VII, which creates statutory rights against invidious discrimination in employment and establishes a comprehensive scheme for vindication of those rights, was enacted to assure equality of employment opportunities by eliminating those practices and other devices that discriminate on basis of race, color, religion, sex, or national origin.

- § 2000e-2. [703(a)] Unlawful employment practices

(a) Employer practices. It shall be an unlawful employment practice for an employer—(1) to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual’s race, color, religion, sex, or national origin; or

- § 2000e. [701(j)] Definitions

For the purposes of this title [42 USCS §§ 2000e et seq.]—

(j) The term *religion* includes all aspects of religious observance and practice, as well as belief, unless an employer demonstrates that he is unable to reasonably accommodate to an employee’s or prospective employee’s religious observance or practice without undue hardship on the conduct of the employer’s business.

No. 641 403:261

### EEOC: Religious Discrimination Guidelines

*Following is the text of EEOC’s guidelines on religious discrimination. Codified as 29 CFR 1605, the guidelines read*

*as amended at 45 FR 72610, effective November 1, 1980.*

### Part 1605—Guidelines on Discrimination Because of Religion

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APPENDIX A to §§1605.2 and 1605.3—BACKGROUND INFORMATION

AUTHORITY: Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e et seq.

#### **Sec. 1605.1 “Religious” Nature of a Practice or Belief**

In most cases whether or not a practice or belief is religious is not at issue. However, in those cases in which the issue does exist, the commission will define religious practices to include moral or ethical beliefs as to what is right and wrong which are sincerely held with the strength of traditional religious views. This standard was developed in *United States v. Seeger*, 380 U.S. 163 (1965), and *Welsh v. United States*, 398 U.S. 333 (1970). The commission has consistently applied this standard in its decisions.<sup>1</sup> The fact that no religious group espouses such beliefs or the fact that the religious group to which the individual professes to belong may not accept such belief will not determine whether the belief is a religious belief of the employee or prospective employee. The phrase “religious

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<sup>1</sup> See CD 76-104 (1976), CCH ¶6500; CD 71- 2620 (1971), CCH ¶6283; CD 71-779 (1970), CCH ¶6180.

practice” as used in these guidelines includes both religious observances and practices as stated in Section 701(j), 42 U.S.C. 2000e(j).

**Sec. 1605.2. Reasonable Accommodation Without Undue Hardship as Required by Section 701(j) of Title VII of the Civil Rights Act of 1964**

(a) *Purpose of this section.* This section clarifies the obligation imposed by Title VII of the Civil Rights Act of 1964, as amended (sections 701(j), 703 and 717), to accommodate the religious practices of employees and prospective employees. This section does not address other obligations under Title VII not to discriminate on grounds of religion, nor other provisions of Title VII. This section is not intended to limit any additional obligations to accommodate religious practices which may exist pursuant to constitutional, or other statutory provisions; neither is it intended to provide guidance for statutes which require accommodation on bases other than religion such as section 503 of the Rehabilitation Act of 1973. The legal principles which have been developed with respect to discrimination prohibited by Title VII on the bases of race, color, sex, and national origin also apply to religious discrimination in all circumstances other than where an accommodation is required.

(b) *Duty to accommodate.* (1) Section 701(j) makes it an unlawful employment practice under section 703(a)(1) for an employer to fail to reasonably accommodate the religious practices of an employee or prospective employee, unless the employer demonstrates that accommodation would result in undue hardship on the conduct of its business.<sup>2</sup>

(2) Section 701(j), in conjunction with section 703(c), imposes an obligation on a labor organization to reasonably accommodate the religious practices of an employee or prospective employee, unless the labor organization demonstrates that accommodation would result in undue hardship.

(3) Section 1605.2 is primarily directed to obligations of employers or labor organizations, which are the entities covered by Title VII that will most often be required to

make an accommodation. However, the principles of Section 1605.2 also apply when an accommodation can be required of other entities covered by Title VII, such as employment agencies (section 703(b)) or joint labor-management committees controlling apprenticeship or other training or retraining (section 703(d)). (See, for example, §1605.3(a), “Scheduling of Tests or Other Selection Procedures.”)

(c) *Reasonable Accommodation.* (1) After an employee or prospective employee notifies the employer or labor organization of his or her need for a religious accommodation, the employer or labor organization has an obligation to reasonably accommodate the individual’s religious practices. A refusal to accommodate is justified only when an employer or labor organization can demonstrate that an undue hardship would in fact result from each available alternative method of accommodation. A mere assumption that many more people, with the same religious practices as the person being accommodated, may also need accommodation is not evidence of undue hardship.

(2) When there is more than one method of accommodation available which would not cause undue hardship, the commission will determine whether the accommodation offered is reasonable by examining:

(i) The alternatives for accommodation considered by the employer or labor organization; and

(ii) The alternatives for accommodation, if any, actually offered to the individual requiring accommodation. Some alternatives for accommodating religious practices might disadvantage the individual with respect to his or her employment opportunities, such as compensation, terms, conditions, or privileges of employment. Therefore, when there is more than one means of accommodation which would not cause undue hardship, the employer or labor organization must offer the alternative which least disadvantages the individual with respect to his or her employment opportunities.

(d) *Alternatives for accommodating religious practices.*

(1) Employees and prospective employees most frequently request an accommodation because their religious practices conflict with their work schedules. The following subsections are some means of accommodating the conflict between work schedules and religious practices which the commission believes that employers and labor organizations should consider as part of the

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<sup>2</sup>See *Trans World Airlines, Inc. v. Hardison*, 432 U.S. 63, 74 (1977).

obligation to accommodate and which the commission will consider in investigating a charge. These are not intended to be all-inclusive. There are often other alternatives which would reasonably accommodate an individual's religious practices when they conflict with a work schedule. There are also employment practices besides work scheduling which may conflict with religious practices and cause an individual to request an accommodation. See, for example, the Commission's finding number (3) from its Hearings on Religious Discrimination, in Appendix A to §§1605.2 and 1605.3. The principles expressed in these guidelines apply as well to such requests for accommodation.

(i) Voluntary Substitutes and "Swaps."

Reasonable accommodation without undue hardship is generally possible where a voluntary substitute with substantially similar qualifications is available. One means of substitution is the voluntary swap. In a number of cases, the securing of a substitute has been left entirely up to the individual seeking the accommodation. The commission believes that the obligation to accommodate requires that employers and labor organizations facilitate the securing of a voluntary substitute with substantially similar qualifications. Some means of doing this which employers and labor organizations should consider are: to publicize policies regarding accommodation and voluntary substitution; to promote an atmosphere in which such substitutions are favorably regarded; to provide a central file, bulletin board or other means for matching voluntary substitutes with positions for which substitutes are needed.

(ii) Flexible Scheduling.

One means of providing reasonable accommodation for the religious practices of employees or prospective employees which employers and labor organizations should consider is the creation of a flexible work schedule for individuals requesting accommodation.

The following list is an example of areas in which flexibility might be introduced: flexible arrival and departure times; floating or optional holidays; flexible work breaks; use of lunch time in exchange for early

departure; staggered work hours; and permitting an employee to make up time lost because of the observance of religious practices.<sup>3</sup>

(iii) Lateral Transfer and Change of Job Assignments.

When an employee cannot be accommodated either as to his or her entire job or an assignment within the job, employers and labor organizations should consider whether or not it is possible to change the job assignment or give the employee a lateral transfer.

(2) Payment of Dues to a Labor Organization. Some collective bargaining agreements include a provision that each employee must join the labor organization or pay the labor organization a sum equivalent to dues. When an employee's religious practices do not permit compliance with such a provision, the labor organization should accommodate the employee by not requiring the employee to join the organization and by permitting him or her to donate a sum equivalent to dues to a charitable organization.

(e) *Undue hardship*. (1) Cost. An employer may assert undue hardship to justify a refusal to accommodate an employee's need to be absent from his or her scheduled duty hours if the employer can demonstrate that the accommodation would require "more than a *de minimus* cost."<sup>4</sup> The commission will determine what constitutes "more than a *de minimus* cost" with due regard given to the identifiable cost in relation to the size and operating cost of the employer, and the number of individuals who will in fact need a particular accommodation. In general, the commission interprets this phrase as it was used in the *Hardison* decision to mean that costs similar to the regular payment of premium wages of substitutes, which was at issue in *Hardison*, would constitute undue hardship. However, the commission will presume that the infrequent payment of premium wages for a substitute or the payment of premium wages while a more permanent accommodation is being sought are costs which an employer can be required to bear as a means of providing a reasonable accommodation. Further, the commission will presume that generally, the payment of administrative costs necessary for providing the accommodation will not constitute more than a *de minimus* cost. Administrative costs, for example, include those costs involved in rearranging schedules and recording substitutions for

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<sup>3</sup>On September 29, 1978, Congress enacted such a provision for the accommodation of Federal employees religious practices. See Pub. L. 95-390, 5 U.S.C 5550a: "Compensatory Time Off for Religious Observances."

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<sup>4</sup>*Hardison*, 432 U.S., p. 84.

payroll purposes.

(2) Seniority Rights. Undue hardship would also be shown where a variance from a bona fide seniority system is necessary in order to accommodate an employee's religious practices when doing so would deny another employee his or her job or shift preference guaranteed by that system. *Hardison*, 432 U.S., p. 80. Arrangements for voluntary substitutes and swaps (see paragraph (d)(1)(i) of this section) do not constitute an undue hardship to the extent the arrangements do not violate a bona fide seniority system. Nothing in the Statute or these Guidelines precludes an employer and a union from including arrangements for voluntary substitutes and swaps as part of a collective bargaining agreement.

### Sec. 1605.3. Selection Practices

(a) Scheduling of Tests or Other Selection Procedures. When a test or other selection procedure is scheduled at a time when an employee or prospective employee cannot attend because of his or her religious practices, the user of the test should be aware that the principles enunciated in these guidelines apply and that it has an obligation to accommodate such employee or prospective employee unless undue hardship would result.

(b) Inquiries Which Determine an Applicant's Availability to Work During an Employer's Scheduled Working Hours.

(1) The duty to accommodate pertains to prospective employees as well as current employees. Consequently, an employer may not permit an applicant's need for a religious accommodation to affect in any way its decision whether to hire the applicant unless it can demonstrate that it cannot reasonably accommodate the applicant's religious practices without undue hardship.

(2) As a result of the oral and written testimony submitted at the commission's hearings on religious discrimination, discussions with representatives of organizations interested in the issue of religious discrimination, and the comments received from the public on these guidelines as proposed, the commission has concluded that the use of pre-selection inquiries which determine an applicant's availability has an exclusionary effect on the employment opportunities of persons with certain religious practices. The use of such inquiries will, therefore, be considered to violate Title VII unless the

employer can show that it:

(i) Did not have an exclusionary effect on its employees or prospective employees needing an accommodation for the same religious practices; or

(ii) Was otherwise justified by business necessity.

Employers who believe they have a legitimate interest in knowing the availability of their applicants prior to selection must consider procedures which would serve this interest and which would have a lesser exclusionary effect on persons whose religious practices need accommodation. An example of such a procedure is for the employer to state the normal work hours for the job and, after making it clear to the applicant that he or she is not required to indicate the need for any absences for religious practices during the scheduled work hours, ask the applicant whether he or she is otherwise available to work those hours. Then, after a position is offered, but before the applicant is hired, the employer can inquire into the need for a religious accommodation and determine, according to the principles of these guidelines, whether an accommodation is possible. This type of inquiry would provide an employer with information concerning the availability of most of its applicants, while deferring until after a position is offered the identification of the usually small number of applicants who require an accommodation.

(3) The commission will infer that the need for an accommodation discriminatorily influenced a decision to reject an applicant when: (i) prior to an offer of employment the employer makes an inquiry into an applicant's availability without having a business necessity justification; and (ii) after the employer has determined the applicant's need for an accommodation, the employer rejects a qualified applicant. The burden is then on the employer to demonstrate that factors other than the need for an accommodation were the reason for rejecting the qualified applicant, or that a reasonable accommodation without undue hardship was not possible.

### Appendix A to §§1605.2 and 1605.3—

#### Background Information

In 1966 the commission adopted guidelines on religious discrimination which stated that an employer had an obligation to accommodate the religious practices of its employees or prospective employees unless to do so would create a "serious inconvenience to the conduct of



the business.” 29 CFR 1605.1(a)(2), 31 FR 3870 (1966).

In 1967 the commission revised these guidelines to state that an employer had an obligation to reasonably accommodate the religious practices of its employees or prospective employees, unless the employer could prove that to do so would create an “undue hardship.” 29 CFR 1605.1(b)(c), 32 FR 10298.

In 1972 Congress amended Title VII to incorporate the obligation to accommodate expressed in the Commission’s 1967 Guidelines by adding section 701(j).

In 1977 the United States Supreme Court issued its decision in the case of *Trans World Airlines, Inc. v. Hardison*, 432 U.S. 63 (1977). *Hardison* was brought under section 703(a)(1) because it involved facts occurring before the enactment of Section 701(j). The Court applied the commission’s 1967 guidelines, but indicated that the result would be the same under Section 701(j). It stated that Trans World Airlines had made reasonable efforts to accommodate the religious needs of its employee, Hardison. The Court held that to require Trans World Airlines to make further attempts at accommodations—by unilaterally violating a seniority provision of the collective bargaining agreement, paying premium wages on a regular basis to another employee to replace Hardison, or creating a serious shortage of necessary employees in another department in order to replace Hardison—would create an undue hardship on the conduct of Trans World Airlines’ business, and would, therefore, exceed the duty to accommodate Hardison.

In 1978 the commission conducted public hearings on religious discrimination in New York City, Milwaukee, and Los Angeles in order to respond to the concerns raised by *Hardison*. Approximately 150 witnesses testified or submitted written statements.<sup>5</sup> The witnesses included employers, employees, representatives of religious and

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<sup>5</sup>The transcript of the Commission’s Hearings on Religious Discrimination can be examined by the public at: The Equal Employment Opportunity Commission, 2401 E Street NW., Washington, D.C. 20506 [sic].

labor organizations and representatives of federal, state and local governments.

The commission found from the hearings that:

(1) There is widespread confusion concerning the extent of accommodation under the *Hardison* decision.

(2) The religious practices of some individuals and some groups of individuals are not being accommodated.

(3) Some of those practices which are not being accommodated are:

– Observance of a Sabbath or religious holidays;

– Need for prayer break during working hours;

– Practice of following certain dietary requirements;

– Practice of not working during a mourning period for a deceased relative;

– Prohibition against medical examinations;

– Prohibition against membership in labor and other organizations; and

– Practices concerning dress and other personal grooming habits.

(4) Many of the employers who testified had developed alternative employment practices which accommodate the religious practices of employees and prospective employees and which meet the employer’s business needs.

(5) Little evidence was submitted by employers which showed actual attempts to accommodate religious practices with resultant unfavorable consequences to the employer’s business. Employers appeared to have substantial anticipatory concerns but no, or very little, actual experience with the problems they theorized would emerge by providing reasonable accommodation for religious practices.

Based on these findings, the commission is revising its guidelines to clarify the obligation imposed by Section 701(j) to accommodate the religious practices of employees and prospective employees.

[Taken from the BNA Labor Relations Reporter, *Fair Employment Practice Manual*, published by the Bureau of National Affairs, Inc., Washington, D.C. Section 403, pages 261-266].

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## FUNDAMENTAL BELIEF NO. 19—THE SABBATH

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Taken From the Book  
*Seventh-day Adventists Believe . . .*  
*A Biblical Exposition of 27*  
*Fundamental Doctrines.*

**S**eventh-day Adventists believe that “the beneficent Creator, after the six days of Creation, rested on the seventh day and instituted the Sabbath for all people as a memorial of Creation. The fourth commandment of God’s unchangeable law requires the observance of this seventh-day Sabbath as the day of rest, worship, and ministry in harmony with the teaching and practice of Jesus, the Lord of the Sabbath. The Sabbath is a day of delightful communion with God and one another. It is a symbol of our redemption in Christ, a sign of our sanctification, a token of our allegiance, and a foretaste of our eternal future in God’s kingdom. The Sabbath is God’s perpetual sign of His eternal covenant between Him and His people. Joyful observance of this holy time from evening to evening, sunset to sunset, is a celebration of God’s creative and redemptive acts.”

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## THE ESSENTIAL RESOURCE LIBRARY

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### For Understanding America's Constitutional Founding, Church-State Law, and the Role of Religion in Public Life

Compiled by Greg W. Hamilton, Director, Department of Public Affairs and Religious Liberty  
North Pacific Union Conference of Seventh-day Adventists

#### I. Supreme Court—General Reference

Hall, Kermit L., ed. *The Oxford Companion to the Supreme Court of the United States*. New York: Oxford University Press, 1992.

#### II. Church-State Law —Primary Case Source

Miller, Robert T., and Ronald B. Flowers. *Toward Benevolent Neutrality: Church, State, and the Supreme Court*. 2 vols. 5th ed. Waco, Tex.: Markham Press Fund of Baylor University Press, 1996.

The most complete reference source containing the full texts of all the cases and opinions of every religion clause decision ever made by the Supreme Court from a strict separationist position. This two-volume set is a product of the J. M. Dawson Institute of Church-State Studies at Baylor University and is currently published by the University of Texas A&M.

#### III. Interpreting Church-State Law — the Constitution

Evans, Bette Novit. *Interpreting the Free Exercise of Religion: The Constitution and American Pluralism*. Chapel Hill, N.C.: University of North Carolina Press, 1997.

Dr. Evans provides a masterful treatment of the various legal tests that have existed in the Court's interpretation, use, and application of the Free Exercise Clause.

Formicola, Jo Renee, and Hubert Morken, eds. *Everson Revisited: Religion, Education, and Law at the Crossroads*. Lanham, Md.: Rowman and Littlefield Pub., Inc., 1997.

The most complete scholarly debate over the legal efficacy and practical legacy of the Court's decision in *Everson v. Board of Education* (1947) and the issue of governmental neutrality.

Levy, Leonard W. *The Establishment Clause: Religion and the First Amendment*. 2nd rev. ed. Chapel Hill, N.C.: University of North Carolina Press, 1994.

The most useful and authoritative work ever written on the origins of the Establishment Clause and its current interpretation by the Court. A must read.

#### IV. Constitutional History Sources

Bailyn, Bernard, ed. *The Debate on the Constitution: Federalist and Antifederalist Speeches, Articles, and Letters During the Struggle for Ratification*. 2 vols. New York: Library of America, 1993.

The title is self-explanatory. A primary resource that every pastor, lawyer, educator, and citizen advocate should have in their library.

Blakely, William Addison. *American State Papers and Related Documents on Freedom in Religion*. 4th rev. ed. Washington, D.C.: Review and Herald Pub. Ass., 1949.

An excellent source for those interested in a general overview of our founders' statements when commenting on the role of church and state. Specifically useful are the statements highlighting the Puritan colonies' treatment of "blasphemy" and "heresy."

Curry, Thomas J. *The First Freedoms: Church and State in America to the Passage of the First Amendment*. New York: Oxford University Press, 1986.

The most thorough treatment of the historical origins and development of our Establishment and Free Exercise Clauses dating back to Puritan England and the Puritan colonies.

Gaustad, Edwin S. *Sworn on the Altar of God: A Religious*

*Biography of Thomas Jefferson.* Grand Rapids: William B. Eerdmans Pub. Co., 1996.

The most interesting and authoritative biography on Jefferson to date.

Padover, Saul K., ed. *The Complete Madison: His Basic Writings.* Norwalk, Conn.: Easton Press, 1988.

This work provides an overview of Madison's most important writings, particularly *Memorial and Remonstrance Against General Assessments.*

Peterson, Merrill D., and Robert C. Vaughan, eds. *The Virginia Statute for Religious Freedom: Its Evolution and Consequences in American History.* Cambridge, Mass.: Cambridge University Press, 1988.

This collection of essays focuses on the importance of Jefferson's Virginia Statute for Religious Freedom in influencing the framers of the Bill of Rights to adopt its thematic emphasis of religious freedom through separation from governmental powers and concerns.

Sandoz, Ellis. *Political Sermons of the American Founding Era, 1730-1805.* Indianapolis: Liberty Fund, 1991.

Nearly 1,600 pages of sermons delivered by some of the most prominent pastors of the founding era. This is a primary source that any pastor would be proud to own.

Steiner, Franklin. *The Religious Beliefs of Our Presidents: From Washington to F.D.R.* New York: Prometheus Books, 1995.

A documentary treatment of the sources of our presidents' religious beliefs.

Veit, Helen, et al. *Creating the Bill of Rights: The Documentary Record From the First Federal Congress.* Baltimore: Johns Hopkins University Press, 1992.

A complete legislative history of the progress of the Bill of Rights through both houses of Congress, from James Madison's motion to consider the amendments on 4 May 1789 through the signing of the enrolled Amendments by the speaker of the House and the vice president on 28 September 1789.

Wood, James E., Jr., E. Bruce Thompson, and Robert T. Miller. *Church and State in Scripture, History, and Constitutional Law.* Waco, Tex.: Baylor University

Press, 1958.

The most basic and useful volume available for understanding the roots of the church-state struggles found in Scripture, history, and constitutional law. Written by three church-state scholars, this volume is a must for our postsecondary schools, our colleges and universities, and for pastors, teachers, and church members alike.

## V. The Role of Religion in Public Life

Aho, James A. *The Politics of Righteousness: Idaho Christian Patriotism.* Seattle: University of Washington Press, 1990.

Professor Aho provides an amazing discovery of the relationship between the Religious Right and groups such as the Klu Klux Klan, Mormon survivalists, White supremacists/separatists, and citizen militias in America's Northwest. A must-read for those who see a connection between these groups and their role in the last days.

Alley, Robert S. *Without a Prayer: Religious Expression in Public Schools.* Amherst, N.Y.: Prometheus Books, 1996.

A thorough treatment of the school prayer debate by a respected church-state scholar.

Wood, James E., Jr., and Derek Davis, eds. *Problems and Conflicts Between Law and Morality in a Free Society.* Waco, Tex.: J. M. Dawson Institute of Church-State Studies, Baylor University, 1994.

Professors Davis and Wood, along with six other professors, discuss the complexities of the government's attempt to rein in liberal self-interest through legal and moral means in a free society. They observe that the solution is not in more laws, but in more education regarding the constitutional limitations and opportunities existent in most of America's public institutions.

## VI. International Sources

Juergensmeyer, Mark. *The New Cold War? Religious Nationalism Confronts the Secular State.* Berkeley: University of California Press, 1993.

Moen, Matthew C., and Lowell S. Gustafson, eds. *The Religious Challenge to the State.* Philadelphia: Temple University Press, 1995.

Van Der Vyver, Johan D., and John Witte, Jr. *Religious Human Rights in Global Perspective: Legal Perspectives*. The Hague: Martinus Nijhoff Publishers, 1996.

## VII. Newsletters/Journals/Magazines

### *Newsletters:*

*Culture Watch*—An organization dedicated to monitoring the Religious Right.

*First Freedom*—The quarterly newsletter of the Religious Liberty Council of the Baptist Joint Committee. Edited by Brent J. Walker.

*Freedom Alert*—A quarterly publication of the Council on Religious Freedom. Edited by Nicholas Miller, Esq.

*Freedom's Ring*—A quarterly publication of the Church-State Council and the Public Affairs and Religious Liberty Department of the Pacific Union Conference. Edited by Alan J. Reinach, Esq., and Arnold Trujillo.

*Freedom Watch*—Published by Citizens Project in Colorado.

*Freedom Writer*—Published by the Institute for First Amendment Studies.

*Liberty Express*—A quarterly publication of the Northwest Religious Liberty Council and the Public Affairs and Religious Liberty Department of the North Pacific Union Conference. Edited by Greg W. Hamilton and Diana K. Justice.

*Religion in Politics*—Published by the Institute for the Study of Religion and Politics.

*Religious Liberty Report*—A quarterly publication of the Religious Liberty department of the North American

Division. Edited by Clarence E. Hodges, Ph.D.

*Waymarks*—A quarterly publication of the Southern Union Department of Public Affairs and Religious Liberty. Edited by Lewis Stout.

*Voice of Reason*—Published by Americans for Religious Liberty.

### *Journals:*

*First Things: A Monthly Journal of Public Life*—Edited by Richard John Neuhaus.

*Journal of Church and State*—Published quarterly by the J. M. Dawson Institute of Church-State Studies of Baylor University, Waco, Tex.

*Religious Freedom Reporter*—A publication of the Church-State Resource Center of the Norman Adrian Wiggins School of Law of Campbell University, Buies Creek, N.C.

### *Magazines:*

*Citizen*—The political magazine of James Dobson's *Focus on the Family*.

*Church and State*—A magazine published by Americans United for Separation of Church and State, a nonprofit educational corporation dedicated to preserving the constitutional principle of church-state separation.

*Liberty*—A magazine of religious freedom published by the Seventh-day Adventist Church.

*Right Wing Watch*—Published by *People for the American Way*.

*World*—A magazine with a right-wing twist on national and international religious and state affairs.