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83 million Americans want to have our day in court.

Why does the Attorney General object?

The Worldwide Church of God has petitioned the Supreme Court of the United States for a hearing to appeal certain actions taken by the California courts. Those actions were taken at the instigation of California's attorney general and have been loudly protested not only by the Worldwide Church of God, its leaders and members, but also by such other religious organizations as the National Council of Churches of Christ in the U.S.A., Synagogue Council of America, Baptist Joint Committee on Public Affairs, Lutheran Church in America; Association of Evangelical Lutheran Churches; Board of Church and Society, the United Methodist Church; General Assembly of the United Presbyterian Church in the U.S.A.; National Association of Evangelicals; and Northern California Ecumenical Council.

The Worldwide Church of God and the memberships of these other organizations whose constituency comprises some 83,000,000 Americans believe that the actions of the California court and the California attorney general represent the most flagrant attack on religious freedom in the history of the United States. The Worldwide Church of God, accordingly, has asked the U.S. Supreme Court to review these actions. On behalf of their 83,000,000 members, the other religious organizations have filed a joint Friends of the Court amici curiae brief, supporting the Church's position and asking that the Supreme Court review the matter.

The attorney general of California has contested the request and has asked that the Court not review the case.

That seems a curious position for the attorney general to take.

It would seem more reasonable, more logical, for him to welcome a Supreme Court review. How is it that he does not say, certainly let us have a hearing, let us have a statement once and for all that the State of California does in fact have a right to do to the Worldwide Church of God what it is trying to do? Why does he not say, the State of California desires that this is a First Amendment matter, a matter of separation of Church and State, and he welcomes the Supreme Court's final position on the question because he is sure he is right?

Why? Certainly this seems an important question to the members of the Worldwide Church of God. It seems important to 83,000,000 other Americans who worship and seek God in different ways. Why then it is important to the California attorney general? He is the man who has brought this matter to law, after all. Why doesn't he want the most serious part of the question decided, finally, in law?

A REVIEW

To clarify the position of the Church and its desire to settle the question before the U.S. Supreme Court, it could be useful here to review the facts of the case as it has developed. This advertisement, obviously, has been prepared by

a representative of the Worldwide Church of God and has been paid for by the Church and certain of its supporters. The Church has a point of view and a vested interest. However, counter to the common opinion, it is apparent that its vested interest or reason to support the Worldwide Church of God here has been minimized in the case in the March 25, 1980, edition of the ...

... If ever a case presented a lesser intrusion by the state upon the free exercise of religion, this is it.

"The facts are not even significantly in dispute. Toward the end of 1978, a scheme developed within the Pasadena-based Worldwide Church of God. The patriarchal leader of the Church, 86-year-old Herbert W. Armstrong, split with his 48-year-old son Garner Ted Armstrong.

"Hell a dozen dissident members of the Church complained to the California attorney general that the senior Armstrong and his close associate, Stanley R. Rader, were overpaid, that they were pilfering Church property, that they had conspired to sell Church property at less than its fair value, that they had shredded Church documents to prevent their disclosure, and that they were living in luxury at the expense of the Church's 7000 members.

"The Worldwide Church of God, like many other denominations, owns its property as a non-profit corporation. Under the law of California, all such property is viewed as the property of the general public. The attorney general is charged with examining Church records to determine if the public has been defrauded, or if the Church has failed to comply with laws regarding charitable trusts.

"It is apparently immaterial that a Church, as in this case, never has solicited funds from the general public, but relies only upon the contributions of its own members scattered across the nation.

"On the morning of January 3, 1979, retired Judge Steven Weisman, accompanied by a platoon of lawyers representing the six dissidents and the attorney general, descended upon the Church's headquarters. Weisman had an astonishing announcement: Without one word of notice to the Church, he had been appointed receiver.

"He came armed with an ex parte court order directing him to take possession and control of the Church, including all its assets, to take over the management of the Church in the extent that he deemed necessary in his sole discretion; to suspend or terminate any employee, and so on. One of Weisman's first acts was to fire the Church's executive secretary Virginia Kautzman.

"For the next seven weeks, until Church leaders were able to get the necessary third under a \$3.4 million bond, agents of the state rummaged at will through nearly 7000 sealed documents. The attorney general demanded that former Church officials produce for judicial inspection not only financial records but also confidential papers having to do with matters of ministry and theology—for example, the unpublished past proofs of a manuscript, 'The Doctrine of the Worldwide Church of God.'

"At no point has the Church been accused of any injury to the public health or safety; the trial court has stressed that the Church has not been accused of any wrongdoing. The most serious allegations, having to do with the below-mentioned use of real estate for private gain, have been dismissed as mere hearsay.

"It is beyond comprehension—beyond any comprehension anyhow—how the state of California can assert a power to control what a Church employs as a fund. That issue lies at the very heart of this case.

The basic allegation is that Armstrong and especially Rader were siphoning off Church funds through their own salaries and perquisites. In Weisman's view, Rader's \$20,000 annual salary was 'outrageous.' Remarkably, Weisman has submitted a bill for his services as receiver amounting to \$51,000 for the 'seven weeks' work ... which agrees not to an annual rate of \$270,000. Attorneys for the six dissidents—who incidentally have withdrawn from the case—are seeking \$175,000 in fees to be paid from the former Church funds.

"The Church's petition for Supreme Court review is supported by filed-of-the-court motions from the National Council of Churches of Christ and from a number of Baptist, Methodist, Presbyterian and Evangelical bodies. The high court was expected to consider the petition at its conference this past Friday. A decision could be announced any day."

EVEN THE STATE OF CALIFORNIA WILL BENEFIT IF THE SUPREME COURT OUR ARGUMENTS

We, the members of the Worldwide Church of God, see this question as clear and simple. We do not believe that the State of California and its attorney general have any right, moral or legal, to interfere with our religious practices. We do not seek money. We do not ask the public for money; we never have. What money is involved in our money, given freely by us to our Church and its leaders for uses that we understand and of which we approve.

Similarly, however, we do not ask anyone to agree with us in the area of theology nor do we ask anyone to join with us in understanding and approving the actions of our Church and its leaders.

We only ask to be left alone to worship God and to seek Him in our own way, as we believe we are guaranteed and granted by the First Amendment of the Constitution of the United States.

In that request, we are supported by 83,000,000 Americans.

This is not a lawsuit for the State of California. This is not a fit petition for the attorney general. This is a matter of time and energy. We are not guilty of wrongdoing. We have not even been accused of wrongdoing. We are willing to go into court. We are secure in our innocence.

We do continue to wonder, however, why the attorney general is not so willing to submit his arguments to the U.S. Supreme Court as we are.

If you want more information, write to us: The Worldwide Church of God, Box 111, Pasadena, California 91118, or call our toll-free number, 800 433-4444. In California call collect (213) 377-5225.

If you have some questions for the Attorney General of the State of California, write to him: The Hon. George Deukmejian, California Attorney General, 505 Capitol Mall, Sacramento, California 95834

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