

“Just for the record, Lee, I can only discuss this situation with you and advise you because I am not longer a Superior Court judge, and technically I am not yet a Supreme Court Justice.”

Judge Jones spoke solemnly to the young associate pastor sitting across the desk from him. Boxes cluttered the office, as the move to the State House was soon coming. Laura sat in the other office chair next to Lee, while Randy, Jr. stood with his arms crossed, leaning against a tall stack of boxes in the corner.

“I’ve asked Randy to sit in also,” The judge continued, “since his advice may be profitable.”

“I appreciate you taking the time to see me, Your Honor. I just wish it could be under better circumstances.”

Lee gave the three a brief rundown of the pre-school ministry; why the church started it and how it was an integral and inseparable part of the church itself. He told about Ms Johnson’s first visit, the details of the raid, and the different files that were confiscated. The judge sat patiently nodding several times as Lee spoke. Every so often he wrote a note on the pad in front of him. When Lee finished, the judge took off his glasses and held them in his left hand.

“Well, the first advice I can give you is to turn yourself in to the Sheriff.”

“I don’t mean to be disrespectful, Judge, but I’m under Dr. Ryker’s authority in the matter and he doesn’t want me to do that just now.”

“I’m sure that Dr. Ryker has his reasons, Lee, but it seems to me that the media could make a much better case of guilt against someone who refused to surrender than someone who willingly and voluntarily gave himself up.”

“He and I spoke at length last night. Dr. Ryker has been through this before in Texas, Nebraska, Tulsa, and even here in Indiana. He feels that he can explain to the media why I am not giving myself up. Frankly, he needs me free to do legal research for this situation while he deals with the problems at the church site.”

“That doesn’t make much sense, Dad.” Randy spoke up, “It seems to me that Lee would be admitting his guilt by hiding from the authorities.”

Laura responded to him. “If this is a set-up situation, and I believe it is, then having Lee in jail would only play into their hands.”

The judge thought on that and added: “Actually, the pastor refusing to be booked and processed seems to play into their hands, because it leaves the one person in jail who can hold the church together.”

“Dad, unless these people, whoever they are, wanted the pastor released so the media could blow everything up by focusing on him. That would be the normal course of events. Having him in jail keeps him from the press and makes a martyr of him.”

“These people, Randy, are the Welfare crowd. In my years in law, I’ve noticed that the Welfare bureaucracy is the epitome of Statism. They use positive law which makes a man guilty and having to prove his own innocence. They supersede the criminal laws which used to deal with real abuse, and they make their own definitions of abuse and neglect so that any normal home situation could fit either category. Welfare is a glove that would have fit Hitler’s iron hand perfectly.”

A few seconds of silence followed with no one knowing how to respond to the rare personal opinion of a judge concerning a state agency. Laura brought the subject back into perspective.

“So what options does the church Day Care have?”

“Pre-school ministry,” Lee corrected.

“All right, pre-school ministry. What difference does it make?”

“If I’m reading this correctly, Laura, from what all Lee has told me about this church, it makes a huge difference.” The judge stared at his not pad.

“You mean like calling a tail a leg, Dad?”

“Correct Randy....” Judge Jones explained to the two seated across from him. “You see, a dog has five appendages; four legs and a tail. A law is passed which regulates where a dog walks, or from the legislative intent, the use of its legs. A state agency writes its rules and regulations, and the word ‘legs’ is changed to the word ‘appendages’. Now appendages are regulated by the agency. Next thing you know, a dog is arrested for wagging its tail.”

Randy continued. “The dog’s only defense is that *calling* a tail an appendage, that is, calling a tail a leg, does not *make* it so. Therefore, the dog goes free.”

“Only after spending six months in the dog pound,” Lee quipped.

Judge Jones chuckled. “That’s the price of liberty, young man.”

“How about a defense which says you’re not a dog in the first place?” Lee stated seriously to the judge.

“You mean challenging the jurisdiction of the law as it applies to you.”

“Dr. Ryker believes the Welfare regulations only apply to a corporation. Our church is not incorporated.

“Hmmm,” was all Judge Jones offered as he rocked back in his chair and squinted his eyes thinking.

“Then you’re an association,” said Randy. “An unincorporated association is still created by the state through statute, and is still bound by state laws. Sure, you would have a better argument as an association when it came to getting your records back. Remember the NAACP versus Alabama, Dad?”

The judge nodded while Randy explained to Lee.

“Alabama wanted the records, specifically the mailing list, of the NAACP. The Supreme Court said that the membership records of an association did not have to be released.”

“What’s the definition of an association, Randy?” Lee asked.

“A group of people who come together for one purpose that’s the brief definition, not taking into account the officers or the statement of purpose.”

“In that case, our church is not an association,” Lee stated emphatically.

“You have to be one or the other, Lee,” stated his mail counterpart. “You are either a corporation or an unincorporated association.”

“But you said they are both created by the state, didn’t you?” asked Lee.

“Right....”

“But a true church is created by God. It is a living organism.”

Laura nodded the correctness of Lee’s statement. She looked at the side of Lee’s face and realized that the serious side of her friend was just as sharp and intelligent as the witty side.

“Does your church have a Constitution and By-laws?” asked the young law student.

“No.”

“How about officers...?”

“Only the two offices mentioned in the Bible; Pastor and Deacons....”

“You have to have Trustees.”

“Well, we don’t.”

“Who holds the church property?”

“The property is held by the church, in trust for the Lord Jesus Christ, true and beneficial owner.”

The judge said slowly, “If it does not walk like a dog, bark like a dog, or chase cats, it must not be a dog. How very interesting. Lee, I want to converse with your pastor and Dr. Ryker someday. They seem to be very unique men.”

“Dad, I would like to assist Lee with some research. I’ve never encountered this line of reasoning before. Actually, I’d like to prove him wrong.” Randy said with a devilish smile while gazing at Lee.

“You and Laura can take the next couple of days off while I go through orientation as Justice. However, this is to be understood that you are not researching as my staff, but only independently and on your own. If I understand what Lee is saying, I cannot become a part of this, lest I have to remove myself from hearing the case should it come to the Supreme Court.”

Laura looked surprisingly at the judge and said, “You mean it could?”

“Laura, the Supreme Court only handles the cases of those who say the law does not apply to them. They turn down the ‘tail-and leg’ dog cases. Those are handled by the lower courts.”

Randy looked at the other two young adults. “Well, we only have a few days, so let’s get moving.”

“You two go ahead,” said Laura. “I have an appointment with my pastor this morning. I’ll meet you there.”

Lee stood and shook hands with the judge.

“Thank you for taking the time to meet with me, Your Honor, and for your encouragement.”

“Nancy and I will be praying for you and your church. God bless you in your search.”

Judge Jones sat back in his chair for a few minutes after the three left. Sitting forward, he pressed his intercom.

“Fran, get me Steve Vorbach, please.”

“Yes, Sir....”

The judge tore his notes out of the pad, wrote *Church* across the top, and placed it on his stack of papers to be filed.

“Judge, the Senator is on line three.”

“Hello, Steve.”

“And how is our new Indiana Supreme Court Justice?”

“The Senate has voted already?”

“First thing this morning.... Piece o’ cake.... You mean this is the first you’ve heard?”

“Yes. After all, we are not in the same building yet.”

“Well, I buy us lunch your first day here.”

“Sure.”

“If you did not call concerning the vote, what can I help you with?”

“Did you read about that church in Crawfordsville?”

“A real shame, isn’t it?”

“Do you have any information about any Day Care legislation coming down the pike?”

“The Welfare people try to add amendments to include these unregistered Day Care centers every year. They always fail.”

“Why?”

“Because the fact is this unlicensed centers are doing so much better than the licensed ones. We have never been presented with any conclusive evidence of any of the abuse that goes on in the licensed centers.”

“Could this case change that?”

“Not if I can help it. Even if the allegations are true, which are still to be proved, the evidence still points to leaving the centers alone. Besides, if the parents think there’s abuse, they have the right to place their children in licensed centers, thereby closing the unregistered ones. It’s called ‘Free Enterprise’.”

“Thanks for the lesson in Capitalism. Do you feel that is a set-up case over there?”

“There is no way to tell for sure, Randall, but I’ll keep my ears open over here.”

“All right.... Thank you. Oh, who is the senator over that district?”

“Let me check. Uh-uh. You ready for this my friend?”

“Go ahead.”

“Senator Gary Allen.”

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The first wave of pastors gathered in the auditorium of the Emmaus Bible Church as Dr. Ryker stood before them and gave instructions as to what was expected of them and what was needed from them during their stay. Most of these pastors were from Indiana as the early calls for pastors to unite at the church were placed throughout the state from the list provided by Pastor Hancock for emergencies such as this. Eleven pastors and two associate pastors listened to Dr. Ryker as he gave instructions.

“I want to thank you pastors for getting here so quickly, as the Sheriff will undoubtedly be here sometime today to try to find Lee Jackson, and also to serve an injunction to close the pre-school ministry. I’ll handle him when he arrives, but I want you to be there to back me up. So whatever you are doing at the time, stop it and follow me. I don’t know all of your names yet, but I’m sure most of you are friends of Pastor Hancock. Pastor Hancock has placed me in charge, so I am the person you are to clear things with. As we go around, give me your name and where you are from, and I’ll assign your primary duty. Let’s start on the left.”

“I’m Pastor Howard Smith, Bible Baptist Church at Richmond.”

“Brother Smith. You’ll be positioned at the front gate today. Close the iron bar when you notice the Sheriff coming, and then get someone to alert me in the office.”

“My name is Reverend George Wilson from Carter’s Memorial Chapel in Linton.”

“Rev. Wilson, you’ll be positioned on the back parking lot and do the same as Bro. Smith. That way we’ll not be taken by surprise.”

“Dwight, you’re next.”

“Dwight Evans, Senior pastor at New Life Christian Center in Gary....”

“I have known Dwight for ten years. He has a pre-school ministry and educational ministry. I want you to be in charge of those ministries here for the time being. We’ll have a meeting with the school personnel shortly after this meeting.”

“I’m Daniel Gunther, and I pastor the South Bend Baptist Tabernacle.”

“Bro. Gunther, I need you to be in charge of the phone bank being put in this morning. There are already three lines on the church phones. We’ll use those lines solely for incoming calls in explanation of the situation going on here. The five new phone lines will be used for calling pastors from across the country to come and stand here with us. If any of you has any influence over any pastor brethren, senators or legislators, call them from these designated lines. We also need those churches to take up offerings to send for the church defense fund.”

Dr. Ryker handed a stack of index cards to Dan Gunther as the others introduced themselves. Each one received his duties from Dr. Ryker. Dan looked through the cards, reading the script to be used on the phone by the pastors. The scripts included those to senators, representative, local officials, and other pastors.

Ryker continued. “I’ll be going to the arraignment at ten-thirty today. Bro. Williams, I need you and your associate, Bro. Lane to accompany me to the hearing. The Sheriff won’t be coming until he finds out what the judge decides to do at the arraignment, so we should be safe from police visits until this afternoon. One last thing of import.... No one speaks to the media except me. Pastor Rundell, if you will make sure that a poster with the name of each pastor and each church is placed along the left wall of the auditorium, then all the people can see which churches are standing with them and their pastor. Mrs. Sanders, if you will get all the teachers in here to meet with Bro. Evans and myself, I would appreciate it. Gentlemen, thank you again for coming to stand with us here. You are dismissed to your duties.”

“Dr. Ryker?”

“Yes, Bro. Smith.”

“Will Bro. Hancock be getting out of jail soon?”

“Not if we can help it.”

“Thank you for taking the time to see me, Dr. Turner.”

Laura sat on the plush couch to the left of her pastor’s desk, which enabled the pastor to swivel his chair around and speak without a desk between them. The few times Laura had been in this office came to her mind as she sat on the couch. The first time had been when her father had died when she was twelve, and the last time was a planned visit for each individual senior graduating from the Christian school. Both times she wished she could just spend some time looking around at all the relics on the shelves and walls of the office. Most of the items had been given the pastor over the years by missionaries who sent them from their mission fields. Other items the pastor brought back from his many trips to the Holy land.

“My pleasure, Laura.... How may I be of help to you today?”

The pastor of the large east side church smiled pleasantly at the young woman. Dr. Haskill Turner had been pastor the church for the past eleven years. Before that, he was the vice-president of a large fundamentalist Bible college in Florida. Laura had always enjoyed the family oriented teaching that so characterized Dr. Turner’s slant in his ministry. She grew up in the church’s youth ministry and graduated from the Christian high school. Most of the Biblical teaching she had received in her life came from the man sitting across from her. Dr. Turner preached her father’s funeral and helped the family financially by providing a scholarship for Laura to attend the church’s school. Laura felt that all wisdom found itself in this dear man of God.

“Pastor, you know that I am on the staff of Justice Randall Jones, don’t you?”

“Yes. Congratulations, Laura. Your father would have been very proud of you.”

The smile from her pastor showed that he was proud of her also. After all, she was the fruit of his labor and ministry, which made a good reflection on the church.

“I owe a lot to both Dad and you for your guidance over the years.”

“That’s kind of you to say, Laura. I am pleased to say that the Lord has blessed my ministry with many fine young people, who over the years have turned out successfully by following Christ and Biblical principles.”

“First, I wanted you to know that yesterday, before the hearing, Judge Jones accepted Christ as his Savior.”

Another smile crossed the pastor’s lips.

“Well, praise God, Laura. Did you have any influence in that?”

“I don’t think so, but I was able to lead Mrs. Jones to the Lord on the telephone last night.”

“Congratulations. Well, that’s what it’s all about. Do you know if they have a church home already?”

“I don’t think so. I am going to invite them her the first opportunity I get.”

“That’s wonderful. If you feel I should call on them, don’t hesitate to let me know when the best time would be.”

“I will. Another thing, Pastor.... Have you read the papers about that church in Crawfordsville where the pastor is in jail?”

“Yes, that’s terrible, isn’t it?” The pastor frowned with his entire countenance and shook his head.

“Well, the associate pastor, a Lee Jackson – I believe his name was mentioned in the papers – is a friend of mine.”

“Yes, I recall reading that name.”

“I wanted to see if there was any way that we – our church – could help them. Lee has told me that they are contacting churches and pastors who could go and stand with them, or maybe take an offering for them.”

“I have already received a call about the situation from on of the pastors there. He apprised me on the situation. I think you might remember the pastor: Dan Gunther? He pastors one of the churches in our fellowship up in South Bend.”

“Yes, I remember. Pastor Gunther spoke for a week at youth camp one year.” Laura smiled and remembered the antics of Pastor Gunther, one of the funniest and best preachers she had heard.

“Well, Dan and I talked about the situation for a long while this morning. I really haven’t made up my mind as to what position our church will take in this matter.”

“What do you mean, Pastor?”

“Laura, you’re old enough to know that everything isn’t as cut and dried as it seems. From what Dan told me, it seems like they’re preparing for World War III over there. I don’t know Pastor Hancock well, but I am told that he is a real bulldog. You know, the type that is always looking for a fight. If that’s the case, then he could be doing more harm than good for the churches in Indiana.”

Laura looked puzzled. “Are you saying that he wanted to be arrested?”

“Laura, sometimes a man isn’t satisfied until he has gained some notoriety. I’ve seen these types of preachers before. They can’t get to be well known by being the pastor of a big

church, so they have to do something else to gain some fame. Before you know it, the world thinks that all preachers are like that. It just kills the testimony for all of us.”

“Judge Jones thinks the Welfare Department might be using this case to push legislation through to regulate all church day Cares, I mean, pre-school ministries.”

“A Day Care’s a Day Care, Laura. And that’s exactly what I mean. As a result of what this preacher did or didn’t do, we will all suffer for it.”

“Do you think he abused children?”

“Well, he had to do something. They do not put you in jail if you do nothing. Maybe he didn’t sexually abuse a child—Lord, we’re all in trouble if he did that – but maybe he spanked a child too hard, or yanked on around too much. Some of these hot-headed southern preachers can get pretty violent if provoked.”

“Lee said that they haven’t had cause to spank a child at all yet, and that the pastor has hardly even seen the children this year.”

“Well, if he did nothing, he still had to make them mad when he didn’t give them his fingerprints. I wonder where he found Scripture to back up that belief. I’m not saying that your friend is lying, but a man will do a lot to preserve his own ministry. And if everything is on the up-an’-up, then why hasn’t you friend turned himself in to the authorities?”

“Lee is just obeying Dr. Ryker.”

“Ah yes, enter Dr. David Ryker. Mr. Freedom Globetrotter himself. Laura, David Ryker and I go back a long time. We were in Bible college together. He hasn’t changed a bit in twenty-seven years – always running to help the down-and-out preacher fight a battle against the state. He’s probably been in every newspaper from the Atlantic to the Pacific. I suppose we’ll be seeing his picture in the paper here, too. I’ll bet he has a whole file cabinet of clippings about himself.”

“Lee says that it is a Christian’s duty to take a stand for righteousness and against wickedness in the government.”

“Laura, that crowd has never read Romans, chapter thirteen. Even though there are some things I don’t like, still the Bible commands us to obey every ordinance of man for the Lord’s sake.”

“Is there ever a time when civil disobedience is all right?”

“Of course there is. But the problem is that this preacher is putting us all in jeopardy for what, ten kids?”

“I think it’s twenty-five.”

“All right, twenty-five. He’s waking up this huge Welfare giant that’s going to take out its wrath on all the churches in Indiana because of twenty-five children. If he’s innocent, then why doesn’t he let the courts decide? If he’s guilty, then I guess he would try about anything to get off, wouldn’t he?”

“Then what is worth going to jail for?”

“Preaching the Gospel, Laura.... The minute they say I can’t preach the Gospel, and then I go to jail like all the great preachers down through history, like the Apostle Paul.”

“They’re keeping Pastor Hancock from preaching the Gospel. He’s in jail.”

“That’s his choice, Laura. He could be out if he wanted to be.”

“So our church is not going to help them?”

“I’ve got to do everything I can to preserve our ministry here, Laura. I’m far too busy getting people saved than to spend my time fighting the government in a no-win situation.”

“Well, thank you for your time, Pastor. I’m really glad we had this talk.”

“Where is your friend Lee now?”

“We’re doing some research on their case at the law library.”

She stood and shook her pastor’s hand.

“At IUPUI...?”

“Yes”

“Laura.” He held her right hand in both of his and spoke deeply and sincerely. “Don’t get too involved in their cause. I’d hate to see one of my gals go off the deep end.”

“Thank you, Pastor.”