

# PASTOR GENERAL'S REPORT

TO THE MINISTRY OF THE  
WORLDWIDE CHURCH OF GOD



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PASADENA, CALIFORNIA

MAY 9, 1980

## NEW TV STUDIO IN TUCSON

by Herbert W. Armstrong

In my home in Tucson was a garage--originally a three-car garage, but with the space of one car converted into a storeroom.

Now the entire space of the three-car garage has been converted into a new TV studio and office. A special carport has been constructed just outside the door of the new studio for the TV pod. As soon as the new office desk and other furniture arrive, the combination office-and-TV studio will be ready for operation.

On our third wedding anniversary, April 17, my wife gave me a new super-size TV set, with a screen about two by three feet or larger.

This can be connected by remote TV with the auditorium in Pasadena. During a Pasadena Church service, I will see on this enlarged screen the audience in the Pasadena auditorium. The Portable TV cameras from the pod will be on me. The Pasadena congregation will see me on a large movie screen in the auditorium, and as I speak, I will also be facing the Pasadena audience on my new enlarged TV screen. If the TV cameras in the auditorium zoom in on some close-ups in the audience, I will see some of our congregation larger than life size as I speak to them from Tucson.

It is remarkable what modern technology has produced, and I am a bit excited about the fact that very soon I shall be speaking in my Tucson home to the Pasadena auditorium congregation, and seeing the congregation in front of me as I speak--while they shall be seeing me speaking on the large movie screen in the auditorium--LIVE!

I suppose this same arrangement could be made with other congregations, such as Chicago, Cincinnati, New York. However, it probably will be much simpler and more advantageous if I use the G-II plane and go in person to the churches in cities other than Pasadena, where all the technical facilities are already built into the auditorium.

We are, however, working on plans so that I may speak from the Tucson feast site to other feast sites live, come next feast.

FROM MINISTERIAL SERVICESMinisterial Refreshing Program and the Conference

Over the past months, Mr. Armstrong has been extremely pleased with the direction the Church has taken as Christ used him to set it back on God's track. The Pastor General's Report has provided an effective tool by which he can communicate with each minister directly, and via this means, the overall responsiveness of the Church has been pleasing.

On another matter, although related in this case, we have made a major amendment to the new ministerial refreshing program, in that wives will now accompany their husbands for the three weeks of lectures, seminars, and fellowship in Pasadena. I know you will all be very pleased about this. This will add another dimension to the refreshing program, enhancing the warm social contact and relaxation as well as the formal updating sessions that are planned.

Within a reasonable length of time in which we'll be able to get around to everyone, both you and your wife will be able to have contact with college faculty and staff, with the various departments of the Church and support departments of the Work.

In light of the new program for the ministry about to start in July, and the contact Mr. Armstrong is able to have with the ministers via the Pastor General's Report, he has re-evaluated the need for a full ministerial conference in the middle of this year, and has decided to forego it for now.

A further consideration was the expenses that would be incurred. When weighed against the benefits expected at this point, it was felt that the sum needed to pay for a full conference would perhaps be more valuable if put into other areas now.

I know it will be disappointing for many who were anticipating the conference and the time of fellowshiping together. However, if we did not face these factors realistically, we wouldn't be good stewards of the responsibilities entrusted to us.

The most encouraging aspect is Mr. Armstrong's confidence in the ministry which is reflected in his decision to delay a conference until later.

We appreciate your hard work with those God has called into His end-time Church, and your warm support of Mr. Armstrong and his staff here. So let's keep the faith and spread it, as we have been commissioned to do.

News About the Spanish-Speaking Area of God's Work

A new program was initiated during the summer of 1979 in which card holders containing cards offering a free trial subscription to La Pura Verdad were distributed in various areas. This promotion was designed especially for areas where the Work has done little or no advertising and/or promotion since the Spanish edition of The PLAIN TRUTH came into existence. It has proved very economical and has increased the subscription list substantially in some areas since last summer, as the following figures show: Argentina 2600; Chile 3400; Peru 600; Spain 600; Uruguay 100.

Even though soaring inflation continues to erode the currencies of the Latin American countries, the income continues to rise at a surprising rate. There has been a 65% increase in income for March 1980 over March last year!

Plans are now being finalized by Mr. Fernando Barriga, the associate pastor of the Spanish-speaking church in Pasadena, for an extended tour through Spain and Portugal. He will be visiting approximately 25 members and 40 prospectives during the month of May.

### News From the Caribbean

Mr. Stan Bass reports that during the first quarter of 1980 an increase of 13% in church attendance was obtained **when** compared with the same period last year. Outlying Bible study **attendance** increased by 52% for the same period.

February's income was up 60%, and March saw a 21% increase over the same months last year--very encouraging indeed.

Many people are writing in for the very first time, and The PLAIN TRUTH subscription list is growing from the current 20,300 which reflects a recent renewal program.

There are now 873 members in the Caribbean region spread over the islands from Bermuda to the country of Guyana on the South American mainland.

### Comments From Monthly Church Reports

EVANSVILLE, IN--C. FRED BAILEY: I haven't heard any negative comments about the Work for weeks. Most are very complimentary about the PT, GN, and Mr. Armstrong's example of drive and dedication. We really have a winning combination and the fruits are being evidenced in member's attitudes.

TOLEDO, OH--GEORGE KACKOS: We are experiencing a good growth rate with 21 members added in the first quarter of 1980. Additional growth should result from our public lectures. At the lectures we are using a slide tape program to introduce our local Church.

FORT WAYNE, IN--STEPHEN SMITH: The Church demonstrated a very generous attitude during the Days of Unleavened Bread. Many had saved for the Holy Day offering since the Feast and were anxious to give to God. We developed a program to increase Holy Day offerings by setting aside ten cents a day. This was to be our way to 1) Fight inflation, 2) Develop a habit of giving, 3) Develop a habit of planning--as a man purposeth in his heart, 4) Help us to be cheerful givers. Result: 50% increase over last year's Holy Day offering!

AKRON, OH--MIKE SWAGERTY: At this time the Church is in very stable condition. More unity and brotherly love being expressed than at any time since I have been in the area.

PEORIA, IL--JESS ERNEST: Average attendance has jumped almost 50 people this past month. Some due to improved weather, but most due to being turned on with the Church.

ERIE, PA--THOMAS A. TULLIS: PM activity is really up this month with six new contacts. PM's are of good quality and interest. Holyday offering for first Day of Unleavened Bread was the highest per person since Pentecost of 1976! Several members expressed appreciation for "members only" at the Passover service.

MIDLAND, MI--GERALD WESTON: Church attendance continues to be high. We are running about 40 people more than last year at this time. We've had 17 baptisms since Passover 1979. This is about double what we were having the previous five or six years.

GAYLORD, MI--GERALD WESTON: With unemployment rising, and low wages in general in northern Michigan, along with gasoline prices hitting \$1.40 and up, getting to services could soon become a problem for some people. It hasn't stopped anyone yet, however.

--Joe Tkach, Ministerial Services

#### HIGHLIGHTS OF MAY 16 EMPLOYEE FORUM

Returning after almost 10 weeks absence, Mr. Rader brought news of the Work (having just conferred with Mr. Armstrong in Tucson) and news of his travels. After several announcements the meeting was opened to questions.

#### Mr. Armstrong's Upcoming Trips

Asked about Mr. Armstrong's trip to Moscow, Mr. Rader replied, "We have had to put Moscow on the back burner because of the international situation as it exists between the United States and the Soviet Union. When I was there [in Moscow] I was very, very courteously received, but everyone made it very, very plain to me that I was being received (because of this strain in the relationship between the United States and the Soviet Union) in a very strictly informal manner." Nevertheless, it is hoped that by year's end tensions will ease up, enabling Mr. Armstrong to make the trip. The trip to Poland has also been put off until such time as Mr. Armstrong can combine a trip to Poland with a visit to Moscow.

Mr. Rader announced that he will be returning to the Middle East in a few days to confirm Mr. Armstrong's schedule in Cairo and his meeting with President Anwar Sadat. It has already been arranged for Mr. Armstrong to meet with Prime Minister Begin in Israel, provided Mr. Begin is in good health and in the country at the time.

Mr. Armstrong is also planning on going to the Philippines very soon after the Feast of Tabernacles for a campaign there. He will also visit Thailand and Japan on that trip. "So," Mr. Rader summarized, "we envision at least two overseas trips in the next six and a half months, with a possibility of one to Russia [sometime after the Olympics] if conditions change."

#### Imperial Grade School to Reopen

In answer to a question on the subject, Mr. Rader read a memo announcing that Imperial Schools was to reopen next fall! Mr. Armstrong has approved the reopening on the basis that the school be self-supporting.

Even so it is believed that Imperial can charge less than private schools in the area are now charging. Present plans call for kindergarten through the eighth grade. Particular care is going to be taken to avoid shortcomings of the past. Mr. Joe Locke, a 1970 Ambassador College graduate, will be the principal.

The Pasadena public school system has been slipping into an ever-worsening quagmire of administrative and political problems and a very poor national rating in terms of educational results. For this reason members and employees in the Pasadena area will be much encouraged by this development. More news will be forthcoming in either the Pastor General's Report or The Worldwide News.

#### IRS Investigation Now Complete

Most will recall that last year Mike Wallace, reporter on CBS TV's "60 Minutes," questioned Mr. Rader about his being investigated by the Criminal Tax Division of the Internal Revenue Service. This 15-month audit has been completed and Mr. Rader has received an official letter stating he is not guilty of any infraction of the Internal Revenue Code.

"I've dealt with them off and on for 30 years myself [while] representing other clients," stated Mr. Rader, "and they did not in any way change my opinion [of them] as a result of this 15-month investigation. They did deal with us in accordance with the law. They treated everybody in a proper fashion. They aren't like the people from the Attorney General's office who will lie, as I've told you, when they think it is necessary. They will invent when necessary, in their opinion, and they will malign and slander."

Dissidents and others leaked the information that the IRS was investigating Mr. Rader. It certainly was not the IRS because that is against their rules. However, Mr. Rader believes that "60 Minutes" will probably make no effort to give us a postscript on their show to undo the damage done by their statement about his being investigated.

Nevertheless, Mr. Rader sees good coming out of his having been investigated so thoroughly by the IRS. He discovered through the Freedom of Information Act that thirty people, bound and determined to slander and defame, had written to the IRS with false accusations against him. "Now we have another agency of the government that knows the difference between false witness and something that is not false," he observed. "We have the U.S. Customs Service, they know [that all the information they had heard was false]; the Internal Revenue Service, they know. Eventually, one by one, everybody will know."

"But," Mr. Rader explained, "we had to go to a lot of time and effort to get all of the information to them. They [the IRS] abided by the rules, so we not only abided by the rules but we [also] waived all of our Constitutional rights. I did not in any way impede their investigation. As a matter of fact I gave them information they would never be otherwise able to get. So they all know that and eventually maybe the word will filter out to other agencies that these people [dissidents and false accusers]...simply peddle false information."

Mr. Rader noted how false witnesses are part and parcel with persecution. They are people who despise God's Work and attempt to impede or destroy

or otherwise cause us difficulty. "But in the final analysis, as I have said many times to the Press, we do have God on our side and He will protect us. So, at any rate, I thought I would tell you personally that we know that [the IRS investigation] has now gone by the wayside."

#### Another Advertisement to Appear In Major Newspapers

A new full-page ad will soon be appearing in leading newspapers around the country and hopefully in at least one well-known magazine worldwide! (A reduced version of the ad appears in this Pastor General's Report. Also, just two days after Mr. Rader's Employee Forum, this ad appeared in the Los Angeles Times).

Mr. Rader explained that this current ad is different from the others the Church has run in that before we were speaking for ourselves. This time, excerpts have been taken from the transcribed proceedings of a press conference held last March 7th at the United Methodist Building in Washington D.C. It was at this conference that major religious organizations and churches representing over 80 million Americans announced that they were filing amicus briefs with the U.S. Supreme Court in support of our writ of certiorari. Leading experts in the field of constitutional law were present and quotes from some of these people were used in this ad.

Mr. Rader said that this advertisement makes the point that 83 million people are up in arms over the way the Attorney General has dealt with the Worldwide Church and, hopefully as a result, the High Court will grant us a hearing and rule in our favor.

#### Needed: A Courageous Judge

Mr. Rader commented on the extent of political and governmental corruption in our case and how this is beginning to reveal a pattern that extends "from state to state, from municipality to municipality...I think eventually this case will be more revealing to more people about the state of conditions in this country than the Watergate Affair," said Mr. Rader. "And I can show you case after case where the people in power, the establishment, have stated directly and indirectly it is better to let injustice go uncorrected than to expose the evil," he added.

Occasionally a courageous judge will distinguish himself by his adherence to right. But courts are loathe to correct injustices, Mr. Rader said, "because the minute that they do that it reflects upon the entire system ...But hopefully we will have a courageous judge somewhere...one who is willing to come out and speak the truth. He may well exist."

#### Mr. Helge's Previous Comments Underscored

In the Forum Mr. Rader underscored Mr. Helge's comments given several weeks ago before the Pasadena P.M. congregation (excerpts of which appeared in the April 18 Pastor General's Report). He remarked how well Mr. Helge's comments covered the state of the lawsuit and other factors we need to be mindful of. Mr. Helge's comments will be appearing in The Worldwide News, so Mr. Rader urged the employees and students to "read them, very, very carefully. There is no sense in my reiterating them because they were very powerfully delivered and very, very accurate." [Urge the brethren to read these in The Worldwide News when they appear.]

# 83 Million Americans versus California's Attorney General - Who do you think is right?

A remarkable press conference was held March 7, 1980, in Washington, D.C. Its purpose was to draw attention to a brief filed in the U.S. Supreme Court. That Friends of the Court (amici curiae) brief was sponsored by the National Council of Churches of Christ in the United States, the Synagogue Council of America, the Baptist Joint Committee on Public Affairs, the National Association of Evangelicals, the Lutheran Church in America, The Association of Evangelical Lutheran Churches, The Board of Church and Society of the United Methodist Church and the General Assembly of the United Presbyterian Church of the United States of America.

The aggregate constituency represented by these religious associations is more than 80 million Americans. That is more people than have ever before been represented by any brief presented to the Supreme Court of the United States by anyone other than the attorney general of the United States, who speaks for all Americans.

What was their cause? What single unifying factor brought these 83 million Americans to this point?

Read on. This advertisement has been prepared and paid for by the Worldwide Church of God and some of its supporters. But except for this opening and the noted closing at the end of this advertisement, the words here are not the Church's words. They are the words of the representatives of those 83 million Americans. And what they are fighting is an astonishing and unconscionable effort by the attorney general of the state of California to destroy the Worldwide Church of God simply because it preaches the Gospel of Jesus Christ in a manner not acceptable to the attorney general of California. Read carefully and decide for yourself whether you agree with the attorney general or 83 million Americans who believe that constitutionally guaranteed religious freedom is under the most serious attack in the history of the U.S.

**EXCERPTS:  
TRANSCRIPT PROCEEDINGS  
OF A PRESS CONFERENCE  
HELD MARCH 7, 1980,  
IN WASHINGTON, D.C.,  
AT THE UNITED METHODIST  
BUILDING**

DEAN KELLEY, Executive for Religious and Civil Liberty of the National Council of Churches of Christ in the United States of America

"This conference is held to draw attention to a Friends of the Court brief in the U.S. Supreme Court. It is sponsored by the National Council of Churches and several other national religious bodies who are the Friends of the Court in this brief. We do not often hold press conferences in connection with legal briefs, but this one is unusual in that it expresses alarm about a case that arose in California but is going surprisingly unnoticed in the rest of the country.

"Over a year ago, the state of California took over a Church, the Worldwide Church of God, by placing it in receivership. This was done on a complaint by a handful of dissident members that the leadership of the Church was using its assets for their own personal aggrandizement.

The attorney general of California went into court and obtained an order authorizing the appointment of a receiver. On Jan. 3, 1979, the receiver took over the Church's headquarters in Pasadena, Calif. He fired Church employees and hired armed guards, accountants and others, to occupy the Church's offices, paying them and himself at \$150 an hour out of the Church's assets he was appointed to conserve.

"For almost two months, they had the run of the place, carting off records to the attorney general's office with no receipts to the Church for what was taken. The receiver stopped payment on all outstanding checks that had been written by the Church, destroying its hitherto exemplary credit rating. He cabled its ministers forbidding them to send money for the Church to anyone but him.

"At length, that receivership was suspended by the members posting a \$3.4 million stay bond, many of them putting up their homes as surety. Still seeking evidence to support sweeping charges of criminal conduct, the attorney general is now pressing a disclosure order against them, demanding virtually every scrap of correspondence in the last 10 years. That order has been appealed to the U.S. Supreme Court, and it is on that matter that this brief has been lodged.

"Our support of the appeal is not an endorsement of the Worldwide Church of God or its leadership. But we feel that if fraud or defalcation had occurred, there are adequate criminal laws under which the attorney general could have proceeded.

"What we are really alarmed about is not the single case, appalling as it is, but the theory on which the attorney general is proceeding and on which he says he has relied in other Church cases.

"That the contributions made by a Church, even by its own members alone rather than by the general public, create a charitable trust which the State has the right and obligation to oversee. Thus the Church can have no private interest adverse to the State and doesn't even really need an attorney to defend its interests before the court since it is, in his view, little more than a ward of the State.

"That doctrine is so much at variance with the U.S. Constitution and everything the Supreme Court has said about it that it is hard to believe that it has been enunciated in the United States rather than in Iran, or China or the Soviet Union."

LEO PFEFFER, Attorney for Amici Curiae

"Those who join in this brief differ among themselves as to the appropriate, or the most appropriate way to worship or express the ecclesiastical structures of the associations: Some are hierarchical and some are congregational. Their legal structures also differ. Some are incorporated, some are incorporated under religious corporation laws, some are corporations sole, and some like the Worldwide Church of God, are organized under general corporation statutes.

"What unites them in the submission of this brief, is a conviction that when the technicalities of statutes designed to regulate ordinary corporate activities are used and abused as instrumentalities to destroy a religious association which may be in governmental disfavor at a particular time, the result is a threat to the security of all religions. A religion favored today may be disfavored tomorrow and no religion is secure unless all religions are secure. Religious freedom is the precious heritage of all. Because they feel that the actions of the attorney general of California threaten that heritage and their own security, these associations join in the brief which

we have submitted to the United States Supreme Court.

Basically, in this unfortunate litigation, the attorney general of California has declared that Churches and religious organizations are public charitable trusts accountable to the State. He claims that all Church or Synagogue property is to be treated as public property rather than being owned by the Church or the Synagogue or its members and is therefore subject to supervision, regulation and control of the State, just like public schools or public parks. He bases this claim with an inherent power originating in the common law of England long before the First Amendment became part of our Constitution. He claims that this power has been reinforced by the California legislature and authorizes him to supervise, manage and control a Synagogue or Church on the theory that it is a ward of the State and that its affairs and operations are subject to unlimited and continuing control by the State, acting through its attorney general.

"The actions of the attorney general violate the First Amendment's ban on laws respecting an establishment of religion, because it constitutes impermissible state participation in religious affairs, because its purpose and primary effect are to restrict religion and because its action results in excessive government entanglement with religion. The action of the attorney general also violates the First Amendment's guarantee of the free exercise of religion because the State of California has not established the existence of an interest sufficiently compelling to justify infringement upon the congregants' rights to determine how and by whom their affairs shall be governed and their voluntary contributions expended."

LAWRENCE H. TRIBE, Professor, Harvard Law School

"The repeated position of the attorney general of California is that he has an absolute right to know everything within the possession of the Church, and on the basis of whatever is discovered, to decide what, if anything to do. His position: That on the basis of what he discovers he has a right to permanently remove the Church's officers, to banish them from ever holding any position of trust, public or private, in the state of California; to restructure the Church from a hierarchical to a congregational form and to seek other relief as is consistent with the State's conception of how the Church should be run."

**A FINAL STATEMENT BY  
THE WORLDWIDE CHURCH OF GOD**

We do not ask you to agree with us in the area of theology. We do not seek members. We do not solicit funds from the public. We believe our Church is God's Church and that it will stand forever, despite its enemies and the attorney general of the state of California.

But guard yourself. Be sure of this: If the attorney general can invade our Church he can invade yours. Do you want him to have that power?

If you want more information, write to us: The Worldwide Church of God, Box 111, Pasadena, Calif., 91123, or call our toll-free number: (800) 423-4444. In California call collect (213) 577-5225.

If you have something you would like to say to the attorney general of the state of California write to him:

The Hon. George Deukmejian  
California Attorney General  
555 Capitol Mall  
Sacramento, Calif., 95814

Mr. Rader further observed, "I feel that this battle between the state of California on the one hand trying to destroy this Church, and the Church and its brethren worldwide defending...will go down in the annals of Constitutional law in such storied form by the time it is through that as long as there are books dealing with things in this world, people will not forget it."

#### TV Documentary to Be Aired Around the U.S.

Mr. Rader was asked about the local TV station that repeatedly ran a retraction under threat of a lawsuit by several of the men of influence who were named in our TV documentary. Would this prevent future airing across the nation, some have wondered. "No," Mr. Rader replied, assuring everyone that we have already bought other air time. He explained that KCOP-TV has already been in trouble with the FCC in Washington and then this threat of a lawsuit was another burden. So they found it rather easy to simply retract, since we are not regular customers of theirs.

In fact, Mr. Rader explained, all they really had to do to protect themselves in the first place would have been to run a disclaimer before and after the showing, stating that the program did not reflect their views. But as he further pointed out, they had no right to retract because it wasn't their program, it was ours. But to make matters worse they made misstatements of fact in their retraction that our lawyers are addressing themselves to. We will go to the FCC if necessary to have our opportunity to correct the record. And so we should be having another opportunity in the future to get our point across on that station!

In spite of the retraction it is Mr. Rader's feeling that the average person was much more affected by what he heard and saw in the documentary than by what he may have heard in the retraction. From Mr. Rader's own experience in talking to informed people in the community, it is a very compelling film. These people could see and understand that we were totally within our rights and we were absolutely correct in taking the position we did, he said.

#### Current Status of the 7000 Church Documents

Mr. Rader was asked about the 7000 Church documents that the court is now handing over to the Attorney General by order of the L.A. Superior Court, since Justice Rehnquist of the U.S. Supreme Court recently denied a stay of that order. The turning over of the documents signals, "unless it is corrected, a very dangerous erosion of the rights that American citizens have, or thought they had, and it could be the beginning of a really totalitarian state," Mr. Rader warned.

He continued, "All you have to do is look at the history in other places. They never take all the rights away at one time. Never. They find their soft spots and they take away a right here and they take away a right there, and before you know it they have infringed on everything and there are no more rights.

"That's why basically these [other churches and rights organizations] have come in on our side. That's the real danger. We've been protecting a principle here from the beginning. I obviously would not have turned over documents to the IRS, waiving all of my rights, if I thought there was something there that would hurt me. And we have cooperated with other agencies in the same fashion.



"...it's very much different when you are, in essence, volunteering information in a controlled setting where the agency involved is simply doing its [lawful] duty to make its own assessment. It isn't trying to make political capital out of something or trying to make a dollar like Chodos and Weisman and those people, and to do so without paying any attention to the rights of the people. They [of the agency] take the information, they assess it, they evaluate it and they quietly come to a conclusion. And I'm convinced that if the people are not politically motivated who are looking at the information, they would all come to the same conclusion: that everything that has been alleged has been false.

"But we've been protecting a very important principle," continued Mr. Rader, "and so far we have not had any relief from the Los Angeles Superior Court. And we have come close a couple of times to getting a hearing in the California Supreme Court. Remember, we are dealing with procedural issues, not substantive matters."

Mr. Rader mentioned that the 7000 documents are being handed over to the Attorney General by the court in a piecemeal fashion since each paper has to be marked for exhibit. He speculated that if the U.S. Supreme Court decides to hear our writ, it may cut off the whole process before it is completed.

#### More Support Coming

Mr. Rader closed with mention that more support is coming to us in this legal struggle. From the outset we sought to educate the public about the real issues and now, he said, "The support is coming in from more and more people and this is not support that we are going after eagerly now." Already a couple more organizations want to prepare and file briefs in our behalf in the next few weeks.

So, while during the early days of the lawsuit we seemed to be standing almost alone for the principles that so many Americans over the years literally fought and died for, now "more and more people are aware of what's happening and they are very much concerned, not necessarily for us, but I do believe they are all good people and I think they are concerned now for us and also very much concerned about religious freedom in the United States."

MR. HELGE REPORTS ON RECENT DEVELOPMENTS IN COURT CASE

Editor's Note: As our readers will recall, our attorneys have gone to the United States Supreme Court seeking a hearing in advance of the time and route our case would normally take to this highest court in the land. Whether to hear it is a matter solely in the discretion of that court and not an ordinary right in the process of "appealing to Caesar."

In the intervening time before the high court decides whether to hear our case early, Church attorneys also requested that the U.S. Supreme Court prevent the transfer of some 7000 Church documents from the care of Judge Johnson's court to the California Attorney General. Supreme Court Justice Rehnquist turned that request down. Mr. Helge talks about this matter and then updates us on his own request to be personally dropped from the case because of no evidence against him. Finally, Mr. Helge tells us about the latest and most absurd development concerning the receiver's fees. Here now is his report:

Turnover of Internal Church Documents

The California courts, and now most recently the U.S. Supreme Court, have refused to hear applications for stays [orders to halt judicial proceedings] that would have prevented the turnover of 7,000 internal confidential Church documents to the Attorney General of California. The State's concept is that the Church's financial affairs have nothing to do with their ecclesiastical affairs. Hence, according to their theory, when the State reviews the financial expenditures of the Church it is not in any way interfering with the Church's ecclesiastical mission.

Some have argued "why shouldn't the State be able to look?" To answer that question all you need to do is ask yourself "for what reason?" and "under what authority?" is the State looking. The answer is, they're looking because they say they have the absolute right to determine the propriety of the expenditures. In other words, the Church may feel that an expenditure is doctrinally and theologically appropriate and proper, and perhaps mandatory. The State, on the other hand, claims that it has the absolute right, in serving the "beneficiary" of churches, the public, to determine if the expenditure was improper--perhaps even a crime.

For example, in the present case, the Articles of Incorporation of the Church provide that the corporate purpose is "to preach the gospel of Jesus Christ, according to the Bible, to all the world as a witness." Now we are seeing men of alien faith who do not even believe in Jesus Christ as the Messiah, who are going to judge whether or not the money was expended by the Church to fulfill that purpose.

The satisfaction of the members (who contributed the money) with the manner in which the funds were expended is immaterial. The State says the members have no rights in the matter. (The California courts denied our members the right to intervene in the case. In fact, the Attorney General claims he represents the Church corporation and the financial interests of the Church members against the Church leaders, even though the Church members have made it clear over and over again that they do not want the Attorney General representing them.)

In effect, the State is going to supervise and operate churches. In order to protect themselves, directors of churches will have to go to the State and actually get prior permission for expenditures in order to avoid being second-guessed by the Attorney General's office. Such review and second-guessing could, in the future, be done by State officials in the Attorney General's office who might be political hacks, legal incompetents who dropped out from the legal profession, atheists, communists, gays or those who have never managed anything more than a weekly paycheck in all their lives. These people will then, as grand high priests, be running the churches by giving their hierarchical approval or disapproval to all church activities in the State, based on their misjudgment, prejudice, or pure corruption. It is upon this basis you will run your California church or else answer to the full weight and power of the State!

### Why Summary Judgment Denied

A summary judgment is a procedure whereby a party to a lawsuit may file affidavits or rely on other verified facts in an attempt to show that there are no "triable issues of material fact" in the case. The opposing side [in our case the Attorney General] must then file affidavits or point out other verified facts which would give rise to a triable issue of material fact. Should it be found there are no material factual issues, then the case can be decided by the court immediately upon the "issues of law." This procedure was established to ferret out baseless claims and save the time and expense of a trial.

As I am one of the attorneys for the Church and one of the named defendants in the State action, we filed a motion on my behalf for summary judgment during April, 1979. We filed an affidavit specifically denying each and every allegation the State charged against me. Even though the State did not come forth with a single affidavit as required by law, L.A. Superior Court Judge Johnson still denied the motion. He did so on the grounds that the motion was "premature." There is no law to sustain such a denial. The law provides that my motion could be made any time after 60 days after the case was filed. The motion was not heard until 3 1/2 months after the case was filed--certainly not "premature" by existing law.

We filed a second motion for my summary judgment just recently. This time we accumulated over 1100 affidavits from directors, church and college employees and our Legal Office employees in order to render even more factitious the court's denial.

Since 1,000 of the affidavits were by church employees, we were not desirous of filing them for public inspection. (We wanted to prevent dissidents from obtaining all the employees' names as a mailing list.) The Church was willing to give the affidavits to the Attorney General, but only with the restriction that he not show the affidavits or give out the names to the dissidents as the Attorney General's office had wanted to do with the Church's mailing list last year. Therefore I made a request of the court to order the Attorney General not to disclose the names and to seal the affidavits in the court file.

Even though the request for these restrictions in no way adversely affected the Attorney General, he objected to the names being kept confidential if filed, and Judge Weil of the Superior Court arbitrarily so ruled.

Being faced with the alternative of disclosing the employee list or proceeding with a motion without benefit of their affidavits, we chose the latter course. We filed my motion for summary judgment based on my own affidavit, the affidavits of 90 ministers and all the directors of the Church, college and Ambassador International Cultural Foundation, but without the support of the employee affidavits. Still Judge Weil admitted that the evidence was very impressive.

In spite of this overwhelming presentation of evidence, Judge Weil refused to grant the summary judgment. He did so based upon an unsigned memo to my legal associate which recommended that a professional corporation composed, at least partly, of men from the legal field be formed. One of the benefits of the proposed corporation would have been to help honest judges into office and lobbying for the passage of laws favorable to religion.

Even though the court was advised that no such professional corporation was ever formed--that in fact the memo was not acted upon in any way--the Attorney General argued that if such a corporation were formed, it would be a "means for siphoning off" corporate assets. Based on that illogical argument, the judge denied the summary judgment.

The Attorney General's position is that a suggestion of exercising one's rights to express himself on public issues gives rise to an inference that you might possibly do so illegally. Such an inference apparently gives rise to the necessary "triable issue of material fact," to support the denial of summary judgment to an accused defendant.

#### State's New Position

In his response to the summary judgment motion the Attorney General took another new position to compensate for the consistent fallacies and falsehoods of previous ones. This time the Attorney General argued:

In fact, Mr. Helge appears to have entirely missed the point of this lawsuit. It is his obligation to account which forms the nexus of the action. Only after the accounting is complete will the issue of any breach of duty come into play.

The State is now saying that they don't even have to have evidence of any wrongdoing to look at all of the Church's records and documents. All they have to do is ask for an accounting, which they claim they have an absolute right to do. Then, in the event they find what they consider to be an expenditure of funds not in accordance with the corporate purpose, they will act as a State collection agency for the Church and sue to get this money back. [Editor's Note: So now, contrary to every principle of American jurisprudence, a man can be presumed guilty, without evidence--instead of being innocent until proven guilty! Meanwhile, for months or even years, even an innocent man's name and reputation, his social standing in the community and among his professional peers, can all be tainted. And this cloud can hang over a man until such time as the Attorney General has exhausted every means of finding something that can be construed as "wrongdoing."]

### The State's Overall Contention

The alleged right of the State for an accounting comes from the novel and dangerous concept that churches are "charitable trusts." But a trust has beneficiaries who are the real owners. The State says the beneficiaries of California churches are all the people of the State of California. The State then argues that the Attorney General represents the beneficiaries, the public. Finally they argue that under trust law the beneficiary has the right to come in and simply ask for an accounting of the trustees. Thus, by this theory of law the churches therefore have a duty to account to the public for all money received and expended.

The L.A. Superior Court in the State of California has adopted this concept in spite of its patent repugnancy to the State and Federal Constitutions. We attribute the willingness of certain judges to do so in this case to their attempt to protect two judges, a politically-oriented private attorney and a deputy Attorney General who collaborated in the institution of the case.

### Referee Approves Receiver's Expenses

A referee appointed by the Superior Court has recently approved the receiver's fees, those of his attorneys and certain other expenses which he incurred in confiscating all Church property. The referee's report requires the Church to pay \$126,966.73 for the receiver's seven weeks "services," of which \$49,412.50 was for his personal services. This is in addition to the \$135,066 already taken out of Church coffers by the receiver for his fees and charges while he was in control of the Church accounts.

The referee who approved the receiver's fees was appointed by Judge Julius Title, the same judge who approved the appointment of the receivership over a year ago. It is interesting to note that the referee came back with findings 100% against the Church and paints the receiver's efforts as highly laudable. [This is inspite of irreparable damage done to the Church by means of the receivership!] There was only one exception. He found that the guards that the receiver appointed should not be compensated in full because he states their security collapsed.

By making this finding, the court-appointed referee justified the Attorney General in not finding any evidence of wrongdoing by the Church on the premises, allowing them to argue that all the incriminating material was stolen. It is interesting to note, however, that these guards hired by the receiver were the ones who came forth and gave affidavits serving to substantiate that the testimony given by two of the government's witnesses was false! Is it possible that this is further evidence of a collaboration to destroy the Church and its officials in order to protect the Attorney General and those who collaborated with him?

The referee's report remains to be confirmed by Judge Title of the Superior Court. We will keep you informed of developments.

The precedent setting actions taken by the California Attorney General have almost eradicated the First Amendment. All citizens of this state have suffered the loss of Constitutional rights! Unrestrained, this trend could spread until government ceases being our servant and becomes our master and we its slave.

--Ralph K. Helge, Legal Office

\*\*\* IMPORTANT NOTICE \*\*\*

### MAIL PROCESSING NEEDS YOUR HELP!

We have a problem in Mail Processing with which we vitally need your help. It involves the handling of baptism, inactive, or disfellowship information cards.

It is imperative that MPC receive these cards promptly each week if we are to keep the master file completely accurate and up to date. Being human we all tend to forget. However, it has not been unusual for us to receive cards 6-9 months old, some even older!

We would like to explain why it's so important for MPC to receive these cards as soon as possible. Among other reasons, it dramatically affects members' ability to receive literature. The following explains how.

#### New Baptism Cards

When we process a baptism card, the new member is put on file to receive ALL literature sent out by the Work (The PLAIN TRUTH, GOOD NEWS, "Worldwide News," co-worker/member letters, Festival information, holyday envelopes, etc.). However, we cannot send a new member his literature until we receive the baptism card authorizing us to do so. This is why it is so important that we receive these cards promptly.

#### Inactive/Disfellowship Cards

When we process an inactive member or disfellowshipped member card, all literature mailings are taken off the master record. (However, if the affected person later requests literature we will send it, according to the policy given to us, except for special member materials).

#### File Protection

Because of the recent actions of disfellowshipped members against the Church, it is important that we receive all disfellowship cards as soon as possible. We want to keep our files current and up to date, and this information can also be vital for security reasons:

It enables us to provide accurate information to the Work's Security Department in case a disfellowshipped member seeks involvement with college property.

It helps us protect the mailing list in case a disfellowshipped person tries to obtain other members' addresses.

#### Information Call-In Service

In the above paragraphs we've been asking you for fast, speedy information. As a fair exchange, we can also offer the same to you.

If you need occasional information on a current member, prospective member, or former member, just call our WATS number and ask for "Member Information." We can provide you with current status information, literature

received, address on file, etc. Also, you can use this phone line to update us faster on member address changes, marriages, deaths, etc. The hours this line is available are 8 a.m. to 5 p.m., Pasadena time.

Thanks for your help in these important matters. We appreciate your service to the brethren. We are all part of a team, working to support and stand behind Mr. Armstrong. Thanks again for your cooperation.

--Richard Rice, Mail Processing Center

#### PUBLISHING SERVICES UPDATE

The highest number of requests generated by The PLAIN TRUTH in recent years has come in for booklets advertised in the April edition.

We advertised the U.S. and Britain In Prophecy, Revelation Unveiled at Last and Ending Your Financial Worries. So far, we have received well over 24,000 requests for these booklets.

More positive coverage for QUEST and the Foundation took place last Saturday and Sunday, the 3rd and 4th of May, in Chicago.

QUEST magazine was used by the Chicago White Sox Baseball Team in a special promotional to 15,000 of their adult fans at the Saturday night game. The White Sox owners are so impressed with what QUEST stands for that they felt it fitted right in with their team's goals of questing for the pennant in the playoffs.

The first 15,000 adults who came through the gates were given a copy of the latest issue of QUEST, and the scoreboard carried further promotion about QUEST. Prior to the game, QUEST magazine was promoted free by the White Sox owners on radio spots in the Chicago area. On a Chicago Sunday morning TV talk show, QUEST was used again by the Sox owners as an example of a fine magazine. This kind of publicity we can't buy; it has to be earned.

#### MAIL COMMENTS

This week's comments feature letters from members and co-workers about the benefits they have received from tithe paying. We are also including letters about the excellent articles in The GOOD NEWS magazine.

--Mail Processing Center

#### Blessings of Tithing Highlighted

My greatest pleasure is sending my tithes to you to be used in the Work all over the world. I get great benefit out of all the booklets, articles, reprints, the broadcasts, The PLAIN TRUTH, and The GOOD NEWS, for which I thank you and all tithers and co-workers who have made it possible. My tithes help make all these fine things possible for others, I am sure.

--Carl L. (Hollywood, FL)

Last pay period I was so inspired by your letters and an article I'd read that I added five dollars to my tithes. Guess what happened? This pay period I was given a raise! Yes, of \$50 per pay period or \$100 per month!! I thought you would like to know.

--Shirley R. (Riverside, CA)

Due to my health I had to give up the best job I have had in my life. What I noticed was after so many years of sending tithes I was being bothered more and more because with no work there were no tithes to send in. This week it really came home to me just how much I had been bothered and how much it really meant to me. I had a garage sale and cleared over \$200. The thrill of having some tithes to send in is far greater than I dreamed.

--Elbert M. (Belen, NM)

Enclosed is three weeks tithe. I had neglected tithing for awhile because we were having trouble paying our bills. But instead of the situation getting better, it just got worse. I've learned my lesson like so many others have before me.

--Member (Fresno, CA)

My husband is not working at this time, but I still want to send you my tithe. Since I started tithing several years ago, we've had our ups and downs, but God has always provided us with food, clothing, and we have managed to pay our bills somehow. So I do believe in tithing. I hope it will help in some way.

--Janice S. (Havana, IL)

I thought of something I wanted to comment on as I was writing out my first-tithe check the other day.

There hasn't been a month in a long time that I have taken my paycheck, added up all my bills and had the bills come out less than the paycheck. I have never worried about it, though. I try very hard not to live outside my means; I don't charge anything; and God's tithes always come right off the top--first thing.

It doesn't work out on paper, but I always come out with just enough to cover everything! Gratefully giving God the small tenth He asks of us sure is a blessing!

--Sharla S. (Choctaw, OK)

Last week my husband and I went to our accountant to have our taxes figured. Our total federal return will come out exactly twice the amount of my first tithe. My husband, a non-member, was speechless. We'll be incorporating this year and he said, "Can corporations tithe?"

--Member (Nenana, AK)

Sir, I wish to inform you that my wife and I are 100% disabled--the both of us. The only income we have is an income from the Veteran's Administration plus a small check from the Social Security--this is all we have as an income. But, Sir, that does not keep us from tithing to God's Church and never will. As long as we have a dime, God will have one cent of it. This is the only way we can see it clear as it is in the scriptures, so if we are going to be a child of God, this is the only way.

--H.K. (Lakeland, FL)



My name is Pvt. Kirby Cole--I am in the U.S. Army. Right now I am stationed at Fort Jackson, S.C. In a couple of weeks I will move somewhere else. The reason I am writing is I want to send in my tithes. My mother said for us kids to always pay our tithes, whether we paid anything else. So here is mine.

--Kirby Cole (Fort Jackson, SC)

I sent you a check for \$15 on 8-7-79. I had only \$100, and my bills exceeded that figure very much. Well, two days after I sent you the check, my phone rang three times that day and all of those phone calls were concerning people who wanted me to fix their roofs. I did do all three jobs and got paid. I know now that this was a very important message and lesson to me personally.

I do intend to send you and the Church money on a regular basis. I don't know for sure in my own mind if the reason that I am sending you the money is out of greed or lust for more money on my part. I think that it is because I do want to do right by sending the money for the gospel. You have to understand that I am not a true Christian, but I do want so very much to be.

--Lewis A. (Chicago, IL)

### Readers Applaud the GOOD NEWS

I would like to express myself about the spiritual food dished out in the most recent issues of The GOOD NEWS. I feel that I have received so much instruction, inspiration and hope from the most recent publications...that it must be preparatory to some very great happenings soon to occur.

--Tony M. (Albertville, AL)

We especailly want to say "thank you" to God and to you because He has inspired the motivating articles in The GOOD NEWS. Each article seems to add to the next and all of them are not only inspiring, but are moving us to really examine and clean our lives up.

--Harry G. (Wichita, KS)

I received my latest issue of The GOOD NEWS last week. I was very happy for the articles on overcoming because I was in great need of some help in that area. Sometimes, the pressures of Satan and this world begin to be a little more than I can bear. Then God always helps by providing the answers through sermons at church or through the church literature.

--Donna G. (Lower Salem, OH)

### ON THE WORLD SCENE

TITO FUNERAL--ANOTHER U.S. DIPLOMATIC BLUNDER: In one of the greatest gatherings of world leaders in recent memory, one notable figure was conspicuous by his absence: President Jimmy Carter. The United States was represented at the funeral of Yugoslavia's late President Tito by Vice-President Walter F. Mondale--accompanied by "Mizz Lillian," the President's venerable and outspoken mother.

A White House official said a trip to Europe by the President at this time was "not appropriate" in view of Mr. Carter's self-imposed travel limitations since the onset of the Iranian hostage crisis. Yet, curiously, it was sharply hinted that the President would travel to Europe for a world economic summit next month in Italy--and might skip across the Adriatic to Belgrade on an official house call.

There was speculation in world capitals that Mr. Carter just didn't want to be seen in the same room with Soviet President Brezhnev, who "betrayed" the President's confidence by dispatching the Soviet Army into Afghanistan. Mr. Brezhnev himself decided to come only after Chinese Premier Hua Guofeng announced he would be attending the ceremonies. Heads-of-state and government came from both East and West as well as from throughout the Third World with which Tito had allied his neutral country.

In a rather petulant announcement, a White House spokesman said "The President is not inclined to become involved in some game of diplomatic one-upmanship with the Kremlin on a matter like this."

European critics of the decision, including the press, were pointed in their comments about Mr. Carter, and his apparent disregard of diplomatic symbolism. The Times of London for example, said the president's decision was another grave mistake by a "muddled" man "blind to whole areas of reality."

In an editorial titled "He Ought To Have Gone," the newspaper said, "In this case, he shows himself blind to the stature of President Tito, to the importance of Yugoslavia, to the mood of the Yugoslav people, to the interests of the United States... In such moments, symbols and gestures become especially significant and are long remembered."

It is known that Yugoslav leaders were both baffled and disappointed at the White House decision. They were not comforted when an administration official said, "We think the Yugoslavs know who their friends are and who poses a threat to them."

But a friend indeed helps a friend in need. Once again--mere words from Washington backed up with no action.

--Gene H. Hogberg, News Bureau