

# Court

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findings of the auditing firm of Arthur Andersen & Co., now going over the Church records, available to the attorney general, Judge Title said he was reimposing a receiver with essentially the same powers as before.

He then named accountant David L. Ray as receiver and listed his powers. These included virtually the same sweeping powers as before, including the right to fire Herbert W. Armstrong and Mr. Rader after applying to the court for permission, and determining under court decision what is and is not an ecclesiastical matter. Judge Title, however, permitted the Church to post a bond to guarantee the protection of the Church's financial records during the appeal of the receivership.

Overnight, Church members all over the world responded to calls for donations to meet the bond. It was then decided to seek surety statements from members to back the bond and use the money should these sureties not be accepted. However, the use of sureties in place of cash demanded that \$2 million, not \$1 million, back up the bond. More than \$2.3 million in such surety pledges were collected from brethren in California, as only California residents could sign the pledges, according to state laws covering the situation.

Judge Title later accepted the sureties, blocking the imposition of a receiver while the order is being appealed, a process that Mr. Rader says could take more than a year.

Although the new receiver announced he would not set up an office on Church or college grounds, Church members voluntarily responded to calls to protect Church properties. From March 13 through 16 several hundred members from as far away as San Diego and Bakersfield, Calif., attended all-day services in the Hall of Administration. Many families stayed overnight.

In Church services, Pastoral Administration Director Roderick Meredith said that a major purpose of the services and sit-in was to "put pressure on the courts and State to live by their own laws."

He and other ministers emphasized the intent and meaning of Romans 13 and other related scriptures to show that it is not wrong for Christians to go to their own defense in a legal and nonviolent manner.

In various news conferences and reports to the assembled brethren, Mr. Rader pointed out growing evidence of what he called a "conspiracy" against the Church from various groups with different motives that had finally coalesced to bring about the State's action. He also answered allegations that the Church was not giving a proper accounting of its affairs to State officials.

In a press conference March 16 at the end of four days of special ecclesiastical services in the Hall of Administration, Mr. Rader said:

"The State is still an adversary, and under the code of civil procedure, they have certain rights as a plaintiff. They can ask that Church personnel be deposed (have a deposition taken) and, if those persons control any records, the State could demand that those records be brought for examination.

"Each such request they make will be examined," Mr. Rader said, "and if Mr. [Ralph] Helge and our other lawyers determine that they are not entitled to them, that will be addressed in the proper forum.

"I think now that everyone is more aware of the Worldwide Church of God, and in time they will all know what we believe, what we teach, and what we practice," Mr. Rader said.

# ATTORNEY GENERAL DECLARES: ALL CHURCH ASSETS AND RECORDS ARE PUBLIC PROPERTY

**THIS STARTLING** proclamation of the State of California was recently made in court by Deputy Attorney General Lawrence Tapper.

The declaration was made in order to induce a judge to appoint a receiver to enforce the State's claim of ownership to all of the Worldwide Church of God's churches, administration buildings, and contributions.

This intention of the State to claim public ownership of all Church property, was, prior to that date, kept a secret from the public.

The Church has dedicated all of its resources to oppose the State's intended takeover. It is doing this to preserve its own freedom to proclaim the gospel and on behalf of all churches and individuals believing in the principle of the freedom of religion and separation of church and state.

The circumstances giving rise to what the Church attorneys denounce as a confiscatory proclamation are as follows:

### DICTATORIAL THREATS

Shocked church personnel were told January 3rd that I, Herbert Armstrong, leader of the Church, and Stanley R. Rader, my personal advisor, were fired and that the Church was in receivership. The State, they said, was now in control of the Church, its finances, property and personnel. Any resistance by any church employee would be met with immediate dismissal.

This terrifying raid of church offices was described by horrified employees as a "gestapo-type nightmare."

The deputies took possession of innumerable cartons of Church documents, records and confidential material, which have not been returned or accounted for.

### CHURCH RIGHTS NON-EXISTENT

Constitutional attorneys and church members alike were shocked to hear the State officials proclaim that the Worldwide Church of God has "no interest to protect." That "in effect there are no private interests." That a church is nothing more than a "ward of the

court." That the church's funds are "public money." And that the church is a trust, and the people of the State of California "are the beneficiaries."

These statements punctuated the attempt in court by the California Attorney General's office to seize control of the Worldwide Church of God. Historically, this incident marks the most blatant attack on individual and collective religious constitutional rights since the institution of the Bill of Rights.

In effect, the State claims that the tithes and offerings sent to the Church from all over the world by some 100,000 members and 300,000 co-workers, to be used in spreading the Gospel of the soon-coming Kingdom of God, belong to the State of California.

This strikes at the very heart of the rights guaranteed by the Constitution of this great country!

### STATE INVASION

On that fateful day, without notice (as required by law), government attorneys, investigators and law enforcement officers stormed Church headquarters, disregarding the character of the institution, the religious and sacred nature of its responsibilities both in the United States and internationally, and its many other cultural and charitable activities.

Exploding into the executive offices in an emotionally violent takeover of Church property, the court-appointed receiver stated that I was "fired and out!"

The State insisted that the Church's spiritual leader for more than forty years, was no longer responsible for the Church and demanded access to and control of all aspects of the organization's financial assets, bank records, physical facilities, computer files and addresses of the Church's confidential 100,000 person membership.

This unprecedented invasion was taken outside the bounds of the law; yet, employees of the Church were threatened with jail if they did not submit to the demands.

### ILLEGAL HEARING

The basis for this takeover by the State is a suit filed by six former members of the Church. Supported only by the unproved and factually untrue allegations concerning financial misconduct, these dissidents filed their complaint with the Deputy Attorney General only after they had received assurances from a judge that their action would result in the paralyzing receivership.

The action was blatantly illegal; for at the meeting when the judge agreed to sign the receivership order, the case against the church and its officials had not even been filed.

Even after the filing of the so-called "charges," due process of law was denied the Church, as the plaintiffs sought and were granted moves to place the Church in receivership without a representative of the Church present at the proceedings; the takeover of Church property was enacted without even the four-hour notice to be given in cases of severe emergency.

The State joined the dissidents in their effort to take over the control of the Church, its financial resources, its physical plant and its activities worldwide—thereby negating its rights guaranteed by the Constitution of the United States of America!

### IRREPARABLE DAMAGE

During the two months' term of the receivership the Church has lost \$5.3 million in working capital. In addition, normal bank credit lines were destroyed and \$1.3 million in demand notes were called.

The first six weeks saw almost daily press, radio and TV coverage emphasizing the allegations rather than the facts. This resulted in irreparable damage to the Church's moral reputation and its civic and legal credibility.

In the same period of time, neither the receiver nor any of his staff have been able to prove, through audit or investigation, any wrongdoing on the part of either Stanley Rader or myself. To add insult to injury, the receiver (who had been admonished by the judge to stay out of ecclesiastical affairs) prevented the mailing of a letter from me to the members of the Church.

He then sent his own letter to the ministry of the Church around the world saying anyone sending contributions directly to me would be in contempt of court in California, even if the giver lived outside state boundaries.

### LOWER COURTS INSENSITIVE

Historically, lower courts (local and state) have been insensitive to the constitutional rights of people.

One need only recall the monumental effort required by the black people of this country in their attempt to gain equality to understand the situation facing the Worldwide Church of God today. The civil rights movement fought battle after battle in local and state courts—basically to no avail.

It was not until the federal Supreme Court heard their plea for civil rights that the American Black had the opportunity to become free and equal to his white brothers.

As the Supreme Court was necessary in establishing the civil rights of the American Black provided in the constitution, so, no doubt, will the federal courts of this land be required to preserve the freedom of religion and the freedom of speech provided in the First Amendment.

### HOW THIS CONCERNS YOU

The unlawful seizure of the Worldwide Church of God by the State of California could sound the death knell of religious freedom!

This action cannot be allowed, otherwise no church, synagogue or religious institution will be safe from the whims of political powers. This heinous and illegal action cuts to the heart the basic freedoms for which our country's founders fought and died to preserve.

Such action affects you and your family, the future of your religion and your other precious freedoms!

The State can no longer hide behind the chicanery of alleged financial misconduct within a charitable organization. This action has been an ugly, vile attempt on the part of the State Attorney General of California to assume proprietorship of the Church in direct contravention of the Constitution.

The attempt to reclassify the Worldwide Church of God as a "public trust" and its property as "in a sense, public" is a flagrant attack on the freedom of religion in this country. The effect of this state action is to place all churches ultimately under state control!

All Americans must be committed to the preservation of the integrity of our religious institutions and the freedom to exercise our religious rights.

How can you help—what can you as an individual do?

Let everyone know that you as an American will not stand by and allow our freedoms to be so callously subverted. Contact your church pastor, write your congressman, write your senator, contact the media and let your views be known!

For more information on how you can be more involved in your own community complete the coupon below and return to: Worldwide Church of God, Box 111, Pasadena, CA 91123.

Herbert W. Armstrong

*Herbert W. Armstrong*  
Pastor General  
Worldwide Church of God

Clip this coupon and mail to: Worldwide Church of God, Box 111, Pasadena, CA 91123

Please send me more information on how I can let my views on religious freedom be known in my community.

Name \_\_\_\_\_

Address \_\_\_\_\_

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**FULL-PAGE ADVERTISEMENT** — The advertisement reproduced above was printed full-page size in the Los Angeles, Calif., Times March 13 as part of a campaign to inform the public of the Church's position in its current legal battles with the California Attorney General's Office. Ninety-seven responses to the ad had been received by the Work's Mail Processing Department as of March 22.