



# **THE BOMB AND ITS FALLOUT**

**Bob Jones University**

**v.**

**United States**

**U. S. Supreme Court Decision**

**MAY 24, 1983**

## INTRODUCTION

This booklet attempts to help the reader make sense out of the Supreme Court decision that makes no sense. The *Bob Jones University v. United States* Supreme Court decision of May 24, 1983, will be among the most discussed by legal scholars. It will be among the most despised and feared by freedom-loving citizens.

Shock waves from the bomb dropped on Bob Jones University by the Supreme Court will eventually reach all Christian schools, parochial schools, churches, and other American religious institutions. This same bomb has exploded the constitutional provision of religious freedom and left only toleration for religion that government can control. It has exploded the myth of the separation of powers between court and Congress and has revealed the court as usurper of power to make law, heretofore belonging only to Congress. It has exploded the myth that we are a nation governed by laws and has revealed that we are a nation governed by the whims of jurists who have abandoned all regard for the Constitution, choosing instead decisions designed to please the liberal media whose wrath would have exploded upon the court had the court ruled differently.

## BRIEF BACKGROUND OF THE CASE

This court battle began over twelve years ago and, for Bob Jones University, \$800,000 ago. In July 1970 the Internal Revenue Service announced that it was going to withdraw the tax exemption of any religious institution that discriminated on the basis of race. In a congressional hearing on the matter, an IRS spokesman reported that the agency received more mail about this decision than it had received on any other single issue in its history. Though religious organizations of all types protested the move, the IRS continued its policy. In November of that year, the agency informed Bob Jones University that its exemption was to be withdrawn. The university had a policy, based on its understanding of the Bible, that forbade interracial dating and marriage among its students. In order to make that policy easier to enforce, the university did not admit blacks. This "racial discrimination" brought the IRS action.

In 1971 the university asked the courts to issue an injunction preventing the IRS from removing the tax exemption. The case, called *Bob Jones University v. Simon*, worked its slow way through the courts, and in 1974 the U. S. Supreme Court ruled that the IRS could not be ordered not to do something it had not yet done; one section of the Internal Revenue Code, called the Anti-Injunction Act, prevented the courts from issuing the requested injunction.

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