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In this issue:

- **High court rejects N.J. city's appeal of ruling against religious displays**
- **Court will hear same-sex sexual harassment dispute**
- **Wake Forest sets focus on religion in American life**
- **Endowed chair honors late ethicist T.B. Maston**

High court rejects N.J. city's appeal of ruling against religious displays

By Larry Chesser

WASHINGTON (ABP) -- A New Jersey city's 30-year practice of displaying a Christian Nativity scene and a Jewish menorah in front of city hall violates the Constitution's ban on establishment of religion, the U.S. Supreme Court ruled June 9.

The high court upheld a ruling by the 3rd U.S. Circuit Court of Appeals that official holiday displays in Jersey City, N.J., "cannot be viewed as anything but a constitutionally impermissible dual endorsement of Christianity and Judaism."

The American Civil Liberties Union and four city residents sued to halt the Christmas and Hanukkah displays in 1994. City officials ignored a federal judge's order barring the displays in 1995 but added plastic figures of Santa Claus and Frosty the Snowman and a wooden sled.

But the addition of secular symbols failed to remedy the endorsement of two religions, the appeals court said, reversing a separate lower-court ruling.

The display of a creche at the seat of city government "impermissibly conveyed a message of government endorsement of religion," the appeals court said. "And, in our view, the city's addition of Santa, Frosty, and a red sled did little to secularize that message."

The court also rejected an argument by the city that a Nativity scene is a secular symbol.

"A creche represents the Christian belief that Jesus was born to the Virgin Mary to lead humankind on a path toward salvation and redemption," the appeals court said. "Yet Jersey City would have us believe that the symbol of the creche has achieved such a level of secular status that is religiously benign. We are not so persuaded."

The appeals court analyzed Jersey City's displays in light of two previous Supreme Court rulings.

In 1984, the Supreme Court allowed a winter holiday display in Pawtucket, R.I. The exhibit, owned by the city but situated in a private park, included a Nativity scene along with several secular symbols.

In 1989, however, the court struck down a creche displayed at the county courthouse in Allegheny County, Pa., saying the display at the seat of county government amounted to an unconstitutional endorsement of religion. In the same ruling, the court permitted a menorah to be displayed next to a Christmas tree outside a county-city building.

In another church-state dispute, the Supreme Court declined to review an order that a New York village must revise its zoning code to permit worship in private homes.

The federal government sued Airmont, N.Y., in 1991, claiming that zoning policies against residential worship discriminate against Orthodox Jews, who worship primarily in homes.

-30-

Court will hear same-sex sexual harassment dispute

By Kenny Byrd

WASHINGTON (ABP) -- The Supreme Court agreed June 9 to review a ruling that denied an oil worker's sexual-harassment claim because it involved allegations against someone of the same sex.

Joseph Oncale, an offshore oil worker, claims he was sexually harassed, assaulted, battered, touched and threatened with homosexual rape. He sued his employer, Sundowner Offshore Services, along with his supervisor and two co-workers.

Lower courts have denied Oncale's claims under a federal law that prohibits sexual discrimination and harassment in the workplace, saying the law does not apply to same-sex claims.

The 5th U.S. Circuit Court of Appeals said male-on-male harassment with sexual overtones is not sexual harassment unless the victim can show an employer treated him differently because of his sex.

Oncale, however, backed by the Equal Employment Opportunity Commission, argues that Title VII of the Civil Rights Act of 1964 uses "gender-neutral" terms and should apply to all sexual harassment against women or men.

A ruling in Oncale vs. Sundowner Offshore Service is expected sometime next year.

In a separate case, the high court turned away, without comment, a constitutional challenge to the 1994 Freedom of Access to Clinic Entrances Act.

The law prohibits the use or threat of force or physical obstruction against a person seeking to obtain or provide reproductive services, including abortions. Pro-life activists from New York, Virginia, Ohio and the District of Columbia filed a suit challenging the statute on the day President Clinton signed it into law.

The U.S. Court of Appeals for the District of Columbia rejected arguments that the statute abridged free-speech rights under the First Amendment and that its passage violated interstate-commerce regulations.

The law "prohibits conduct, not speech, and its prohibition is narrowly tailored to further the government's legitimate interest in providing safe access to reproductive health services," the court ruled.

-30-

Wake Forest sets focus on religion in American life

WINSTON-SALEM, N.C. (ABP) -- Wake Forest University has designated 1997-98 as Year of Religion in American Life.

Lectures this fall by religious leaders will highlight the emphasis, which comes on the heels of a yearlong focus on the arts at the Baptist school in Winston-Salem, N.C.

Rabbi Harold Kushner, author of "When Bad Things Happen to Good People," will speak at the fall convocation Sept. 4. Journalist Bill Moyers, who has produced several shows with religious themes for public television, is scheduled to speak Nov. 19.

Other events planned for the year include a symposium on religion in public life in February, a national conference on religion in higher education sponsored by the Lilly Endowment scheduled Oct. 23-25, classes on religious themes and a film series.

"Religion is the most powerful and pervasive force in society," said Charles Kimball, chair of the religion department, adding the emphasis will explore ways that religion "intersects with public life, with personal faith, politics, the arts, media and other institutions and disciplines."

-30-

-- By ABP staff

Endowed chair honors late ethicist T.B. Maston

ABILENE, Texas (ABP) -- Officials at Hardin-Simmons University have announced the establishment of an endowed chair honoring the late T.B. Maston, longtime professor of Christian ethics at Southwestern Baptist Theological Seminary.

The T.B. Maston Chair of Christian Ethics will "perpetuate his vision of Christian ethics for future generations of students and for the larger body of students preparing to be responsible Christians in their chosen vocations," said Craig Turner, chief academic officer at Hardin-Simmons, a Baptist school in Abilene, Texas.

The scholar chosen to hold the chair will serve as a professor in Hardin-Simmons' Logsdon School of Theology.

Maston, a Southern Baptist leader outspoken in his support of desegregation and improving race relations, taught at the Fort Worth seminary from 1922 to 1963. The endowed chair was established in his honor by the T.B. Maston Foundation in Dallas and the Logsdon School of Theology.

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-- By ABP staff

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