

# Associated Baptist Press

Editor: Greg Warner  
Associate Editor: Bob Allen  
Phone: (904) 262-6626  
Fax: (904) 262-7745

July 15, 1997

(97-65)

## In this issue:

- House panel eyes alternative for stricken religious liberty law
- BWA women's leader forced to resign
- National Baptist leader returns to face scandal
- Georgia CBF elects coordinator
- Correction

## House panel eyes alternative for stricken religious liberty law

By Kenny Byrd

WASHINGTON (ABP) -- Racing to amend the Constitution is not the answer to the Supreme Court's invalidation of the Religious Freedom Restoration Act, lawmakers and witnesses at a congressional hearing agreed.

The U.S. House of Representatives Constitution Subcommittee scheduled the hearing to evaluate responses to the high court's June 25 ruling that Congress overstepped its bounds in enacting the 1993 law designed to enhance religious liberty.

RFRA required government to show a "compelling interest" before taking actions that infringed on religious practice. The high court ruled that Congress lacked the authority to impose the law on the states under the Fourteenth Amendment.

Rep. Charles Canady, R-Fla., said the committee met "to consider what sources of authority Congress may utilize to protect this most precious freedom from governmental infringement."

While the Supreme Court ruled Congress erred in trying to impose RFRA on the states, the law apparently still applies to the federal government, the panel said. But lawmakers urged observers to monitor another case to see if the courts agree.

Two days after the court struck down RFRA, it vacated a decision by a federal appeals court that tithes given to a church cannot be seized to pay the debts of a Minnesota couple who declared bankruptcy under federal bankruptcy laws. The Supreme Court ordered the lower court to reconsider the ruling in light of the invalidation of RFRA.

Hearing participants also agreed on another potentially divisive matter. While many church-state experts fear that RFRA's invalidation will fuel attempts to amend the Constitution, lawmakers and witnesses said other vehicles exist to provide a high protection for religious liberty and that amending the Constitution should be a last-ditch resort.

"There is a problem with all constitutional amendments," said Oliver Thomas, special counsel at the National Council of the Churches of Christ in the U.S.A. "They are broad. They are general. They are risky."

He also warned that it could take decades for courts to determine how to apply even a carefully worded amendment. "Oftentimes we are surprised by their interpretations and wonder how they could have strayed so far from what we understood the language to mean."

"For example, who would have thought that laws 'prohibiting the free exercise' of religion did not include laws prohibiting the free exercise of religion," Thomas said.

He referred to a 1990 Supreme Court ruling that said generally applied laws that are neutral toward religion do not violate the First Amendment even if they happen to infringe on some citizens' religious practice. That decision prompted Congress to pass RFRA, which restored an earlier standard that laws infringing on religion could be passed only for a "compelling" reason.

Watergate figure Charles Colson, founder of Prison Fellowship Ministries, said amending the Constitution could have the unintended effect of sending a message that Congress believes it lacks the power to pass laws like RFRA. "You will be ratifying one of the most preposterous decisions this court has ever rendered -- a powerful overreaching of the court and a usurping of the legislative process and the voice of the people," he said.

Canady, the committee chairman, agreed with participants that "it would be ill-advised for us to amend the Constitution."

Observing the hearing from the audience was Rep. Ernest Istook, R-Okla., who has introduced an amendment to the Constitution dealing with ways courts have interpreted the First Amendment's establishment clause.

Istook told a reporter he is willing to add a free-exercise fix to his amendment but said he understands that those wanting to respond to the RFRA decision may first want to try other vehicles short of a constitutional amendment.

"I just want to make sure that both aspects get addressed," Istook said.

Hearing participants suggested other ways Congress could act to increase protection for religious practice. They included:

- Attaching RFRA's compelling-interest standard to religious practices that affect commerce. Under the Constitution, Congress can enact measures which affect interstate commerce.

- Attaching the protections of RFRA to Congress' spending powers. Congress could require recipients of federal funds to comply with RFRA's level of protection for religious practices. That is how Congress enacted the Equal Access Act, a federal law which guarantees religious clubs at public schools the same access granted to other non-curriculum-related clubs.

- Enacting a law under Congress' treaty power to bring the United States into compliance with the International Covenant on Civil and Political Rights.

- Enacting targeted exemptions to general, broadly applied laws based on specific congressional findings. Thomas Berg, associate professor of law at Samford University, said that one of the advantages of RFRA was its blanket coverage, meaning Congress did not have to choose which religious acts are protected by the Constitution. "However, exemptions targeted at specific areas could fill in some of the gaps in coverage left by other bases for the statute."

Another alternative discussed was that individual states might pass "mini-RFRAs." Participants said that this approach might run into problems in states that have a strict ban on establishment of religion. Colson said it would leave "patchwork" protection instead of "uniform protection" of religious liberty for all Americans.

Thomas said many states might include too many exemptions.

Jeffrey Sutton, solicitor for the state of Ohio, announced that the Ohio Attorney General has proposed a religious-liberty act that is similar to RFRA but exempts prisoners from the law's protections. It also lessens from "compelling" to "important" the level of interest the government must show before burdening an individual's religious practice.

## **BWA women's leader forced to resign**

By Bob Allen

VANCOUVER, British Columbia (ABP) -- The executive director of the Baptist World Alliance's women's department has resigned, according to a joint statement issued July 14.

Earlier reports indicated that Executive Director Willene Pierce was fired during a closed-door meeting of the department's executive committee at a recent meeting in Canada.

A statement issued jointly by Pierce and the group's executive committee termed those reports "premature," saying the executive committee accepted Pierce's resignation "because of differing perspectives regarding ministry philosophy and leadership style."

"Any further comments regarding the nature and substance of these differences would disserve the women's department ministry, the individuals involved and the cause of Christ," the statement said. "The executive committee is thankful for the contribution Miss Pierce has rendered the BWA women's department."

The executive committee consists of women's department president Mercy Jeyaraja Rao of India, secretary-treasurer Irene Hasse of Germany and six vice presidents.

Earlier reports indicated that Pierce, who held the post since February 1995, was fired at a July 3-9 meeting of BWA leaders in Vancouver, British Columbia.

Leaders of the women's department did not release details -- in fact, women in the meeting were reportedly admonished not to talk about the firing -- but it was confirmed from the platform at the meeting of the BWA's general council.

At the request of BWA president Nilson Fanini, General Secretary Denton Lotz told 500 delegates the women's department had "released" its executive director, calling it "an unfortunate situation."

"While the women's department is an auxiliary of the BWA, we are part of the one family and are therefore very concerned about the development," Lotz said. "We are called to a ministry of reconciliation and will work with and pray for both the women's department and Willene Pierce."

Later, Pierce, 54, who is single and recently bought a house in Washington, met with an attorney in an effort to reach a negotiated severance agreement. Afterward, she released the joint statement announcing her resignation but declined to discuss specifics.

According to sources who attended the meeting in Vancouver, cultural tensions inherent in the diverse international women's organization may have played a role.

Others said personality conflicts occurred between Pierce and some women's department officers.

Before coming to the BWA women's department Pierce worked 13 years as executive director of Woman's Missionary Union of Maryland/Delaware. Previously she was a WMU staff member in Arkansas.

"Both the executive committee and Miss Pierce remain committed to the ongoing ministry of the BWA women's department and we will mutually pursue a transition that will honor God," according to the joint statement. "We covenant to uphold each other in prayer as the women's department continues to support women around the world in their ministry and as Miss Pierce pursues other ministry opportunities."

## **National Baptist leader returns to face scandal**

ST. PETERSBURG, Fla. (ABP) -- African-American Baptist leader Henry Lyons returned from an overseas trip July 11 to face questions of infidelity and financial misdeeds.

"I have been slandered," Lyons, president of the 8.5 million-member National Baptist Convention USA, told parishioners and reporters at Bethel Metropolitan Baptist Church in St. Petersburg, Fla., where he is pastor.

Lyons was accompanied by his wife of 25 years, Deborah. The scandal erupted after her arrest July 6 on charges of arson and burglary. Police said she told them she found a deed showing her husband had bought a \$700,000 waterfront home with another woman, drove her Mercedes to the house, found some of her husband's belongings inside and ripped open pillows and upholstery to start small fires. Afterward, she drove back to her home and crashed her car into a palm tree in a neighbor's yard.

Later, she told the St. Petersburg Times that detectives had misunderstood her statement. She said she did not suspect her husband was having an affair. She said she had visited the beach home many times, describing it as a "national guest house" for visitors to St. Petersburg on behalf of the national Baptist group. She said the fire started accidentally when she dropped a match.

The paper also reported that Lyons co-owned the home with Bernice Edwards, a public-relations officer for the National Baptist Convention who was once convicted of embezzling \$60,000 in federal funds from the alternative high school she ran for at-risk teens.

Lyons, who was traveling in Nigeria when his wife was arrested, declined to talk to reporters before a July 11 press conference. He denied reports that Edwards was his mistress or that he used church funds inappropriately.

"I categorically deny that Ms. Bernice Edwards and I were carrying on an affair," he told reporters.

Lyons, who in addition to the two homes owns a Rolls Royce and two Mercedes Benz automobiles, also bristled at questions about how he could afford such a lavish lifestyle. "What is your problem?" Lyons said. "What are you trying to imply -- that blacks in this country cannot be successful?"

Lyons left without answering questions. A spokesman said he would answer questions privately and would give a full account to reporters representing local black newspapers. "We're going to cooperate fully with the media that pleases our cause," said the spokesman. "If you have a problem with that, that's your problem."

According to news reports, Mrs. Lyons, who was jailed a short time before posting \$10,000 bail, reportedly told sheriff's deputies that she suspected her husband was having an affair but became convinced after finding some of his clothing and other belongings in the house. She reacted by breaking lamps, throwing around clothes and tearing the stuffing out of pillows. She set the pillows and upholstery on fire before leaving the house, police reports said.

A day later, however, in a lengthy telephone interview with the St. Petersburg Times, she said she was at the house to pick up some papers to fax to her husband. The house was burning before she left, she said, but she did not use a phone inside to call the fire department because a police car was pulling up as she drove away.

"It may not make any sense, but that's what happened," she said.

"I don't know how the sheriff got it so wrong. My husband loves me; I love him. There's never been any doubt in my mind that he was not faithful. I just got finished talking to him on the phone."

When Lyons was obtaining a mortgage for the home in Tierra Verde, an exclusive St. Petersburg suburb, records initially listed him as married. Before they were signed and filed, however, they were changed to "single man."

After becoming sole owner of the property, Lyons filed a quit-claim deed with the county listing himself and Edwards as joint owners and indicating he was unmarried, the newspaper reported.

Lyons was elected president of the nation's largest black denomination in a heated race in 1994, promising to bring financial stability back to the convention. Supporters say he has raised money to reduce a \$5.4 million debt by about \$3 million.

Lyons reportedly receives no salary for the presidency, but the convention reimburses him for all expenses, including those for living, travel and clothes.

He is scheduled to come up for re-election in 1999, but the convention could revoke his presidency at a meeting in September.

Reaction to the scandal was mostly shock but some said marital infidelities by Lyons had been rumored for years.

Reaction from National Baptist leaders was guarded.

E.V. Hill, a convention board member from Los Angeles, said he would not pass judgment until hearing from Lyons. "I feel it raises a great concern, but whether that concern has impaired his ability to lead becomes another question," he said. "The position of the board will be to wait for a statement from Brother Lyons."

Another board member, Brannan Jackson of Gary, Ind., said the president has almost unquestioned authority in the group. "In the Baptist church the president is the man," he said. "He's the lead man in our convention. That's the way it is. It's just like in the Catholic church -- the pope is the man. ... In our church, the president of the National Baptist Convention is the pope."

-30-

-- By ABP staff

## **Georgia CBF elects coordinator**

MACON, Ga. (ABP) -- The Cooperative Baptist Fellowship of Georgia has elected Macon resident Frank Broome as its first coordinator.

Broome, who since 1989 has been director of missions at Macon Baptist Association, begins duties Sept. 1. He was elected at a called meeting of about 200 Fellowship members at Mercer University in Macon July 12.

Jon Appleton, moderator of the state CBF, said Broome's full-time work "will lengthen our reach, extend our steps and affirm our mission." The Georgia CBF is one of the largest state groups associated with the Cooperative Baptist Fellowship. Last year Georgia Baptists reportedly gave about \$1.5 million to the national CBF.

Broome, 49, is a native of Washington, Ga. He is a graduate of Mercer University and Southern Baptist Theological Seminary.

Prior to coming to Macon, he was director of Christian social ministries at Northern Kentucky Baptist Association in Covington, Ky., for 12 years.

He and his wife, Susan, a teacher and librarian at Mercer, have three children: Anna, 17; Zachary, 15, and Truitt, 11.

Broome said he was pleased by the reception he received at his election and the meeting's positive tone. "I think there's a genuine desire to move forward," he said.

-30-

-- By Bob Allen

CORRECTION: In the 13th graph of the July 10 ABP story "Brotherhood Commission transfers fewest workers in agency merger" please delete Joe Conway from the listing of former Brotherhood Commission employees who either were not offered positions or chose not to move to the North American Mission Board.

---

END