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Associated
Baptist Press

Editor: Bob Allen
Executive editor: Greg Warner

Phone: 800.340.6626
Fax: 904.262.7745
E-mail: bob@abpnews.com

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**Divided Supreme Court declines
review of Ten Commandments case**

By Kenny Byrd

WASHINGTON -- The U.S. Supreme Court refused to get involved in an Indiana dispute over posting the Ten Commandments on public property, sparking a rare debate among justices.

The high court usually doesn't comment when refusing to review a lower court's ruling. When a majority of justices voted May 29 to leave standing a ruling against a public monument bearing the Ten Commandments, however, Chief Justice William Rehnquist issued a rare dissent from the denial and was joined by Associate Justices Antonin Scalia and Clarence Thomas.

Rehnquist disagreed that the monument, erected in 1958 outside the Elkhart Municipal Building in Elkhart, Ind., amounts to establishment of religion. He called it "part of the city's celebration of its cultural and historical roots, not a promotion of religious faith."

Two Elkhart residents filed a lawsuit objecting to the display on public property, claiming it violates the Establishment Clause of the U.S. Constitution.

The landmark's history began in the 1940s when a local judge -- concerned about the growing number of youth in trouble -- sought to tout a common code of conduct. The Fraternal Order of Eagles financed the granite monument of religious laws and later donated it to the community. Three religious leaders spoke at a dedication ceremony in 1958.

Apparently no one objected to the monument at the municipal building until 1998 when the city's mayor was threatened with a lawsuit unless it was removed. The city's common council swiftly adopted a resolution stating that the monument merely recognizes the historical and cultural significance of the Ten Commandments.

The residents sued and won a ruling against the monument on church-state grounds in lower courts, including the 7th U.S. Circuit Court of Appeals.

In his dissent, Rehnquist said the city is not bound to display only symbols that are wholly secular. He pointed to the Supreme Court's own carving of Moses holding the Ten Commandments, surrounded by representations of other historical figures. "We have said that the carving signals respect not for great proselytizers but for great lawgivers," he said.

Associate Justice John Paul Stevens fired back a response in the denial criticizing the three conservative dissenters' thinking. Stevens said the dissent "omits one extremely significant fact and discounts another."

He said the first two lines of the monument's text, which appear in much larger letters than the rest, were ignored by the dissenters. The lines read, "THE TEN COMMANDMENTS -- I AM the LORD thy God." Stevens said the emphasis on the lines "is rather hard to square with the proposition that the monument expresses no particular religious preference."

Stevens also said the dissent gave "short shrift" to relevant details about the monument's origins. At the dedication ceremony of the monument, speakers included a Catholic priest, Protestant minister and Jewish rabbi, Stevens noted. "All three spoke not of the 'cross cultural ... significance' of the Ten Commandments," Stevens said, "but of the need for every citizen to adopt their precepts so as to obtain 'redemption from today's strife and fear.'"

"To dismiss that history in favor of a resolution issued by the Elkhart Common Council on the eve of litigation is puzzling," Stevens said.

Religious and civil-liberties groups lined up on their expected sides of the church-state debate.

Pat Robertson's American Center for Law and Justice issued a statement saying the high court "missed an opportunity to clarify an issue that has become the center of national debate."

Meanwhile, Barry Lynn, executive director of Americans United for Separation of Church and State said: "Eventually opponents of church-state separation will learn that the law is not on their side. Religion simply doesn't need the government's help to promote the Ten Commandments."

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House rejects vouchers in education overhaul

By Kenny Byrd

WASHINGTON (ABP) -- The House of Representative rejected two amendments pushing for school vouchers before overwhelmingly approving a sweeping measure to change federal education policy.

The 384-45 vote on the full education package May 23 handed a major victory to President George W. Bush, who campaigned on linking school performance to tax dollars and instituting massive national testing standards.

But lawmakers rejected another key Bush proposal -- providing education vouchers to allow students in failing schools to attend private and parochial schools with tax dollars. Bush had dropped his voucher bid in a compromise with Democratic leaders, but angered Republicans attempted at the last minute to add voucher provisions in amendments on the House floor.

Rep. Dick Armey, R-Texas, offered the unsuccessful voucher amendments. Lawmakers rejected 273-155 a proposal to give students attending low-performing schools vouchers worth \$1,500 to attend private schools for three years. The second voucher proposal would have authorized pilot programs in five schools to determine the effectiveness of school choice in improving academic achievement. It failed 241-186.

Armey said during debate that only people with money have the choice to put their children in religious schools. "Can one imagine a government that will tolerate people putting their children where they are teaching the Bible?" he asked. "But they do it if they can afford it because it is important to them, and they love their babies, and they want it done right, and that is what they believe."

Rep. John Boehner, R-Ohio, added, "I think it is common knowledge that we already have school choice in this country, except for poor children."

But Democrats pointed to recent ballot issues in Michigan and Californian where more than two-thirds of voters rejected voucher proposals.

Instead of developing a plan to improve public schools, voucher supporters propose to "take precious education dollars out of our public school system and give them to private and religious schools," said Rep. Lynn Woolsey, D-Calif. "I have no quarrel with private schools, but we cannot forget that private schools are allowed to self-select their student body, while public schools educate all students."

Rep. Donald Payne, D-N.J., took a dig at the GOP's slogan for the education package -- "No Child Left Behind."

"If we take dollars continually out of the public school system, we are going to leave many, many children behind," he said.

The education package angered some conservative religious leaders who have long supported vouchers.

"There is nothing in this education bill that will please pro-family people," said James Dobson, president of Focus on the Family. He criticized the stripping of vouchers and other "conservative provisions" from the bill and a "staggering" amount of funding for the Department of Education.

"George W. Bush wants to be known as the education president," Dobson said, "but in order to get that done, he has essentially agreed to an education bill that could have easily been inspired by Al Gore or written by liberal Democrats."

Supporters of church-state separation, meanwhile, applauded lawmakers for not including vouchers in the education bill.

Holly Hollman, Baptist Joint Committee general counsel, applauded Congress "for following constitutional and common-sense principles and rejecting these latest voucher proposals."

Hollman said vouchers for religious schools, whether they are called "school choice" or "educational scholarships" are wrong. "They constitute government support of religion," she said. "Vouchers violate the religious-liberty rights of all taxpayers."

Hollman said vouchers also open the door to excessive government entanglement with religion through regulation and oversight of taxpayer funds. "If religious schools are to maintain their distinct character, they should not accept government vouchers," she said.

The Senate has not yet taken final action on its version of the bill. Another attempt to add voucher amendments is expected there.

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Panel weighs accountability in 'charitable-choice' legislation

By Jeff Huett and Kenny Byrd

WASHINGTON (ABP) -- Controversy erupted after a hearing on "charitable choice" in President Bush's faith-based initiative, where a witness said that Jews who complete his Christian program sometimes return to their synagogues as "completed Jews."

Barry Lynn of Americans United for the Separation of Church and State said the comment indicated how the Bush plan would use tax dollars to fund religious intolerance.

The flap began at a May 23 hearing by the House Government Reform Subcommittee on Criminal Justice, Drug Policy and Human Resources. Bush's proposed charitable-choice provision would shift tax dollars to pervasively religious organizations to provide social services.

John Castellani, executive director of Teen Challenge International, told lawmakers that his program serves people of all faiths. He added that some Jewish participants "return to their Jewish synagogue -- some of them say they are completed Jews," according to a subcommittee preliminary draft of the transcript from the hearing.

Americans United issued a press release criticizing the official for "calling Jewish converts to Christianity 'completed Jews.'"

"Teen Challenge has repeatedly been cited by Bush as one of his favorite faith-based groups," Lynn said. "Yet now the group's leaders have admitted that they want to convert Jews and get public funding to do it."

Castellani later told the Associated Press the reference was "In a sense ... a compliment."

"They're not a Christian, they're still a Jew," he said. "They've just found another part of themselves. I thought I was being kind."

A subcommittee aide told Associated Baptist Press that he didn't feel the statement showed religious intolerance when read in its entirety. No one at the subcommittee was available to comment on why GOP leaders asked only Christian service providers to testify at the hearing.

The representatives from the Christian drug-and-alcohol treatment programs invited to testify emphasized the importance faith plays in the effectiveness of their education and treatment programs.

Horace Smith, a minister who heads a substance-abuse treatment program in Baltimore, said he supports the idea of federal funds being distributed to community and faith-based organizations but believes the government should require high standards about certification and accreditation that don't currently exist for religious organizations.

"There's a danger that those we seek to service won't receive that level of help they actually need, because there presently is not any standard of care within the faith-based community," Smith said. "For the organization, accreditation most importantly improves accountability."

Rep. Elijah Cummings, D-Md., said the accountability issue could prove to be a "sticking point" in the passage of the Bush plan. "Taxpayers want their money to be spent effectively and efficiently," Cummings said.

Subcommittee Chairman Mark Souder, R-Ind., though admittedly more concerned about the outcomes of the programs than their being "licensed," echoed concerns about the accountability issues. "How do we give accountability to taxpayers without turning [the providers] into a bunch of bureaucrats?" Souder asked.

House members also expressed concern about sidestepping civil-rights laws and overstepping the line of separation between church and state. Rep. Danny Davis, D-Ill., said he was open to the idea of charitable choice but only if safeguards against religious discrimination in hiring and for church-state separation were added.

Cummings said discrimination in hiring falls under the accountability issue.

"Muslims and Buddhists are all paying taxes," Cummings said. "One thing they want is to make sure their tax money is not being used to discriminate based on religion or race."

Rep. John Mica, R-Fla., questioned the social-service providers about how public money could be mixed into organizations like their own without causing red tape, excessive intrusion and church-state questions.

Roosevelt Sanders, pastor of Mission Baptist Church in Indianapolis, Ind., said that it was possible to avoid those issues if the government guided the organizations through the process using the "Goldsmith"

model. Sanders said former Indianapolis mayor Stephen Goldsmith and his staff helped providers set up separate 501(c)(3) organizations and seek grants, but kept a hands-off approach otherwise.

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News briefs from Associated Baptist Press

Former Truett dean takes post at Samford

BIRMINGHAM, Ala. -- The former dean of Baylor University's George W. Truett Theological Seminary has been named associate provost for Samford University in Birmingham, Ala.

Brad Creed, who worked six years at the Texas seminary, including four years as dean, moves to the Baptist-affiliated Samford in July. University President Thomas Cortts described him as "among the best and brightest of a new generation of Baptist educational leaders." (ABP)

Historic New Orleans church severs SBC ties

NEW ORLEANS -- When the Southern Baptist Convention meets this month in New Orleans, it will be with one less host church.

Members of the 103-year-old Saint Charles Avenue Baptist Church voted May 27 to "end our longstanding relationship with the Southern Baptist Convention."

The action was taken with "mixed emotions," according to a news release. It wasn't due to any particular event, the release said, but the congregation's long commitment to "freedom of the individual, freedom of the local congregation and freedom of the church in-society." (ABP)

University donates furniture for flood victims

WINSTON-SALEM, N.C. -- Wake Forest University is donating 400 bunk beds, 400 desks and 230 dressers from residence halls to ongoing flood-relief efforts by the Baptist State Convention of North Carolina.

The furniture will be placed in warehouses set up to provide group housing for families that have still not recovered from devastating floods caused by Hurricane Floyd in 1999.

The university replaces dormitory furniture every 10-12 years. This is the second donation to flood relief. Last spring Wake Forest gave about 700 sets of furniture to the effort. (ABP)

Divinity school celebrates five years

BUIES CREEK, N.C. -- Campbell University Divinity School recently celebrated its fifth anniversary. Opened with 25 students in 1996, enrollment has grown to 160. Twenty-five students graduated from the school's master-of-divinity program in May, bringing the total number of graduates to 73.

The divinity school is one of a number of alternative ministerial-training programs to spring up in reaction to conservatives taking over the six Southern Baptist Convention seminaries in the late 1980s. (ABP)

WMU Foundation exec takes new post

CAMPBELLSVILLE, Ky. -- Alan Medders, president of the Woman's Missionary Union Foundation in Birmingham, Ala., has been named chief development officer at Campbellsville University.

He assumes the post of vice president for development at the Kentucky Baptist-affiliated university July 1.

As chief executive officer of the WMU Foundation, Medders has managed national fund-raising efforts for the 1 million-member auxiliary to the Southern Baptist Convention. Before that, he worked at Carson-Newman College in Jefferson City, Tenn. (ABP)

Baptist church calls Presbyterian pastor

BIRMINGHAM, Ala. -- First Baptist Church in Birmingham, Ala., found its new pastor in an unusual place -- a Presbyterian church.

A pastor-search committee for the 128-year-old Baptist church settled on Thomas Caradine, a 25-year associate minister at the city's Briarwood Presbyterian Church.

Caradine described himself to the Birmingham News as "a conservative evangelical" and said he agrees with the newly revised "Baptist Faith and Message" statement of Southern Baptist beliefs. (ABP)

TV reporter bridges media and faith

BIRMINGHAM, Ala. -- Many of the issues facing people today are moral and religious, television journalist Peggy Wehmeyer recently told a Samford University audience, but it wasn't until 1994 that ABC News hired her as the first correspondent for a network to cover religion and spirituality.

"I felt that television was out of touch with the people they were covering," she said. "My job has been to translate the culture of network media and the culture of American religious life." (ABP)

Baptists open doors to Jewish Temple

BIRMINGHAM, Ala. -- Nationally, Southern Baptist and Jewish leaders haven't had much kind to say about each other, from Bailey Smith's famous quote in the 1980s that God doesn't hear the prayers of Jews to outrage over a recent prayer pamphlet emphasizing Jewish evangelism during the faith's High and Holy Days.

That doesn't bother two Baptist and Jewish congregations in Birmingham, Ala., however, where Southside Baptist Church has opened its doors to allow the city's Reform Jewish temple to hold services during a 14-month building renovation.

According to the Birmingham News, members of Temple Emanu-El were at first skeptical of the arrangement, which includes joint worship on special occasions, out of fear that the Baptists would seek to proselytize them.

Southside Pastor Steve Jones, however, said he disagrees with the SBC's current leadership and a 1996 resolution calling for concerted effort to evangelize Jewish people. "The whole mindset -- that Jews are lost and we need to convert them -- it's a very condescending relationship," he said.

Jones said the church has planned a meeting in June to discuss severing its Southern Baptist ties.
(ABP)

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-- By ABP staff

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