



REPORT FROM THE CAPITAL

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NewsMakers

◆ **Terry Anderson**, a former journalist who was held hostage in Lebanon for seven years, said recently that he is not represented in religion or politics by groups such as the Christian Coalition. He made the remarks at an Interfaith Alliance news conference. The group asked political candidates to sign a "pledge of civility" promising to repudiate "the use of religion as a weapon" in the public arena.

◆ **Metropolitan Bazyl**, head of Poland's 570,000-member Orthodox Church, welcomed the Polish Parliament's decision to delay ratification of a 1993 pact that some say would give the Catholic Church preferential treatment. He said the state "should neither enslave churches through domination, nor be too kind to them." ▽

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Dole unveils \$2.5 billion plan to provide school choice

Republican presidential candidate Bob Dole has proposed a \$2.5 billion "Opportunity Scholarship" program that would help parents send children to the public, private or religious school of their choice.

Unveiled at a July 18 campaign stop in Milwaukee, Dole's plan would provide scholarships of at least \$1,000 for elementary school students and \$1,500 for high school students. Half of the scholarship funds would come from the federal government and the other half from the state.

"The dollars will follow the child to the school chosen by the parents," Dole said. "If parents pick a public school outside their district, that's their choice. If they want their son or daughter to apply to a private school, that's their choice. And if they want a religious school, that's their choice as well."

Dole's scholarship plan is one of several educational reforms he proposed while campaigning in the Midwest. "My philosophy of education is that the federal government should be giving fewer orders and offering more options," he said.

The program's cost reportedly would be offset by unspecified cuts in the Department of Education's budget and by scrapping President Clinton's Goals 2000 program.

"We'll use existing federal dollars and direct them to families instead of bureaucrats," Dole said. "And we won't have Washington pulling the strings."

Dole said his plan is needed to improve the educational system.

"We have choice and competition in our higher education system and, not surprisingly, we have the best colleges and universities in the world, by a long shot," he said. "But if you look at elementary

and secondary education, you find an education monopoly that often fails in its mission because there is no competition and not enough drive for excellence."

Dole described the proposal as helping frame a clear choice in the November presidential election.

Clinton has favored public school choice but consistently opposed use of tax dollars for private and religious schools.

Dole praised Wisconsin's six-year-old program of providing a limited number of vouchers for students from families who earn less than \$26,000.

"Your movement is really grass-roots America at its best," he said.

The Wisconsin program is available only for non-sectarian private schools. Last year, Wisconsin's top court halted an attempt to expand the program to religious schools after the American Civil Liberties Union and Americans United for Separation of Church and State complained that funding religious schools would violate the Constitution's requirement of church-state separation. The case was returned to a trial court to determine, among other things, whether such funding is constitutional.

Dole's proposal encountered expected opposition from religious liberty groups.

James M. Dunn, executive director of the Baptist Joint Committee, said the proposal to "use public monies for parochial purposes is an outrage."

Dunn called the plan political pandering that "disrespects the intelligence of the American electorate and demeans the political process. Every responsible poll and 19 out of 20 state referenda indicate that the American people reject spending tax money in ways that advance sectarian causes." ▽

House panel to weigh religion amendment

A congressional panel will consider a proposed constitutional amendment designed to give religious groups equal access to government benefits and bar discrimination against religious expression and practice.

The House Subcommittee on the Constitution's July 23 hearing will look at a constitutional amendment offered by Rep. Dick Armey, R-Texas. Its preamble states it is intended to protect "the right of students in public schools to pray without government sponsorship or compulsion," a right many say already exists.

Supporters say the amendment is needed to fix bad court decisions. Foes say it is unnecessary and would open the door for government money to support sectarian purposes.

Rep. Barney Frank, D-Mass., told

Baptist News Service that students already have the right to pray in school. He said that if courts have not allowed students to read Bibles or pray privately, then the courts are wrong. But, he added, a constitutional amendment was not the answer.

Frank said the amendment addresses more than prayer. "They want more public subsidies," he said, noting that the proposal would allow school vouchers and more.

By allowing direct federal subsidization of religious activities, the amendment would alter the degree of church-state separation now required by the First Amendment.

Earlier Reps. Henry Hyde, R-Ill., and Ernest J. Istook Jr., R-Okla., introduced competing proposals. While Istook's largely was directed at school prayer, the Hyde proposal

was primarily targeted at giving religious groups access to government "benefits."

A spokeswoman for Pat Robertson's Christian Coalition said that as long as the measure is voted on by early September, the vote can be reported in voter guides the group plans to distribute in October.

Opponents say the amendment's language would open the door for tax dollars to fund sectarian institutions.

J. Brent Walker, general counsel for the Baptist Joint Committee, said the measure stands little chance of passing. He said the leadership is pushing the amendment because of politics.

"We must not sacrifice our precious religious liberty on the altar of political opportunism," he said.

Tuition vouchers: educational snake oil

Edd
Doerr

Tuition vouchers for tax support of private schools are widely touted as the cure for both real and imagined ailments of our public schools. Few people oppose serious efforts to improve public education, but tuition voucher plans are pure snake oil. Let us count the ways.

Vouchers would divert ever scarcer educational dollars away from needy public schools to existing and new private schools, schools that have the tremendous, unfair advantage of being selective and not bound by the same rules as our democratic public schools.

Over 80 percent of private schools are pervasively sectarian, so vouchers would tax all Americans to support church institutions, a clear violation of the First Amendment principle of separation of church and state. The Supreme Court so ruled in 1973.

Many religious leaders and religious liberty experts have long recognized that government financial support for — and entanglement with — religious institutions is bad for religion, bad for government, bad for religious freedom.

Vouchers are promoted under the appealing but misleading banner of school choice. But it is really the private school that makes the choice, through selective admissions and by attracting applicants chiefly from the faith that runs the school. Vouchers would fragment our children and our communities along religious, ideological, ethnic, social class and other lines. We have enough Bosnias and Northern Irelands now.

Voucher advocates often speak of promoting educational diversity. But students find more diversity in our pluralistic public schools than in religiously homogeneous private schools.

Research on school choice in the United States and other countries has not shown that it improves education and may actually make education worse for the poor and disadvantaged.

The main beneficiaries of voucher plans would be certain churches and church schools. Many religious leaders and people, however, fear that accepting tax money would eventually cost church schools their freedom from government controls and also weaken their ability to survive on their own.

Finally, the American people do not want to be taxed to pay for private schools. In 20 statewide referenda in recent years, by a 2 to 1 margin, voters have rejected vouchers and other schemes to provide tax aid to private schools.

There are ways to improve our public schools, such as providing more adequate and more equitably distributed funding for them. But tuition vouchers, educational snake oil, will do far more harm than good.

Above is commentary by Edd Doerr on National Public Radio's July 17 edition of "All Things Considered" responding to reports that Republican presidential candidate Bob Dole would propose tuition vouchers. Doerr, a former teacher, is executive director of Americans for Religious Liberty.

Religious liberty requires vigilance

Toby Druin

Editor, *The Baptist Standard*
Baptist General Convention of Texas



July 4 in an election year should have special meaning for every citizen of the United States, especially the Christian citizen and in particular the Baptist Christian citizen.

Why single out Baptist Christian citizens? Because Baptists have been the greatest champions of religious liberty in this nation's history. More than any other group of people, Baptists have contributed to this nation its concept of religious liberty, and it takes eternal vigilance to maintain it. What are the responsibilities Christians, especially Baptists, share in maintaining the democracy we cherish? The May issue of *Therefore*, published by the Texas Baptist Christian Life Commission, lists several:

◆ A Christian citizen's vote is a badge of participation in the process of government. Not to vote is to let someone else decide. Not voting is both bad citizenship and poor sense.

◆ A Christian citizen should take sides. Christian citizens almost never decide to "sit this one out." Decision-making is a big part of involvement. Concerning a hotly contested race several years ago, a person-on-the-street's commentary to the interviewer was: "Well, I guess I'll just have to vote for the evil of the two lessers." While sometimes it is hard to do, Christians must take sides. This means becoming knowledgeable about the issues and processes of government, getting to know decision-makers, becoming involved in party politics and possibly contributing financially to campaigns.

◆ A Christian citizen should become an advocate for good. Paul asked us to "practice politics" worthy of the gospel of Christ (Philippians 1:27). The Christian who practices politics should not try to force the world to live by the gospel. Only volunteers follow the Lord of gospel. Christians practice politics in such a way as to win followers for policies which do not have to be called "Christian" to be recognized as good.

GUEST VIEWS

While we reject the use of force in making disciples, Christian advocates must not reject the use of power for doing good. Power in politics, like in mechanics, is the ability to do work. In his inaugural speech in 1989, President Bush prayed: "Write on our hearts these words: 'Use power to help people.'" It is by our use of power to effect good that Christian citizens are judged.

◆ A Christian citizen should see public service as Christian vocation. Twenty years ago, one of the Watergate conspirators, Jeb Stuart McGruder, now a prominent Presbyterian minister, was asked what he would advise young people about politics. His answer was, "Stay away!" While it is true that public life has destroyed many, it is also true that many others like McGruder and Charles Colson have been redeemed out of the difficulties faced in public life.

The reality is that public life often requires compromise and involvement in ways difficult for many Christians. Jesus' prayer for his followers was not, however, that God would take them out of the world, but that He would keep them from the evil one (John 17:15).

Citizenship requires much from us. We may be called to a vocation of public service, believing with Sir Frederick Catherwood that "to try to improve society is not worldliness but love, and that to wash our hands of society is not love but worldliness."

Of course, those same responsibilities can be translated into the life of the Christian and his or her church or convention. Not to vote is to let someone else decide; Christians should be involved in the life of their churches and convention and know enough to be the salt and light there, too; they should study the issues and take sides; they should become advocates for good; and they should see that getting involved in the daily life and ministry of the church or convention is what Jesus would have those who bear His name be doing. Δ

Welfare reform plan includes vouchers, cuts

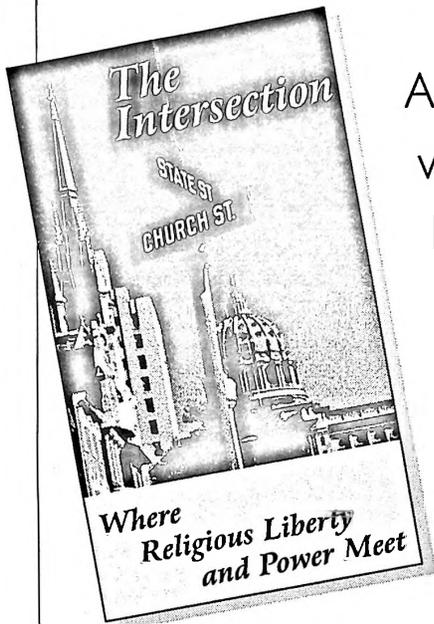
The U.S. House of Representatives approved a welfare proposal that would save an estimated \$53 billion by 2002 and allow states to contract with religious organizations to provide some social services.

The Senate is considering a similar measure. President Clinton has vetoed two welfare proposals but has asked Congress to send him a package he can sign. A White House spokesman described the House bill as an improvement over the earlier versions and said Clinton is optimistic the measure will be improved further before it reaches his desk.

The measure would require welfare recipients to go to work within two years or lose benefits. States would also be given several block grants to provide services. One such grant would allow states to contract with charitable, religious or private organizations to provide services for the poor.

It would prohibit direct grants from being used for sectarian purposes, including proselytization by the religious organizations, but would not bar such activity when funds are in the form of a voucher.

J. Brent Walker, general counsel for the Baptist Joint Committee, said that giving churches money to run their ministries is "misguided do-goodism. Churches should be involved in social ministries, but on their own nickel." Δ



A new video for free Baptists who aim to stay that way! Bill Moyers and James Dunn discuss basic Baptist principles at play in the intersection of church and state.

"I find (soul freedom) in the Constitution in the same way that I find the wind in the grain. You see the grain, but you can't see the wind. And when I read the First Amendment, I see the wind in the grain. Because isn't the First Amendment designed to protect soul freedom?"



vital religion, not religiosity, will change the moral tone of a culture."

— BILL MOYERS

— James M. Dunn

For your copy of this video and a packet of discussion materials send \$10 plus \$3 shipping and handling to the Baptist Joint Committee



The Intersection

A joint project of the Baptist Joint Committee and National Ministries, American Baptist Churches U.S.A.

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Church-State Intersection

J. Brent Walker

General Counsel



Here we go again. Yet another constitutional amendment concerning religion has been proposed.

Nothing much had

happened during the last eight months and conventional wisdom in Washington was that no amendment would be taken up until after the election. Wrong!

The new language, proposed by Rep. Armey (see sidebar), is a variation of the amendment offered by Rep. Hyde, R-Ill., last year. The House Constitution Subcommittee will hold a hearing on this proposal on July 23. The Subcommittee and then the full Committee on the Judiciary will proceed to consider the measure. We understand that the House leadership wants to bring it to a vote after Congress returns from its August recess in early September.

This proposal suffers from the same defects as its predecessor. First, it is not needed. The First Amendment has worked well for over 200 years to protect religious liberty and to ensure the separation of church and state. Students have the right to pray and exercise their religion in school in many ways, and religious citizens have the right to speak about their beliefs in the public square.

Second, since a "person" includes a teacher and a judge, there is nothing to prevent state-sponsored prayer in the classroom and courtroom. True, the amendment language says it does not authorize government to "coerce" religious belief or practice. But the state can do a lot mischief by way of promoting religion and violating the rights of minorities short of outright "coercion."

Third, the amendment's attempt to guarantee religious organizations "equal access to a benefit" represents a dramatic departure from existing law that would rip a hole in the separation of church and state a mile wide. This is what's really driving the amendment. It is not so

much about prayer, it is about money. It would allow, and probably require, government to fund all religion the same as it funds secular activities — not just vouchers and forms of indirect aid, but outright governmental grants to churches and other pervasively sectarian organizations. This would include the Moonies, Rastafarians and The Nation of Islam as well as the Methodists, Baptists and Catholics. It would either break the budget or foster divisive rivalries among religious groups, or both.

This, we do not need. There is enough of that in Bosnia and Belfast.

Why is the House leadership rushing to vote on this proposal after eight months of doing nothing? Politics, pure and simple. It stands a scarce chance of passing on its merits, because a constitutional amendment requires a two-thirds vote. Rep. Istook, R-Okla., the author of a competing proposal with over 100 co-sponsors, has so far refused to endorse the new language. The Senate has no present plans to consider the measure this year.

According to a recent *New York Times* news story, the House leadership wants to use this issue to "jump start" Bob Dole's presidential campaign. Ralph Reed is quoted in the article as saying that as long as the vote is held in early September, the Christian Coalition can include the results in its 45-million voter guides that will be distributed to churches in October. How convenient.

What a farce! Rushing headlong to alter the First Amendment to the Bill of Rights so the votes can be entered on a scorecard of a supposedly non-partisan "Christian" organization and then used as a political weapon is a travesty.

We say no! Our religious liberty must not be sacrificed on the altar of political expediency. Δ

New religion amendment language?

Proponents of amending the Constitution's religious liberty protections may be moving toward a modified proposal. A House Judiciary subcommittee was expected to consider the following language in a July 23 hearing:

Proposing an amendment to the Constitution of the United States to further protect religious freedom, including the right of students in public schools to pray without government sponsorship or compulsion, by clarifying the proper construction of any prohibition on laws respecting an establishment of religion.

In order to secure the right of the people to acknowledge and serve God according to the dictates of conscience, neither the United States nor any State shall deny any person equal access to a benefit, or otherwise discriminate against any person, on account of religious belief, expression or exercise. The amendment does not authorize government to coerce or inhibit religious belief, expression or exercise.

1936-1996

Six Decades
of Securing
Religious Liberty



James E. Wood Jr. became the Baptist Joint Committee's third executive director in 1972, succeeding C. Emanuel Carlson at the helm of the religious liberty agency. Before coming to the BJC, Wood taught at Seinan Gakuin University in Japan and later returned to the United States to teach at Baylor University.

Wood's tenure was marked by some of the familiar struggles faced by his predecessors — battles over diplomatic ties with the Vatican, the role of religion in public schools and aid to parochial schools. But the agency also took on new issues, fighting for the right of religious groups to hire employees based on religious preferences and helping secure voting rights for U.S. citizens overseas, including missionaries.

In 1980, Wood returned to Waco, Texas, to direct Baylor's school of church-state studies. Δ

Congress weighs changes to church pension laws

Congress may soon make clear that ministers' retirement benefits are not subject to Social Security taxes and that chaplains and other ministers not employed by a church may participate in denominational pension plans.

These and other pension law changes long sought by church pension boards may be included in the final version of a bill that would provide a variety of tax breaks for small businesses.

The fate of the church pension provisions rests primarily in the hands of yet-to-be-named lawmakers who will resolve mostly minor differences in the House and Senate versions of the Small Business Job Protection Act of 1996.

Both versions of the bill contain the provision making clear that retirement benefits from church pension plans are not subject to self-employment tax (SECA), the 15.3 percent tax collected from ministers and other self-employed individuals for Social Security purposes.

Church pension boards sought the provision after the Internal Revenue Service issued an internal opinion that the portion of retirement benefits allocated for a minister's housing allowance was subject to the SECA tax.

The other church pension plan provisions were added as part of a package amendment approved by the Senate 96-2. The Senate amendment would clarify that chaplains and self-employed ministers can participate in church pension plans; allow direct pension contributions on behalf of foreign missionaries; and permit the exemption of church pension plans from non-discrimination rules that apply to secular employers.

The larger bill to which the pension reform items were attached was approved by the Senate 74-24 on July 9. The House approved its bill in May on a 281-144 vote. In addition to its small business incentives, the bill would raise the minimum wage to \$5.15 per hour.

Senate panel eyes CIA use of journalists, missionaries

Overseas religious workers and journalists should not be used as informants for U.S. spy agencies, the Senate Select Committee on Intelligence was told July 17.

Journalists and religious leaders told the panel chaired by Sen. Arlen Specter, R-Pa., that the possibility that U.S. overseas workers might be seen as agents of U.S. intelligence operations undermines their credibility and puts them at risk.

Since 1976, Central Intelligence Agency policy has barred the use of clergy and journalists in covert operations. But earlier this year, Director of Central Intelligence John Deutch acknowledged that the policy can be waived in rare circumstances.

"I am unalterably and categorically opposed to the notion of the CIA having the legal option of using journalism as a cover for its officers or agents," Ted Koppel of ABC's "Nightline" told the panel.

Terry Anderson, the former Associated Press correspondent who was held hostage in the Middle East for nearly seven years, told the panel that journalists are put in danger by the perception of ties to U.S. spy operations.

Religious leaders urged that all loopholes allowing use of religious workers be closed.

"As long as there is any reason to suspect that religious workers may be agents of the U.S. government the lives and safety of these servants of the public are in jeopardy," said Rodney Page, deputy general secretary for Church World Service and Witness of the National Council of Churches of Christ.

"Whether or not the waiver authority is ever again exercised by the CIA, the possibility that it could be creates the perception that it is or will be," Page said.

Also testifying were Don Argue, president of the National Association of Evangelicals; John Orme, executive director of International Foreign Mission Association; and Sister Claudette LaVerdiere, president of Maryknoll sisters.

Deutch told the panel that he strongly believes in the independence of the press and the separation of government and religion.

"That is why I have stated publicly that I have no intention of using either American journalists or clergy for intelligence purposes," he said, adding that he had found no circumstances to date "that would cause me to do either."

But like his predecessors, Deutch said, he had concluded that the CIA should not be prohibited from using American journalists or clergy in exceptional circumstances. Δ

Proclaim Liberty



Celebrating
the past ...

facing
the future

BAPTIST JOINT COMMITTEE

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Washington, D.C.

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Breakouts

Plenary sessions

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Joan Brown Campbell
Tony Campolo
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A.E. Dick Howard
Doug Marlette
Wintley Phipps
Richard Pierard
A. James Rudin
Walter Shurden
Al Staggs
Gardner Taylor
Oliver S. Thomas
J. Philip Wogaman

**Additional speakers to
be announced.**

Proclaim Liberty



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our past ...
facing
our future

Religious Liberty Conference celebrating the 60th Anniversary of the Baptist Joint Committee October 6-8, 1996 • Washington, D.C.

- Yes, I plan to attend the conference and am enclosing my registration fee. I will make my own reservation at Days Inn where the \$99 rate is guaranteed for the first 100 rooms, or at another location.
- Yes, I will be attending the conference and request information about student housing at Camp Fraser at \$5 per night.

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REPORT FROM THE CAPITAL

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Book Review

The Church Guide to Employment Law

Julie L. Bloss, Christian Ministry Resources, Matthews, North Carolina, 1993, 152 pp.



As complaints of unfair employment practices increase, churches, just like secular employers, must protect themselves from costly, embarrassing legal charges.

Historically, churches remained somewhat immune from these concerns and practiced "employment at will" by hiring and firing employees at the church's discretion. Of course, the courts still will not ordinarily interfere with hiring and firing decisions with respect to ministers. However, times have changed concerning non-ministerial employees and churches currently face many of the employment issues formerly reserved for the secular realm. The church's defense against this possible legal battle? Julie C. Bloss states the answer in one word — education.

Bloss, an attorney and employment benefit specialist, says that "ignorance of the law is no defense." In response, she provides the church with an educational guide to fair employment practices. She specifically discusses federal laws such as Title VII of the Civil Rights Act of 1964 and the Fair Labor Standards Act. Due to the small number of workers employed, many churches do not fall under certain federal standards. However, Bloss points out the importance of adhering to state laws that may place stricter requirements on churches.

The author uses plain English that is easy to understand. The explanation of

various laws is concise, yet thorough. Perhaps the most helpful aspect of the book is the scenarios that Bloss includes in each chapter of the text. These situations bring a real-life element to the book and make it even more useful. She also provides sample documents that can be used in the employment process, such as application and interviewing forms. She suggests that churches use them as a guideline for fair labor practices. Finally, a guide to hiring and termination may further protect churches from charges of unfair employment practices. Bloss suggests possible questions that avoid legal glitches and offers plausible methods for checking references.

Bloss presents an overview of the legal information that churches need to assist them in employment decisions. Her continual emphasis that churches must stay abreast of current workplace issues and be educated is clear; no church wants to be an unfair employer. Anyone responsible for personnel decisions should reach for this guide to employment law. Yet, one should approach with caution, according to Bloss. This text is merely a guide and must not be used as a substitute for legal counsel. If you have any questions, consult your attorney.

— Sandra Ingram
BJC Intern

Note:

August 13 is the next publication date for Report from the Capital.

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