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# REPORT FROM THE CAPITAL

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## NewsMakers

◆ Rep. Ernest Istook, R-Okla., received a boost in his bid to amend the Constitution. A spokeswoman for Istook said the House Constitution subcommittee will take up the measure Oct. 23 and confirmed that House Speaker Newt Gingrich has promised a floor vote on it in the spring. Istook's amendment likely would allow some forms of government-endorsed religious speech and school-sponsored prayer and tax-funded benefits for religious groups.

◆ Steven McFarland, director of the Christian Legal Society's Center for Law and Religious Freedom, recently urged a Senate panel to change bankruptcy laws that allow tithes to be claimed by bankruptcy courts. "Religious liberty is more important than the economic interests of creditors," he said. Witnesses at the hearing included the pastor of a Minnesota church battling to keep \$13,500 in tithes given by a couple who later declared bankruptcy.

◆ Sen. Charles Grassley, R-Iowa, and Rep. Ron Packard, R-Calif., have introduced the Religious Liberty and Charitable Donation Protection Act, which would prevent federal bankruptcy judges from ordering churches and charities to surrender tithes and other donations from donors who later declare bankruptcy. Δ

## Yeltsin signs controversial law restricting religious minorities

President Boris Yeltsin has signed a controversial new law that gives special status to the Russian Orthodox Church and restricts activities of minority religions.

In July, Yeltsin vetoed a similar measure that he said violated Russia's constitution. But Yeltsin had been expected to sign the latest version, which won overwhelming approval in both houses of the legislature.

The Duma, the lower house, approved the measure 357-6 on Sept. 19, and the upper chamber, the Federation Council, cleared it for Yeltsin's signature Sept. 24.

Despite claims by Russian officials that the compromise law enjoyed broad support from religious groups, Lawrence Uzzell of Keston News Service reported that the revised bill was opposed in Moscow by Roman Catholic, Pentecostal, Adventist and Baptist leaders.

The new law gives most favorable treatment to the Russian Orthodox Church but also recognizes Judaism, Islam, Buddhism and Christianity as "traditional" religions. Christianity, not listed among traditional religions in the law vetoed by Yeltsin, is not defined in the new law.

Critics of the law point to a provision that sharply restricts activities by religious organizations that cannot show they have been operating in Russia for at least 15 years.

Under the new law, such groups have

to re-register every year and are not allowed to receive tax privileges; host representatives of foreign religious groups; conduct religious services in institutions such as hospitals, nursing homes or prisons; run seminaries; or import or publish religious literature.

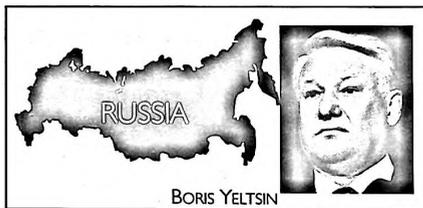
"Our Baptists there do not support it (the new law)," said Wendy Ryan, communications director at the Baptist World Alliance.

Russia's population includes 109,000 Baptists, according to the BWA.

From the perspective of Baptists in Russia, the new law signed by Yeltsin has not changed much from the law he vetoed, particularly in the area of "restricting missionary activities," Ryan said.

The Commission on Security and Cooperation in Europe opposed both versions of the Russian law, a spokesman said. The commission, popularly known as the Helsinki Commission, monitors and encourages progress on human rights issues. It is made up of U.S. lawmakers and Cabinet officials.

The commission spokesman noted that Vice President Al Gore expressed concerns about the measure in Moscow just before it was approved by Russia's higher legislative chamber. In July, the U.S. Senate approved an amendment that would deny \$200 million in aid to Russia if it enacts a law discriminating against religious minorities. Δ



BORIS YELTSIN

## Congress renews immigration law for religious workers

Congress renewed an immigration law Oct. 1 that enables up to 10,000 religious workers to enter the United States every year. The law expired Sept. 30.

Religious workers and Senate lawmakers lost their bid, however, to have the provisions extended permanently.

Rep. Lamar Smith, R-Texas, chairman of the House subcommittee on immigration, refused to back the measure unless it contained a sunset clause, requiring it to be renewed every three years.

A spokesman for Smith said the sunset provision is needed because of evidence of fraud and abuse under the religious visa law.

Extension of the religious worker law first passed the Senate without the sunset clause. But after the House added the clause, the Senate accepted the measure on a voice vote.

The religious worker law allows 5,000 ministerial workers and 5,000 non-ministerial workers to enter the United States every year and receive permanent resident status. It allows an unlimited number of temporary visas for religious workers who work at churches and charities.

The extension must now be signed by the president. Δ

## U.S. lawmakers divided over D.C. voucher plan

A showdown over education vouchers has delayed a funding bill for the District of Columbia.

The voucher plan appears to be gliding through the U.S. House of Representatives but faces a tougher test in the Senate.

The House Appropriations Committee approved the D.C. funding bill Sept. 29 with the voucher plan included. It would provide up to 2,000 "scholarships" to help low-income parents pay tuition at private and parochial schools.

In the Senate, voucher proponents fell two votes shy of the 60 votes necessary to end a filibuster against the measure. The Sept. 30 cloture vote failed 58-41, as one Republican joined 40 Democrats in continuing the filibuster, while four Democrats voted to end the debate.

Lawmakers are expected to resolve the issue in a House-Senate conference. If the voucher proposal emerges from the conference, however, it faces a likely veto by President Clinton.

Clinton recently said the D.C. proposal would "diminish our country's commitment to public education by siphoning badly needed funds away from our public schools into a voucher program that would support private academies for a very limited number of students." Δ

## Religious persecution bill faces unexpected battle

A bill to address global religious persecution that appeared to have broad support is now facing delays and opposition from lawmakers and some religious and human rights groups.

The "Freedom From Religious Persecution Act" would create a special White House office to monitor religious persecution. Its director could halt foreign aid and impose trade sanctions on countries that engage in or condone persecution.

The measure, introduced by Rep. Frank Wolf, R-Va., and Sen. Arlen Specter, R-Pa., has the blessing of Republican leadership and enjoys the support of numerous religious groups. However, the Clinton administration said it would oppose the bill in its current form.

Rep. Tom Lantos, D-Calif., an original co-sponsor of the bill, said that if additional changes were not made, he would withdraw his support.

Rep. Matt Salmon, R-Ariz., said that as

a fiscal conservative, he has problems with establishing a new office in the White House and adding a layer of bureaucracy.

"I wonder aloud how political this office can become," he said. "Foreign policy initiatives are best suited within the administration and secretary of state."

The National Council of the Churches of Christ in the U.S.A. sent a letter to members of the committee that listed its reasons for opposing the Wolf-Specter approach, but also stated a commitment to finding an alternative.

A Wolf spokeswoman acknowledged receiving an alternative proposal from the NCC, but said it didn't go far enough.

NCC Associate General Secretary Albert Pennybacker said "exerting American muscle is a far too simplistic way of addressing a significant and often unique problem." The NCC's stance, he said, is smart, not soft. Δ

## Senate panel considers responses to RFRA ruling

The Senate Judiciary Committee held a hearing Oct. 1 to discuss how lawmakers can protect religious practice in light of the U.S. Supreme Court's ruling last summer that Congress overstepped its authority in passing a 1993 religious liberty law.

The Religious Freedom Restoration Act, which made it harder for government to justify burdens on religion imposed by neutral laws, was held unconstitutional under the 14th Amendment as applied to the states.

But all four witnesses testifying at the hearing said RFRA should still apply at the federal level, even though courts have yet to rule on that issue.

Committee Chairman Orrin Hatch, R-Utah, said that "it would be best if we could ultimately work with the court rather than against it to protect the religious liberty of our people."

Witnesses focused on legislative solutions, rather than a constitutional amendment, to increase protections for religious practice after the RFRA ruling.

Sen. Richard Durbin, D-Ill., said that he is "very conservative when it comes to the Constitution and changing it is something I don't jump at."

Douglas Laycock, professor at the University of Texas Law School, said Congress can no longer enact a general solution to the free exercise problem.

"But it can enact a series of overlapping partial solutions that would collectively provide substantial protection for religious practice," he said. Δ

# Reflections

**James M. Dunn**

Executive Director



**W**ho reads theological journals? What impact, if any, do such tomes have upon ordinary folk? Who, indeed, beyond one batch of Baptists, have even heard of the curtailment of academic freedom at Southwestern Baptist Theological Seminary?

Yet, suspension of an issue of that seminary's *Journal* says a lot.

Many may be your responses: We know. Who cares? But maybe you should read the banned book and decide for yourself.

*Sacred Mandates of Conscience:*

*Interpretations of the Baptist Faith and Message*, Smyth & Helwys, 1997, 185 pp. (\$13.95) is lean but loaded. Edited by Jeff Poole, its other contributors are Molly T. Marshall, Bill J. Leonard, William L. Hendricks, William R. Estep, N. Larry Baker and Warren McWilliams, names known to many Baptist readers.

The book's purpose is a fresh look at *The Baptist Faith and Message*, the present confession of faith of the Southern Baptist Convention. Strong, thoughtful writing, well-documented (390 footnotes), it gives a dose of doctrine that can cure any case of theological wishy-washy.

Chapter 7 alone is worth the book's price. Dr. William R. Estep sets out "Principles Implicit in the Concept of Religious Liberty."

With an eloquent economy of words Bill Estep traces the development of the Baptist dedication to religious liberty. He moves from John Smyth who spelled out for the first time in English the principle of religious freedom to Helwys' "curious little book" *The Mystery of Iniquity* and the "first Baptist church (of record) on English soil."

Estep emphasizes the profound importance of Roger Williams, quoting Perry Miller:

Just as some great experience in the youth of a person is ever afterward a determinant of his personal-

ity, so the American character has inevitably been molded by the fact that in the first years of colonization there arose this prophet of religious liberty.

With a theology grounded in the New Testament, an incarnational theology, Roger Williams insisted that "all authority has been given to Christ the Lord."

Then from history and a biblical christology, Estep affirms "the separation of church and state as the only sure guarantee of complete religious freedom has been a Baptist conviction from the very beginning of the movement." He concludes his challenge to nearly baptists with:

It is highly questionable whether one who rejects the principle of the institutional separation of church and state can consistently hold to religious freedom. If this is the case, can such a person legitimately claim to be a Baptist?

That's why Professor Estep can say that "Contemporary Baptists in the SBC are uninformed regarding the unique heritage of Baptists."

Seems so, when the former Christian Life Commission of Southern Baptists can announce as it did (September 25, 1997) its intent to challenge "the strict separation of church and state." The same folks support the Istook amendment to the U.S. Constitution and voucher schemes to funnel public monies into parochial schools.

We know better than to say we "speak for Baptists" or even to hint that "most Baptists believe." But we don't have to read theological journals to know that real Baptists still stand for separation of church and state. Δ

## No comment needed

When the Christian Life Commission of the Southern Baptist Convention printed (in the January-February 1997 edition of *Light*) an excerpt from Article 17 of *The Baptist Faith and Message* — an ellipsis (. . .) replaced these words: "the state has no right to impose taxes for the support of any form of religion."

## Baptist Joint Committee

### Supporting Bodies

- ◆ Alliance of Baptists
- ◆ American Baptist Churches in the U.S.A.
- ◆ Baptist General Conference
- ◆ Cooperative Baptist Fellowship
- ◆ National Baptist Convention of America
- ◆ National Baptist Convention U.S.A. Inc.
- ◆ National Missionary Baptist Convention
- ◆ National Baptist ...
- ◆ Progressive National Baptist Convention Inc.
- ◆ Religious Liberty Council
- ◆ Seventh Day Baptist General Conference
- ◆ Southern Baptist state conventions/churches

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# Riley: Vouchers no silver bullet

If you gave the American people a choice today between using federal dollars to renovate and build new public schools or using public tax dollars to pay for private school vouchers, there would be no question how the American people would vote.

It could cost roughly \$15 billion just to pay the tuition of the 5 million children already enrolled in private schools in this nation. The last thing we should be doing at a time when so many of our schools are bursting at their seams is to be draining public tax dollars from public education to subsidize private education.

... Vouchers are wrong for many reasons and we need to be clear about what is at stake. Vouchers undermine a 200-year American commitment to the common school — a commitment that has helped America keep faith with our democratic ideals and become a beacon of light for people all over the world.

Let's remember that public education has always been and continues to be the open door to American success and good citizenship — the American way to achievement and freedom. Vouchers would begin the unraveling of this uniquely American fabric — the common public school that is open to all and gives everyone a fair chance to succeed.

... The background paper we are releasing today notes that vouchers would reduce public accountability and make private schools less private and less independent — and make parochial schools less parochial.

There is little certainty that religious schools that now make up 79 percent of

all private schools would be willing to give up their religious mission in order to overcome constitutional barriers. The paper also notes that private schools simply do not have the capacity to absorb additional students, much less those children with special disabilities.

... The background paper also provides research evidence — and this is very important — that the most important choice students can make is not the type of school they go to — public or private — but the academic courses they take.

This is the message that parents should be making sure their children take the tough academic courses like algebra, geometry, chemistry and other core courses. This is why I am always perplexed that voucher advocates almost never talk about how to improve reading, how to improve teaching, how to raise academic standards or how to fix crumbling schools.

Their solution for every issue that confronts American education is vouchers. It is a very simplistic world view — a silver bullet solution — and it is just dead wrong. If a school is failing, the solution isn't to give scholarships to 50 children and leave 500 behind, but to fix the whole school.

... Public tax dollars ought to be spent to improve reading and math, to improve the skills of America's teachers, to get computers into the classroom, to renovate and build new schools — to make sure that high school diplomas really mean something. **A**

*Excerpted from Sept. 23, 1997, remarks by Secretary of Education Richard Riley at the National Press Club.*



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