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REPORT FROM THE CAPITAL

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NewsMakers

◆ **Matt Anderson**, a 1995 graduate of Elon College in Burlington, N.C., has accepted a part-time data management and archivist position at the Baptist Joint Committee. He served as an intern at the BJC in 1995.

◆ **Senate Majority Leader Trent Lott**, R-Miss., called on President **Bill Clinton** to back a tuition voucher plan to help some low-income students attend private and religious schools. Lott responded to the State of the Union Address, in which Clinton touted an increase in public school choice and charter schools. Clinton has opposed voucher proposals.

◆ **Chriss Doss**, director of the Center for the Study of Law and the Church at Cumberland Law School in Birmingham, Ala., will monitor DeKalb County (Ala.) public schools' compliance with a federal judge's injunction against school-sponsored religious activities.

◆ **Morris Chapman**, president of the Southern Baptist Convention Executive Committee and Virginia pastor **Jerry Falwell** were among Baptist leaders who met recently with Israeli Prime Minister **Benjamin Netanyahu**. They told Netanyahu that they would use their pulpits to promote support for Israel and would mobilize evangelical churches to oppose Israel's ceding more territory to the Palestinians. Δ

Congressional sponsors to revise religious persecution legislation

Hoping to attract more support, sponsors plan to revise a bill intended to curb religious persecution abroad.

The Freedom From Religious Persecution Act is sponsored by Sen. Arlen Specter, R-Pa., and Rep. Frank Wolf, R-Va. The original bill would have created a special White House officer who could impose automatic sanctions on countries that engage in religious persecution.



"Sanctions should be a matter of thoughtful last resort."

— **Oliver Thomas**
National Council of the Churches
of Christ in the U.S.A.

The bill attracted more than 100 co-sponsors, but its approach to curbing persecution was opposed by the State Department and religious groups such as the Baptist Joint Committee and the National Council of the Churches of Christ in the U.S.A.

A Wolf spokesman said planned changes in the bill include moving the office of religious persecution monitoring to the State Department; giving the president broader authority to waive sanctions; and narrowing the export ban on products that facilitate persecution.

Addressing a Feb. 4 gathering of religious leaders supporting the bill, House Majority Leader **Richard Armey**, R-Texas, said the measure "is not optional, it's a moral imperative."

Wolf-Specter supporters at the gathering included representatives of the National Association of Evangelicals, the Christian Coalition, the Family Research Council, the Religious Action Center of Reform Judaism, the Christian Legal

Society and the Southern Baptist Ethics and Religious Liberty Commission.

Some supporters say the changes would water down the bill. **Chuck Colson** of Prison Fellowship Ministries said the bill "is a defining moment for

America" but said it had been weakened "in an effort to get support from the administration and Congress."

Oliver Thomas, special counsel at the NCC, called the changes a step forward, but said

they did not eliminate NCC concerns about the bill. He said NCC partners abroad say the bill is "wrongheaded."

"We maintain that sanctions should be a matter of thoughtful last resort, not automatic first resort," Thomas said.

He also said the bill's provisions granting asylum for religious persecution victims should be broadened to include victims of other human rights abuses.

"If we immediately elevate the victims of religious persecution, we, at the same time, devalue the victims of other human rights abuses," he added.

In October, the BJC adopted a statement commending Specter and Wolf for addressing the persecution issue but urging that any final persecution bill should, among other things, call for sanctions to be imposed only after other avenues have been pursued.

"We are still anxious to see a version of the bill that doesn't include automatic sanctions," said BJC Executive Director **James M. Dunn**. Δ

Quoting

"Our experience has taught us that much can be accomplished when the U.S. exercises leadership, but at the same time, we can be most successful when we pursue these human rights objectives in close coordination with our allies and with those organizations outside government which share our goals. ...We are also giving greater attention to religious freedom around the world. In the words of Secretary [Madeleine] Albright: 'America is a leader in promoting religious freedom because it serves our interests and because it is right.'"

— John Shattuck
Assistant Secretary of
State for Democracy,
Human Rights and
Labor
commenting on the
State Department's
*Country Reports on
Human Rights
Practices for 1997*

Alabama court sidesteps Ten Commandments case

Both sides are claiming partial victory in the Alabama Supreme Court's dismissal of a Ten Commandments dispute that has received nationwide attention.

Alabama's high court threw out the dispute on a technicality without addressing the constitutional issues it raised.

Instead, the court said Gov. Fob James and Attorney General Bill Pryor lacked legal grounds to seek a declaratory judgment supporting the actions of Etowah County Judge Roy Moore.

Despite the apparent sidestep by the Supreme Court, Moore said he considers the decision a green light to continue his practice of praying in court and displaying his hand-carved Ten Commandments on the wall above his bench.

"The bottom line is that the Ten Commandments stay on display and prayers can continue in my courtroom," Moore asserted. "The court could not have allowed the practice to continue if it did not believe it to be constitutional."

But Joel Sogol, the American Civil Liberties Union attorney who initiated the case against Judge Moore in 1993, offered a different assessment.

"There is only one judge to rule on the constitutionality of the conduct [of Judge Moore], and that stands," Sogol said. "It may not be enforceable, but it stands until someone relitigates it because so far it is the only judicial precedent in the state."

Pryor said he was disappointed by the Supreme Court ruling. "I had hoped the court would resolve this controversy once and for all so further lawsuits would be unnecessary," he said.

After a judge threw out a federal suit filed by the ACLU in 1995, the Alabama governor and attorney general asked the state's courts to decide whether prayers and the Ten Commandments display are allowed in Alabama courtrooms.

A trial judge ruled last February that Moore's practices of praying before court and displaying the Ten Commandments violate the First Amendment. Δ

Religious leaders meet with Clinton before visit to China

President Clinton met Feb. 2 with three religious leaders scheduled to visit China to investigate allegations of religious persecution there against Christians, Tibetan Buddhists and others.

The three religious leaders — Roman

Catholic Archbishop Theodore E. McCarrick of Newark, N.J.; the Rev. Don Argue, president of the National Association of Evangelicals; and Rabbi Arthur Schneider, president of the Appeal of Conscience Foundation — plan to leave Feb. 8 for a three-week visit to China.

Following their White House meeting with Clinton and National Security Adviser Sandy Berger, the religious leaders said the president spoke of the importance of their China visit to improved relations between Beijing and Washington.

But they also played down expectations that their visit will lead to a breakthrough in religious freedom in China, where the government closely controls religious expression by insisting it adhere to officially sanctioned forms. The religious leaders also declined to provide details of just how they will go about investigating religious freedom in China.

"I think we're looking forward to this without the expectation we're going to change the world," said McCarrick, chairman of the National Conference of Catholic Bishops' international policy committee.

The visit grew out of last year's Washington summit between Clinton and Chinese President Jiang Zemin. The two leaders agreed then on the visit, although the details were not arranged until recently.

Although the mission was arranged by the State Department and the White House, Argue noted that the three religious leaders are officially making the trip on their own and not as U.S. government representatives. Δ

British religious groups seek disestablishment

A tiny but influential British religious group — the Christian Socialist Movement — that counts Prime Minister Tony Blair and four cabinet officials as members has called for the disestablishment of the Church of England.

But the call has been — at least for the time being — rejected by the key member of Blair's Labour Party responsible for church affairs in Parliament.

"The prime minister has made it clear that neither he nor his government generally has any policy for the disestablishment of the church," said Stuart Bell, Second Church Estates Commissioner.

Chris Bryant, chair of the Christian Socialist Movement, said the present system prevents the church from being fully the church. Δ

Alabama school prayer ruling: sorting fact and fiction



Melissa Rogers
Associate General Counsel

It wasn't testimony about the birth of an alien space baby, but the Internet diatribe that recently reached my computer was almost as reliable. Making liberal use of half-truths, the diatribe tries to whip up emotions regarding Judge Ira

DeMent's orders in the Alabama school prayer case, *Chandler vs. James*.

Addressed "Dear friends in Christ," the article peddles these and other inaccuracies:

1) The judge "ordered a crackdown on any student observed discussing [his or her] faith or praying out loud — even quiet, private prayer!!!"

The judge's orders prohibit only "school organized or officially sanctioned religious activity," not individual religious expression. Indeed, the orders note that "students can pray before lunch" and at other times. The kind of prayer the judge is concerned with is the type sponsored by the school (such as prayers over the school's public address system) and "prayer" that harasses others.

For example, unrefuted case testimony revealed that for about seven months, most of the 200 students in the school lunchroom stood up and prayed aloud when Jesse Chandler, the child of the complaining party, entered the room. The situation was exacerbated by the fact that the school's closed campus policy did not permit students to leave the campus for lunch. Through these encounters, Jesse Chandler must have felt the welcoming embrace of Christian love. The judge was right to stop this harassment.

The orders also permit other religious activity consistent with federal guidelines on religion in public schools and their precursor, *Religion in the Public Schools: A Joint Statement of Current Law*.

2) The judge "has ordered paid anti-religious 'monitors' to enter classrooms and assemblies in a rural school district."

The judge has required the parties to nominate "neutral entities or persons" to

serve as a monitor to ensure compliance with the orders. The monitor is not "anti-religious." He or she must simply ensure that school-sponsored religious activity is avoided, thereby protecting everyone's rights to be free from official coercion and maintain their individual religious freedom. It is regrettable that a monitor is needed, but the rhetoric from Gov. Fob James and others about resisting court orders probably necessitates such action.

3) "If this order stands, the ACLU and other anti-Christian bigots will file lawsuits in a campaign to spread the ruling to every school and public place in America."

It's time to end the fiction that the ACLU is a bunch of "anti-Christian bigots." While each of us may disagree with the ACLU from time to time, it is not anti-Christian — it is pro-First Amendment, including separation of church and state and religious liberty. The ACLU was an active supporter of the Religious Freedom Restoration Act of 1993. More recently, the Virginia ACLU brought a lawsuit against the city of Richmond when it tried to halt some churches' homeless feeding programs.

Moreover, those who object to school-sponsored prayer should not be smeared with the label "anti-Christian bigot." Many who oppose such prayer are Christians who do not want the government to meddle in their faith precisely because they value it so much.

4) "The First Amendment has been twisted beyond repair. Without a change in the Constitution, abuses like this will continue. Long term, our hope is [Rep. Istook's] 'Religious Freedom Amendment.'"

The answer is not more legislation, but education about current law. Furthermore, the Istook amendment would seriously harm our nation by triggering divisive debates about which prayer is said over the public address system in our schools and which religious symbol hangs over the schoolhouse door. As our nation (and even Alabama) becomes increasingly religiously diverse, the Istook amendment looks even more ominous.

Let's try to set the record straight in these situations. It's important. Δ

Prayer ruling protects student expression

Judge Ira DeMent's orders specifically note a range of religious activities permitted. Among them:

◆ "The educational use of religious texts in the classroom to the extent that material so used is presented in an objective and academic manner."

◆ The general right of students to distribute "religious materials to classmates during noninstructional time" on the same basis as they are able to distribute non-religious materials.

◆ "Voluntary expression of their own religious beliefs in the form of homework, reports, artwork," etc., as academically appropriate.

◆ "The display of religious symbols, articles and medals ... and/or clothing bearing religious messages" to the same extent that kids are allowed to wear non-religious jewelry and the like.

◆ "The rights of secondary-school students to engage in religious activity during noninstructional time that is consistent with the federal Equal Access Act." Δ

Baptist Joint Committee

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- ◆ 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 Conv.
- ◆ North American Baptist Conference
- ◆ Progressive National Baptist Convention Inc.
- ◆ Religious Liberty Council
- ◆ Seventh Day Baptist General Conference
- ◆ Southern Baptist state conventions/churches

REPORT FROM THE CAPITAL

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Panel issues interim religious liberty report

A U.S. State Department advisory panel has proposed dozens of ways the federal government and religious groups can promote religious liberty around the world.

The Advisory Committee on Religious Freedom Abroad, established in 1996, has submitted an interim report to Secretary of State Madeleine K. Albright. The report outlines steps the State Department and other federal agencies are already taking to promote religious freedom and lists 89 "preliminary recommendations" to make them more effective and identify new approaches to advancing religious liberty.

A final report to be issued later will "build on these recommendations," said Alexandra Arriaga, special coordinator for external affairs at the State Department's Bureau of Democracy, Human Rights and Labor and executive director of the advisory panel.

Albright welcomed the report and said she would immediately implement the recommendation to designate a new, senior-level coordinator to ensure that efforts to advance religious liberty will be integrated into broader U.S. foreign policy.

"In this way, we can assure the American people and the committee that its best ideas will be brought to life, not studied to death," Albright said.

"I also assured the committee that I consider the promotion of religious freedom to be an integral component of U.S. foreign policy to be pursued not in isolation, but as part of our efforts to increase respect for human rights around the world."

The panel was established in 1996 and is chartered to operate through December

1998. It is made up of 20 religious leaders and academics representing a wide spectrum religious views. Its members represent evangelical, Protestant, Orthodox, Mormon, Jewish, Muslim, Buddhist, Hindu, Baha'i and other religious groups.

Baptists on the panel include Joan Brown Campbell, general secretary of the National Council of the Churches of Christ in the U.S.A.; James B. Henry, pastor of First Baptist Church, Orlando, Fla., and Samuel Billy Kyles, pastor of Monumental Baptist Church, Memphis, Tenn.

President Clinton said he is "pleased that the committee has made the considerable efforts we have made to raise the profile of these issues and invigorate our advocacy, and we will carefully study the committee's recommendations on how we can do more."

To fight religious persecution, the committee said the United States should have "a broad range of concrete policy options" to "meet the challenge of promoting the universal human rights necessary to enjoy religious freedom."

The report identifies four guidelines for policies promoting religious freedom:

- ◆ Religious freedom is a universal human right, deserving attention in its own right.
- ◆ Policy makers should strive for effective, results-oriented policies.
- ◆ The reactions and concerns of local victims meant to be aided by the policies should be fully understood and considered.
- ◆ Religious freedom is often best protected in the context of a broad range of human rights objectives. Δ

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