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NewsMakers

◆ **Quentin "Skip" Lockwood III** has resigned as office manager at the Baptist Joint Committee to become coordinator at Digital Future Coalition, an organization that seeks to protect intellectual property while promoting public access to it. Lockwood worked at the BJC for more than five years.

◆ **Stephen Cohen**, a Tennessee state legislator, has introduced a state version of the 1993 Religious Freedom Restoration Act. Since RFRA was struck down by the U.S. Supreme Court, several states have introduced measures to make it harder for government to interfere with religious activities.

◆ **Don Argue**, president of the National Association of Evangelicals and one of three religious leaders returning from a trip to China, said Chinese officials pledged that religious freedom will be part of the ongoing discussions between the United States and the communist regime. Argue reported that officially registered churches are allowed to pursue "normal religious activities," but unregistered or underground churches are not guaranteed religious freedom.

◆ **Michel Henri Jean Chanteau** has been expelled by the government of Mexico from the volatile Chiapas area. The French Roman Catholic missionary was charged with "unauthorized political activities." Δ

House committee approves
Istook's religion amendment

For the first time since enactment of the First Amendment, the Judiciary Committee of the U.S. House of Representatives has approved a constitutional amendment concerning religious expression.

The GOP-led panel approved the measure March 4 on a 16-11 party-line vote. The measure faces a stiffer test on the House floor where a two-thirds vote is needed for passage of a constitutional amendment.

Rep. Ernest J. Istook, R-Okla., sponsor of the Religious Freedom Amendment, said he expects the floor vote will take place before summer. It would be the first House floor vote on a constitutional amendment on religion in 27 years.

In October, Rep. Charles Canady, R-Fla., predicted that the Istook measure would clear House committees but would ultimately "fail to pass the House by the requisite two-thirds majority."

Istook's amendment would allow some forms of government-endorsed religious speech and school-sponsored prayer. It would also open the door for vouchers and other government benefits for religious groups that would otherwise be barred by the First Amendment.

Lawmakers supporting the measure said it is needed to re-emphasize the original intent of the First Amendment.

"There is absolutely nothing wrong with the First Amendment to the U.S. Constitution, and we don't seek to change that. But it has been twisted

beyond recognition through court interpretations time and time and time again," said Rep. Bob Goodlatte, R-Va.

He said courts have ruled against teachers joining children at a school flagpole to pray, singing Christmas carols,

posting the Ten Commandments in classrooms or courtrooms and writing school papers about Jesus.

But Democrats insisted that courts protect student religious expression.

"This is almost like 'religion lite.'"

— Rep. Robert Wexler
D-Florida

Rep. Jerrold Nadler, R-N.Y., said that "children can pray in school. They can organize Bible study groups in school under the Equal Access Act. Religious charities can administer millions of dollars in federal funds to perform good works. And the word of a multitude of denominations are heard over the airwaves.

"What is not permitted is the use of the government to advance a particular religious agenda. That is the proper balance," he said.

Rep. Robert Wexler, D-Fla., said, "What I so object to about this kind of an effort is that this isn't promoting religion, this is almost like 'religion lite.' Because in order to really practice religion, at least the way I grew up and practiced it, I've got to do it the way in which my family has done it for thousands of years. And to practice it in a way where everybody can participate and feel comfortable isn't my religion or anybody else's religion. That's a religion one-size-fits-all." Δ



Quoting

Last year I was on Pat Robertson's show, and we discussed our basic Christian faith. I disagree pretty strongly on some facets of their faith. For instance, separation of church and state. It's contrary to my beliefs to try to exalt Christianity as having some sort of preferential status in the United States. That violates the Constitution. I'm not in favor of mandatory prayer in school or of using public funds to finance religious education.

I don't, however, see anything wrong with Christians, Muslims and Jews exhibiting their own faith in the political arena. Christ tried to change the society within which he lived. He didn't hold public office and wouldn't have. But you don't have to hold public office to try to change the basic policies of a country.

— **Former President Jimmy Carter**
Christianity Today
March 2, 1998

Religious freedom at risk witnesses tell lawmakers

In an attempt to establish a record that religious practices are substantially burdened by state and local governments, 11 practitioners of various faiths testified before a House panel.

They detailed burdens to their religion, such as not being able to meet for a Jewish prayer meeting because of zoning restrictions and having to turn over tithes because of bankruptcy laws.

Rabbi Chaim Baruch Rubin of Los Angeles told lawmakers that zoning laws in Hancock Park, a residential area, had prohibited a Jewish group from holding a small meeting to pray. Orthodox Jews refrain from using any mechanized modes of transportation as a strict observance of the Sabbath, Rubin said.

"What do I tell an 84-year-old survivor of Aushwitz? ... Do I tell him that because he is old and weak and an amputee, that he must walk at least a mile and a half to pray, because to quietly gather down the block is illegal?"

The hearing is part of an effort to respond to the U.S. Supreme Court's invalidation of the 1993 Religious Freedom Restoration Act.

In other testimony, the Rev. E. Richard Steel, pastor of Cedar Bayou Baptist Church in Baytown, Texas, asked lawmakers to "protect us from revisionists' interpretations of the First Amendment."

Cedar Bayou Baptist Church was ordered to turn over \$27,687 in tithes given by a deacon of the church who later declared bankruptcy. Δ

Chairman of House panel details 'appropriate prayer'

House Judiciary Committee Chairman Henry Hyde, R-Ill., stunned opponents of a proposed constitutional amendment March 4 when he offered his view of an "appropriate prayer" that could occur under the proposal.

The Religious Freedom Amendment, proposed by Rep. Ernest Istook, R-Okla., was approved by the committee on a 16-11 party-line vote.

The measure would open the door for government-endorsed religious expression in public schools and public places and would allow government benefits such as school vouchers to flow to religious groups that otherwise would be barred from receiving them by the First Amendment's Establishment Clause.

During the markup session, Hyde volunteered his view of an "appropriate" prayer.

"I've been around enough and heard enough prayer to know that there are ways of praying that stress two things — the fatherhood of God and the brotherhood of man. That's common to the Jewish faith, Muslim faith, the Christian faith," he said.

"An appropriate prayer, it would seem to me," Hyde said, would consist of "not the things that divide us and alienate us, but the things that acknowledge our humanity and the author of our humanity."

When asked by a Democrat lawmaker who should write the prayer, Hyde said "the same people who prescribe what the prayer is everyday when we open our sessions of Congress — anybody, take turns, rotate it — anybody."

"There they go again — the government telling us how pray," said Melissa Rogers, associate general counsel of the Baptist Joint Committee.

"Representative Hyde has just pointed out the Catch 22 inherent in the Istook amendment — either least-common-denominator, government-approved prayer or robust prayer endorsed by the government, which is almost always divisive," she said. "Both offend my faith and the Constitution," she added. Δ

Bill to protect tithes clears Senate panel

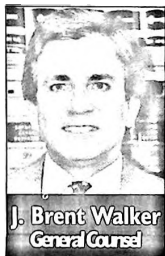
The U.S. Senate Judiciary Committee approved a bill that would prevent the recovery of tithes and other charitable donations given by individuals who later go bankrupt.

The Religious Liberty and Charitable Donation Protection Act would bar federal bankruptcy courts from confiscating contributions to religious organizations and other charities to pay creditors. It would also permit debtors in Chapter 13 bankruptcy to tithe during their repayment period. Before approving the bill on a voice vote, lawmakers expanded the scope of the legislation to protect charitable gifts from state bankruptcy laws.

Sen. Charles Grassley, R-Iowa, who sponsors the bill, said, "It would prevent federal judges from undoing a voluntary act of worship in the way of tithing, as described in the Bible."

The Grassley bill cleared the Senate committee Feb. 26. A Senate judiciary committee official said a Senate floor vote could take place as early as mid-March. Δ

Sometimes a helping hand does more harm than good



One of the great heresies of our time is the claim that the separation of church and state is bad for religion. This charge fuels the Istook amendment, animates school voucher proposals and energizes the push for charitable choice. But it is a

lie. The separation of church and state has resulted in more religious liberty in this country than any other place in the world and a more visibly religious culture than anywhere else I know.

This has always been a core principle of the Baptist Joint Committee. But sometimes we fail fully to appreciate it. Recent encounters with people living in two European democracies drove this point home to me like never before.

Last month, I was interviewed by Urður Gunnarsdóttir, a journalist from Reykjavik, Iceland, who writes for *Morgunblaðið*, one of Iceland's oldest newspapers. She was in this country for several weeks to research a piece on religion in America and its influence on politics. She really wanted to find out what makes Americans tick and to see first hand what these people called "Baptists" are all about.

After we talked for a while, she became intrigued by how there could be so much public discussion, debate and religion talk in a country that preaches the separation of church and state. She told me that, in Iceland, religion is hardly ever discussed in public. People there keep their religion to themselves. More than 95 percent of Icelanders are Lutheran. Lutheranism is the preferred religion and enjoys considerable state support. But, despite this religious dominance, religion is seldom, if ever, discussed or employed by politicians to inform their positions on public policy. In short, there is very little evidence of religiosity in Icelandic culture.

I responded, yes, that is precisely the point. The separation of church and state does not mean a divorcement of religion

from politics or God from government. In fact, it allows and encourages religion to inform political debate. In Iceland, ironically enough, the opposite is true. The merger of church and state, far from promoting public religiosity, encourages its absence.

And then, this week I had the pleasure of talking to a friend from Poland named Tadeusz Zielinski, a member of the Polish Parliament. He has the distinction of being the only Baptist M.P. in all of Poland. He is an accomplished scholar and a Baptist to beat all Baptists. In fact, he just published a book in Poland about Roger Williams. But his signal accomplishment, I think, is getting elected as a proud, professing Baptist in a country that is overwhelmingly Catholic and where fewer than 100 Baptists live in his district of 1.5 million people. It would be like a Buddhist getting elected to Congress from Biloxi, Miss. I wondered how that could be.

Dr. Zielinski shot me an incredulous look. It was no great mystery to this Baptist scholar. For people in Poland, religion is a private matter and it does not play much of a role in predicting Polish voting behavior. Then he reminded me, "that's exactly what you would expect when you don't have a separation of church and state."

So, to prove the benefits of separation, one does not have to point to theocratic regimes or repressive countries like the Sudan where there is outright persecution. Even constitutional democracies can kill religion when they try to give one religious tradition, or religion in general, a helping hand.

I guess Elder John Leland had something when he said over two centuries ago that, "the fondness of magistrates to foster Christianity has done it more harm than all the persecution ever did." He was exactly right then and he's still right today. The best thing government can do for religion is to leave it alone. Δ

Quoting

The number, the industry and the morality of the priesthood, and the devotion of the people have been manifestly increased by the total separation of the church and state.

James Madison
1819 letter

The First Amendment requires no less and allows no more than this: that the government accommodate religion without advocating it; protect religion without privileging it; lift burdens on it without extending it a benefit. Congress will do the public a serious injustice if it upsets this delicate balance by passing the so-called "Religious Freedom" constitutional amendment.

J. Brent Walker
March 3, 1998

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
- ◆ 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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Book Reviews

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"Now what good is going to come of this? Are there going to be thousands of teen-agers that don't engage in sexual relationships because of this amendment? I wish there would be but there won't be. Or there will be children all across the country that give up drugs or don't get on drugs because of this amendment? If there was then I would support it. But there won't be a single teenager across America that stops using drugs because of the Istook amendment.

"And if we plaster the Ten Commandments all over every classroom in this country, will there be a single American child that goes home to their mom or dad and say, 'Because now the Ten Commandments are on the board, now I'm going to honor you, Mom.'

"Come on. Let's be real. What motivates people with respect to religion is a deep-felt belief that they learn in their family, from their parents, from their friends, from their particular brand of religion. It doesn't come from a 30-second, ... religion-for-everybody commencement exercise."

— U.S. Rep. Robert Wexler
D-Fla.

"We are here to say that the religious community, by and large, does not support this amendment. ... Many, perhaps most, evangelicals support the Supreme Court's interpretation of the Establishment Clause. Many Baptists, such as myself, are offended that the issue of prayer has, once again, been politicized.

"Perhaps we should not be surprised. It is, after all, an election year. Millions of 'voter guides' will be distributed, and, won't it be convenient to list members of Congress as being simply 'for' or 'against' school prayer?

"... The First Amendment has been good for religion. It has given Americans the strongest religious and political institutions on earth. The vast majority of the churches and synagogues in America recognize this fact, and that is why they have not jumped on Congressman Istook's bandwagon. ...

"This amendment is also about money. If it is passed, Bob Jones University would be entitled to the same public funding as the University of South Carolina. Jerry Falwell's Old Time Gospel Hour to the same tax support as National Public Radio. In the end, every religion in America — from Heaven's Gate to the Nation of Islam — will have its hand out."

Oliver S. Thomas
Counsel for Religious
and Civil Liberties

National Council of the Churches of Christ in the U.S.A.

"I come from a tradition which values prayer and prayer is central to my life, but the so-called 'religious freedom' amendment should be alarming to anyone who cherishes separation of church and state.

"... To this day I know the 'Lord's Prayer' by heart. I learned it in first grade public school. Our teacher had the entire class stand and recite it. I did not know that I was saying a Christian prayer from the New Testament. I think that was an insensitive, thoughtless thing to do to Jewish children, but it was the norm where I grew up. Congressman Istook would have us return to that sort of outrage."

— Rabbi Kenneth L. Cohen
Executive Director, United Synagogue
of Conservative Judaism, Seaboard Region



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