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REPORT FROM THE CAPITAL

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NewsMakers

◆ **Marie Biggs and Jodi Key** have begun summer internships at the Baptist Joint Committee. Biggs, who attends Tyler Junior College in Tyler, Texas, will work in BJC communications. Key, who attends Western Carolina University in Cullowhee, N.C., will provide administrative support. Ashlee Ross of Dallas, an Associated Baptist Press intern, is spending two weeks at the BJC as a newswriter.

◆ **Sen. James Inhofe, R-Okla.**, introduced a measure to alter the Constitution's religious liberty protections. The text of the measure is identical to a recently defeated amendment offered by Rep. Ernest Istook, R-Okla.

◆ **Shafique Masih**, a Christian in Pakistan, has been charged with blaspheming the Prophet Muhammed. If convicted, he could receive the death penalty, according to the Washington-based Center for Religious Freedom. The accusation comes less than a month after the suicide of Roman Catholic Bishop John Joseph, an activist against Pakistan's blasphemy law.

◆ **Sen. Paul Coverdell, R-Ga.**, won a victory in his bid to expand the use of his proposed tax-favored education savings accounts to elementary and secondary private and religious schools. The plan was approved by a Senate-House conference in part of an education bill. Δ

Istook's religion amendment falls 61 votes short in House

For the second time in history, a proposal to alter the religious liberty protections in the Constitution failed in the House of Representatives.

The Religious Freedom Amendment, sponsored by Rep. Ernest Istook, R-Okla., received the support of 224 House members — 197 Republicans and 27 Democrats — 61 votes short of two-thirds majority needed. Opposing the measure were 203 lawmakers — 175 Democrats and 28 Republicans. The measure would have allowed some forms of government-sponsored prayer and tax-financed religious activities.

Rep. Chet Edwards, D-Texas, led the opposition.

"I have mixed emotions about this vote," he told Baptist News Service as the June 4 vote was announced on the House floor. "I'm ecstatic that we have preserved the Bill of Rights and its protection of religious freedom. But I cannot celebrate the fact that a majority of House members were willing to vote against the first 16 words of the Bill of Rights."

The last House vote on a school prayer amendment occurred in 1971, when proponents failed to achieve the necessary two-thirds majority on a 240-162 vote.

Recalling the 162 votes against the 1971 school prayer proposal, Edwards said the vote is a "tremendous setback to the pro-Istook forces. After nearly three decades of millions of dollars of expenditures by the far right, they have lost significant ground."

Edwards said the vote occurred to

appease religious right leaders. "It's interesting that within three weeks of James Dobson's trip to Washington — in his summit meeting with House Republican leadership — that a vote was scheduled on this even though they knew it would fail."

Both sides declared victory.

Istook supporters said they would continue the fight to alter the Constitution because Supreme Court justices have misinterpreted the First Amendment.

"A majority of the House agrees that the Supreme Court has gone too far in distorting the First Amendment and our religious freedom rights," Istook told reporters. He said it typically takes four to five

attempts to pass a constitutional amendment.

When asked why so many religious groups opposed his amendment, Istook said that he had a longer list of groups that favored it.

He said that "there have been a number of people who have just had their heads in the sand and refused to recognize that there is a major problem with what the courts are doing."

Edwards said he was motivated to battle the Istook proposal after reading Baptist pastor George Truett's 1920 sermon delivered on the Capitol steps. "In that, (Truett) said that God doesn't want forced followers. ... The roots of that principle embedded in the Baptist faith motivated me to fight this fight," he said. Δ



Rep. Chet Edwards

Law protecting tithes clears U.S. Congress

The U.S. House of Representatives has passed a bill designed to protect tithes and other charitable donations from bankruptcy laws that have been used to confiscate gifts of bankrupt donors.

The House amended the bill June 4 to conform to a Senate version passed in May. President Clinton is expected to sign the bill.

The Religious Liberty and Charitable Donation Protection Act would bar bankruptcy courts from confiscating contributions to religious organizations and other charities to pay creditors. It would protect tithes and other contributions of up to 15 percent of the debtor's annual income.

The measure would also permit debtors in Chapter 13 bankruptcy to tithe during their repayment period.

The bill is sponsored by Sen. Charles Grassley, R-Iowa, and Rep. Ron Packard, R-Calif.

"I do not believe that a church or a charity that receives a tithe or a donation ought to have to check the financial background of the donor before they donate. They certainly should not be penalized for receiving a donation from anybody, but that is exactly what current law requires," Packard said. Δ



Baptist Joint Committee General Counsel J. Brent Walker addresses a Capitol Hill press conference on the Religious Liberty Protection Act. The bill's sponsors are (from left) Rep. Charles Canady, R-Fla., Sen. Edward Kennedy, D-Mass., Sen. Orrin Hatch, R-Utah, and Rep. Jerrold Nadler, D-N.Y.

New religious liberty bill introduced

U.S. lawmakers are trying a second approach at protecting religious liberty in the wake of a 1990 Supreme Court decision that made it easier for government to interfere with religious practices.

After the 1990 *Employment Division v. Smith* decision, Congress worked with a broad coalition of religious and civil liberties organizations to enact the 1993 Religious Freedom Restoration Act. But in 1997, the Supreme Court ruled in *Boerne v. Flores* that Congress lacked the authority to enforce upon states the heightened protections for religious practice.

Fulfilling a promise made after that *Boerne* decision, lawmakers introduced June 9 the Religious Liberty Protection Act. The measure, written in conjunction with a similar coalition of religious and civil liberties groups, would apply the same legal standard enacted through RFRA — it would bar state and local officials from substantially burdening religious exercise unless they use the least restrictive means of furthering a compelling state interest such as health or safety.

The law would be applied to the states mainly through Congress' spending and interstate commerce powers. Its sponsors are Sens. Orrin Hatch, R-Utah, and Edward Kennedy, D-Mass., and Reps. Charles Canady, R-Fla., and Jerrold Nadler, D-N.Y.

Hatch said that after the *Boerne* decision, "we who value the free exercise of religion vowed we would rebuild our coalition and craft a solution which appro-

priately defers to the court's decision."

Kennedy said that too frequently, "the complex rules used to govern our modern society and economy unnecessarily, and often unintentionally, interfere with religious freedom."

A 20-member drafting committee from the Coalition for the Free Exercise of Religion — made up of over 80 groups from across the political spectrum — spent over nine months drafting the legislation in conjunction with lawmakers.

Marc Stern, co-director of the American Jewish Congress, said some of the RLPA language mirrors the Civil Rights Act. "So if they (Supreme Court justices) invalidate the Spending Clause power here, they're casting great doubt on acts such as" the Civil Rights Act and the Americans with Disabilities Act, he said.

Douglas Laycock, a University of Texas law professor who argued in support of RFRA's constitutionality before the Supreme Court, said he would feel "on firmer constitutional ground" if he argued in favor of RLPA today. "Ninety-five percent of everything Congress does is under these two clauses," Laycock said.

Baptist Joint Committee Executive Director James M. Dunn said that the *Boerne* decision rendered the Free Exercise Clause "meaningless and impotent and in need of some legislative Viagra."

Congressional committees are expected to hold hearings on RLPA in the next few weeks. Δ

Watch out for voter guides after defeat of Istook amendment



The worst is yet to come.

A sweet little reporter asked, "What now that the Istook amendment has been defeated with 60 votes more than needed to kill it?" After a moment of reflection I had to tell her: "Now it gets

dirty."

One doesn't require a conspiracy theory to discern a pattern, even to predict the righteous right's next steps. Their leaders will tell you why the school prayer vote was taken: to use it in the fall elections.

They can count. They knew from the outset that they didn't have the votes. Many of them are smart; craven but smart. They knew all along that their amendment to the Bill of Rights was not needed, not needed except for their personal political futures.

And so, the vote on H.J. Res. 78 opens again a small window on a huge, Godzilla-sized evil. Why in the world would anyone sworn to uphold the Constitution stoop so low? What possessors persons of faith to play politics with prayer?

"True believers," holy war crusaders, are willing to secularize the spiritual, to trivialize theology for their sacred end to "Christianize America." So, the plan surfaces:

◆ The cruelest sort of cynicism is acceptable. Paige Patterson, new president of the Southern Baptist Convention, told a reporter 13 years ago, "I think the abortion thing will work as well as the inerrancy thing did" in the fundamentalist takeover of the SBC. That's the spirit.

◆ Any means is OK to achieve "divinely desired" ends. Rep. Chet Edwards, a Methodist layman, courageously, consistently and effectively led the fight against Istook's aberration. Vicious attacks on Edwards as an unchristian bigot backfired. Too many members of Congress have seen that before. The end does not justify dastardly means.

◆ Words mean what you want them

to mean. To call the Istook attempt a "religious freedom" amendment would be laughable if some of its advocates were not so earnest. The *New York Times* in a timely editorial blew the bill's pious cover saying it should be called the "Religious Tyranny Amendment."

◆ You can fool some of the people most of the time. Good people, honest folks, genuine believers are often uninformed or misinformed. Many fine people have no context at all for considering questions related to religion and government. So, if it sounds good, it is good. Not! Too many citizens forget that when government invades religion it always has a touch of mud. By its nature government is coercive. Should be. Must be (Romans 13). That's not bad. It is, however, incompatible with vital and voluntary faith.

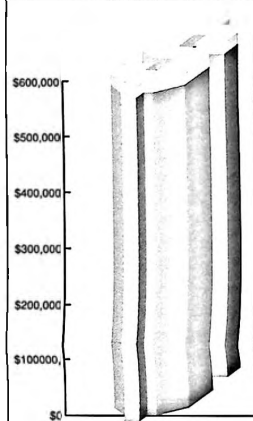
◆ You can put out voter guides, report cards that seem to guide and to report. Kyle Childress, a Baptist pastor, rightly reported in a *Dallas Morning News* article that Christian Coalition voter guides are distributed in churches. And "While candidates were asked to answer 72 questions, the voter guides focus on only six to eight of those questions, carefully selected to favor one candidate over another in each race." Beware of voter guides from the Christian Coalition.

◆ There is a network of theocratic extremists with politics fueled by religious zeal who have designs on democracy. John Baugh, in his book *The Battle for Baptist Integrity*, tells the story of one denomination's takeover. The crusades of these holy warriors are so outlandish, so outrageous that decent ordinary people routinely refuse to believe the story. We'd better believe. They are way down the road toward achieving their takeover goals for American life.

◆ The Christian Coalition in the Istook vote demonstrated again that it is driven, unfair, unethical, dishonest, self-righteous, prideful, short-sighted, parochial, narrow, unwise and manipulated. Other than that, it may be alright.

Watch 'em this fall. Δ

Endowing the Baptist Joint Committee



Endowment drive reaches \$579,385

Gifts and pledges to the Baptist Joint Committee's endowment drive now total \$579,385.

Thanks.

The next \$7,600 in gifts will be matched as part of a \$25,000 challenge pledge from a retired Baptist minister.

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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A constitutional amendment proposed by Rep. Ernest Istook, R-Okla., would undercut, not strengthen, religious liberty in the United States, religious leaders and lawmakers warned at a Capitol Hill press conference as the House of Representatives started debate on the measure.

Joined by representatives of the Coalition to Preserve Religious Liberty, Rep. Chet Edwards, D-Texas, called Istook's Religious Freedom Amendment "a horrible solution in search of a problem."

Edwards said the Istook amendment, which fell 61 votes short of the two-thirds majority needed for passage, would harm religion by getting the federal government more involved in it.

"I feel comfortable agreeing with James Madison and Thomas Jefferson and all of human history that the best way to ruin religion is to politicize it, and that's exactly what the Istook amendment does."

The Istook amendment would have permitted some forms of government-sponsored prayer in public schools, as well as tax support of parochial schools and other religious activities.

Religious groups were divided over the issue, with members of the Coalition to Preserve Religious Liberty, including the Baptist Joint Committee and American Baptist Churches in the U.S.A., opposing the amendment. Istook supporters included the Christian Coalition, the Southern Baptist Ethics and Religious Liberty Commission and the National Association of Evangelicals.

Asked at the press conference if scheduling the House vote on the amendment was a payoff for support from the religious right, Rep. Christopher Shays, R-Conn., said he thinks "my side jumps too often when some special interest groups ask them to and this is one of those times."

Rep. Sherwood Boehlert, R-N.Y., said the Istook proposal "has nothing to do with expanding religious freedom and everything to do with expanding the opportunities for religious coercion."

Several Baptists spoke out against the Istook proposal at the press conference.

"A vote against the Istook amendment is not a vote against God," said J. Brent Walker, general counsel at the Baptist Joint Committee. "It's a vote in favor of religious freedom."



Howard Roberts

Howard Roberts, pastor of Ravensworth Baptist Church in Annandale, Va., told reporters he opposes "school-organized prayers at any time and any place."

"I join Roger Williams, that pioneer resister, in saying no to coercion of any kind related to faith expressions so that I can say a resounding yes to religious liberty," Roberts said. "No to the Istook amendment. Yes to the First Amendment."

Representing the Office of Governmental Relations of National Ministries, American Baptist Churches in the U.S.A., Curtis Ramsey-Lucas said he is concerned that the Istook amendment would lead to "a dangerous entanglement between church and state, jeopardizing the distinct roles, rights and responsibilities of both institutions and the religious liberties of all citizens." Δ



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