

Nashville, Tennessee



REPORT FROM THE CAPITAL

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February 9, 1999

NewsMakers

◆ **Denton Lotz**, general secretary of the Baptist World Alliance, blamed religious bigotry for the deaths of an Australian Baptist missionary and his two sons in the eastern state of Orissa, India. Graham Staines, 58, and his sons Philip, 10, and Timothy, 8, were burned to death Jan. 23 when right-wing Hindu extremists allegedly set fire to a vehicle in which they slept. "We must say no to religious bigotry and yes to the forgiveness of our Lord Jesus Christ," Lotz said.

◆ **Douglas Laycock**, professor at the University of Texas Law School, said "non-denominational, new, unfamiliar churches" are more likely than those of older denominations to encounter problems with local zoning officials. His remarks came at a Washington, D.C., gathering of activists seeking to boost state protections for religious liberty.

◆ Proposals addressing prayer in public schools have been introduced by U.S. Sens. **Strom Thurmond**, R-S.C., and **Jesse Helms**, R-N.C., and Rep. **Jo Ann Emerson**, R-Mo. Thurmond and Emerson want a constitutional amendment stating that nothing in the Constitution prohibits "prayer in public schools or other public institutions." Helms' bill would bar federal funds from reaching any school that "denies or prevents participation in constitutional prayer in schools." Δ

Lawmakers tout public funds for faith-based social services

Two U.S. lawmakers touted tax funds for faith-based social services as religious leaders wrapped up a four-day conference on churches and welfare reform.

The conference was sponsored by Call to Renewal, a group formed to bring a progressive evangelical voice to public policy debates. It addressed new challenges facing Americans removed from welfare rolls and explored "partnerships" between religion and government.

One such measure, sponsored by Sen. **John Ashcroft**, R-Mo., is "charitable choice."

The 1996 welfare reform provision allows pervasively sectarian organizations, including churches, to compete for federal funds to provide social services. Call to Renewal is establishing a national committee to explore ways of implementing the measure.

Religiously affiliated groups have always been permitted to provide tax-funded social services through separate nonprofit entities that could not proselytize or promote religion. Under charitable choice, however, churches themselves may also operate social service programs without establishing a separate entity. Disagreement exists about how much proselytization is permitted, whether churches should take the funds and what regulations should apply if they do.

Ashcroft told conference participants Feb. 3 that religious groups, once afraid of accepting public money, are now

accepting the funds for social service programs. He wants to expand the initiative into other federal areas such as juvenile crime, drug abuse and housing.

"It will allow you to administer a cultural remedy that our society so desperately needs without asking you to extinguish your religious and cultural character," he said.

"Government doesn't have all of the solutions," he said, noting that faith-based groups succeed because they address the deeper spiritual needs of people. "Let's find a way to enlarge the capacity of these groups," he added.

Also addressing the conference was charitable choice backer Rep. **Tony Hall**, D-Ohio. In an interview following his remarks, Hall emphasized that religious groups receiving public funds would be watched. "This is not a free lunch. ... We're going to be looking over their shoulder to be sure that they spend the money right," he said. "One of the stigmas they have to overcome is you can't shove religion down people's throats."

Baptist Joint Committee General Counsel **J. Brent Walker** said Hall identified one major reason why charitable choice is "bad news" for churches. "It will inevitably result in entanglement and regulation, I don't care how many times it is denied," he said.

"It's an iron law of politics that government regulates what it funds. We must help the poor but we have to do it the right way," he added. Δ



U.S. Sen.
John Ashcroft



U.S. Rep.
Tony Hall

Baylor to host conference on religion and public schools

A one-day conference on "Religion and the Public Schools" is scheduled March 20 at Baylor University in Waco, Texas.

The conference is designed for school leaders, teachers and parents, according to **James L. Williamson**, Fred Hale Professor of Educational Administration at Baylor and a recent scholar-in-residence at the Baptist Joint Committee. The event is sponsored by several educational and religious organizations, including Baylor's Department of Educational Administration, the J.M. Dawson Institute of Church-State Studies and the BJC.

Speakers at the event include **Frosty Troy**, editor of the *Oklahoma Observer*; **James M. Dunn**, executive director of the BJC; **J. Brent Walker**, general counsel of the BJC; **Carolyn Boyle**, director of the Texas Coalition for Public Education; **Charles Haynes**, senior scholar at the Freedom Forum First Amendment Center; **Samantha Smoot**, executive director of the Texas Freedom Network; **Derek Davis**, director of the Dawson Institute of Church-State Studies; and **Steven Green**, chief legal counsel of Americans United for Separation of Church and State. Δ

Religious leaders discuss civility at national summit

Religious leaders met in the nation's capital to address what one described as "a frightening degree of incivility" in the nation's public debates.

Welton Gaddy, executive director of the Interfaith Alliance Foundation, moderated the "National Religious Leaders Summit on Civility in Public Discourse and the Future of Democracy." The Interfaith Alliance Foundation, a nonprofit institution, sponsored the event.

He said the purpose of the meeting was to engage in "dialogue that sensitizes people to the importance of civility and creates within people an instinctive intolerance for uncivil behavior."

"We have arrived at a critical moment in the life of our nation," Gaddy noted. "Amid the harshness of the present political climate, even a call to civility is being used as a political weapon."

The panel included Robert Drinan, law professor at Georgetown University Law Center. The former Democratic congressman said anger is not always bad. He said angry people have brought about positive change, such as abolition of slavery and the advancement of civil rights. Δ

Partnering with faith groups sought by HUD secretary

U.S. Secretary of Housing and Urban Development Andrew Cuomo told participants at Call to Renewal's conference on churches and welfare that government "partnerships" with faith-based organizations is the "formula for the future."

Addressing more than 600 leaders of grass-roots social service providers Feb. 2, Cuomo said that "faith-based organizations are the vehicle for change." He added, "Unless you can not only help the body but also the soul and the spirit, you won't really solve the problem."

As HUD secretary, Cuomo began the "Center for Community and Interfaith Partnerships," which coordinates with faith-based and community organizations to provide low-income housing. The center "is not a new funding source," said the Rev. Joseph Hacula, director of the program. He said HUD is not allowed to fund religious groups like churches but does provide funds to nonprofit groups that may be affiliated with religious groups.

In a statement to Baptist News Service, Cuomo said that "interfaith partnership is not about church vs. state. It's about gov-

ernment's responsibility to provide the tools for housing and economic development to communities in need, regardless of religion, race, color or creed."

Cuomo told conference participants that "partnerships with faith-based and community-based organizations — where government provides the resources but the community-based organizations provide the programs and the initiative and the incentive — that's how it works." Δ

Clinton urges reconciliation, peace at prayer breakfast

President Clinton urged historic enmities in the Middle East and elsewhere to reconcile and work for peace in remarks Feb. 4 at the National Prayer Breakfast.

Clinton discussed the need to overcome past differences for real peace to take hold. He urged the audience to "remember that all the great peacemakers in the world in the end have to let go and walk away, like Christ, not from apparent, but from genuine grievances."

He said, "No faith is blameless in saying that they have taken up arms against others of other faiths, other races — because it was God's will to do so."

Among those on hand was Palestinian leader Yasser Arafat, whose attendance prompted some conservative Christian and Jewish groups to boycott the 47th annual breakfast. Arafat's critics charged him with being soft on terrorism and they unsuccessfully lobbied to get his invitation to the event rescinded.

However, conservative radio talk show host Michael Reagan said Arafat should be included in the breakfast. Reagan, who replaced presidential hopeful Gary Bauer as chairman of the Campaign for Working Families political action committee, said, "We're here today to put aside politics and praise Jesus and hope he will touch Arafat as well."

Tony Campolo, a Baptist professor at Eastern College in St. Davids, Pa., said he interpreted Clinton's comments also to be about himself and the partisan political bickering that has characterized the impeachment process on Capitol Hill.

"Beneath the message of peace and reconciliation between Israel and the Palestinians, and in Northern Ireland and everywhere else, I heard a deep desire on the president's part to see a coming together on the Hill when the Senate trial is over, as it appears it soon will be," said Campolo, one of three spiritual advisers Clinton has relied on in recent months. Δ

New Gaustad book provides antidote for 'huckstered' history



James M. Dunn
Executive Director

At last! Here's the one book you've been looking for that neatly wraps up *Church and State in America*. That's the title.

Distinguished historian Edwin S. Gaustad adds it to the "Religion in American Life" series — 17

books published by the reliable Oxford University Press. General editors Jon Butler and Harry S. Stout deserve extravagant praise.

The urgent need for such a quality resource cries out. Writing, televising and peddling revisionist history has become a growth industry. Extremists, like David Barton, without credentials or credibility, have huckstered history. Alas, they have done it slickly and successfully. There's a market for history as folks wish it were.

Many of us are not just frustrated but furious at the malpractice. There's no established punishment for cut-and-paste culprits. The rape of respect for scholarship is treated as a victimless crime. Nothing one can do — nothing, but scream. So few trained scholars have screamed that lies have been taken for truth.

Now, Ed Gaustad, a real history heavyweight, weighs in. The sweeping scope of this practical textbook is stunning. Readable, salted with splendid photographs and illustrations, it's chopped into bite-sized units. One has no excuse for not doing his/her homework. It's fun.

Here is a magnificent mix of social, religious and political history. Ideas and beliefs matter and Gaustad shows how that works. History is more than econometrics on one hand or slightly doctored myth on the other. Gaustad faces facts. He is fair but does not strive for the elusive goal of "balance." To tell the truth, one need not always "give the devil his due."

The word "history" should not scare any reader away. Dr. Gaustad sees the past through 21st century spectacles. The book is as up-to-date as a 1999 publication can be. Gaustad treats the current Supreme Court, the Religious Freedom

Restoration Act and the repeated attempts to repeal or reinterpret the First Amendment.

The chronology and bibliography at the back of the book are useful. The notion that it is designed for high school readers is valid. But, most video-age teenagers that I know will need to read it with dictionary nearby. It is an adult book with mature, realistic content, no over-simple answers. As the author says in his chapter on the Supreme Court "religious cases are complex and troublesome." It's time for youth to learn that.

Every public school library in America needs this book. No church or synagogue library can be considered complete without it. It should be law school curricula, maybe then lawyers would see the forest, not just the trees. Seminary students need to look up from their Greek and Hebrew at the "church-of-what's-happening now."

Every pastor who gives a hoot and is willing to risk an informed congregation should read it, recommend it. Every teacher who is unwilling to be left at the mercy of "dumbed down," state-selected textbooks can assert a little independence by reading it.

Religious liberty is no trifle.

Gaustad, Edwin S., *Church and State in America*, Oxford University Press, 1999, 160 pp., \$21. Check with your local bookstore for a copy. From the editors' introduction:

Before the Revolution, many colonial governments supported "established" churches that enjoyed special powers and privileges denied to others. With independence and creation of the American republic, a new concept of church and state appeared: the idea of religious liberty and the separation of church and state. This concept would unleash unprecedented powers in terms of religious innovation and liberty of conscience among generations of Americans and, at the same time, would pose unprecedented problems in defining the "line" or "wall" that separated the realm of government and public life from the realm of religion and individual conscience. Δ

Events

March 1999

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| 28 | 29 | 30 | 31 | | | |

March 20, 1999

Religion and the Public Schools (See Page 2)

A conference for school leaders, teachers and parents

Baylor University
Waco, Texas
Registration: \$55

March 22-23, 1999

Pitfalls to Avoid as Seen from the Pulpit: Church-State Issues and the Ministry

A practical workshop on church-state issues for church leaders

Baylor University
Waco, Texas
Registration: \$40

July 1999

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July 8-10, 1999

Beyond Mere Toleration: Religious Liberty as a Basic Human Right

A symposium on religious freedom and human rights

Bloomsbury Central
Baptist Church
London, England

Contact Karen McGuire
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about these events:

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Baptist Joint Committee

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REPORT FROM THE CAPITAL

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Book Reviews

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State activists push for religious liberty

Discussing experiences from the effort to pass a 1993 federal religious liberty bill, lawyers from a national coalition of religious and civil liberties groups told state activists to keep focused on the goal of religious liberty for all.

At a conference held at Georgetown University Law Center, leaders of the Coalition for the Free Exercise of Religion — which formed to pass the Religious Freedom Restoration Act — addressed state activists who are now seeking to enact "mini-RFRAs" after the Supreme Court partially invalidated RFRA.

The high court ruled in June 1997 that Congress lacked the authority to impose heightened protections for religious liberty on the states.

J. Brent Walker, Baptist Joint Committee general counsel, told conference participants to keep "focused on the goal" as they work in coalitions with diverse groups that may disagree about many issues but have joined to support religious liberty.

Steven McFarland, director of the Christian Legal Society's Center for Law and Religious Freedom, listed several tips, such as urging advocates not to accept exemptions for the sake of passing any bill. He also said some states already have adequate protections and do not need a RFRA.

Panelists also addressed concerns raised by civil rights advocates about a federal bill supported by the religious coalition. The Religious Liberty Protection Act, yet to be introduced in the 106th Congress, would bolster religious liberty

through Congress' commerce and spending powers.

Gay and lesbian activists have raised concerns that RLPA could be used to discriminate against homosexuals. Recent court decisions have split on whether landlords can refuse to rent to unmarried couples based on religious opposition to such couples living together.

Nick Miller, executive director of the Council on Religious Freedom, said

religious interests may prevail in a case in which the landlord has three units and lives in one of them. But he said if a landlord owns 100 units, perhaps it "will come out on the other side."

Michael Lieberman, associate director and Washington counsel of the Anti-Defamation League, said that "it's not enough for us to say [to the gay community], 'We're not sure how it's going to turn out but we don't think it will be a problem.'"

McFarland added that the gay community needs religious liberty protections. He said that without state RFRAs, gay congregations may continue to have problems with zoning boards.

One panelist gave reasons why groups labeled "liberal" should support state RFRA efforts.

Julie Segal, legislative counsel for Americans United for Separation of Church and State, said that AU joined the effort because "there is another religion clause in the First Amendment. We actually do believe in free exercise of religion." She said the bills should be crafted to protect civil rights laws. "We are there to represent and protect minority religions." Δ



Michael Lieberman



Steven McFarland



J. Brent Walker



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