Nashville, Tennessee

BAPTIST JOINT COMMITTEE

REPORT FROM THE CAPITAL

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NewsMakers

◆ President **Bill Clinton** was urged by members of the U.S. Commission on International Religious Freedom to discuss widespread reports of the arrests and torture of many Egyptian Coptic Christians with Egyptian President **Hosni Mubarak**, who was visiting Washington, D.C. The 10-member commission, created under last year's International Religious Freedom Act, also urged Clinton to ensure the protection of 13 Iranian Jews recently arrested on charges of spying for the United States and Israel.

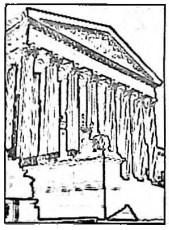
◆ Rabbi **David Saperstein**, director of the Religious Action Center of Reform Judaism, was unanimously elected chair of the U.S. Commission on International Religious Freedom. Elected vice chair was **Michael Young**, dean of the George Washington University Law School, Washington, D.C. Δ

Inside ...

High court to decide validity of parochial school aid program

The nation's highest court has agreed to decide whether the government can furnish computers and other instructional aid to religious schools without violating the church-state separation terms of the First Amendment.

At issue is a 33-year-old federal program that provides certain instructional equipment and materials to the nation's schools — public, private and religious.



Court accepts first church-state case in three terms

In a June 14 order, the Supreme Court agreed to review a federal appeals court ruling that struck down a Louisiana school district's implementation of the program because it violated church-state separation.

The decision invalidating the program by the 5th U.S. Circuit Court of Appeals is in conflict with a ruling by another appeals court upholding the same program in California.

The Louisiana dispute, *Mitchell vs. Helms*, is the first church-state case the Supreme Court has accepted since its 1996-1997 term, when it upheld government-provided remedial instruction at religious schools.

The Jefferson Parish program was first challenged by a group of Louisiana taxpayers in 1985. Of the 46 Jefferson Parish private schools participating in the program, 41 are parochial schools.

In striking down the program, the 5th Circuit panel cited past Supreme Court rulings that upheld the loan of textbooks but not equipment to parochial schools. It rejected arguments that the program satisfied more recent church-state rulings.

Asking the high court to reverse the 5th Circuit ruling are a group of parents whose children attend religious schools in Jefferson Parish. Arguing their case, University of Utah law professor Michael McConnell noted that lower courts have expressed the need for further guidance on what the 5th Circuit called "the vast, perplexing desert" of the Supreme Court's pronouncements on church-state separation. "When lower courts candidly admit that they are confused about the law, it is time for this Court to speak," McConnell wrote.

He argued that the case involves the "vital interests of American schoolchildren in obtaining access to modern technological equipment and materials."

The high court, he said, should hear the case to resolve lower court conflicts in the area and to confirm that the Constitution does not bar parochial school students from participating in the federal government's educational enhancement programs on "an equal basis with all other schoolchildren."

The taxpayers who challenged the program told the high court that providing educational equipment to parochial schools is unconstitutional because it constitutes "direct aid" and because the equipment can be easily used for sectarian purposes. The assertion by parochial school parents that computers and CD-ROMs are an essential part of education shows that the program provides "substantial aid" to the religious mission of sectarian schools, they argued. Δ

High court won't intervene in dispute over college funding

The U.S. Supreme Court declined to intervene in a Seventh-day Adventist college's attempt to receive funding under a Maryland program that aids private colleges in the state.

After state officials rejected its aid request, Columbia Union College in Takoma Park, Md., filed a lawsuit alleging that the denial violated its First Amendment rights.

In dismissing the claim, a federal district court said the First Amendment bars funding of "pervasively sectarian" institutions and concluded that Columbia Union is pervasively sectarian.

But a federal appeals court said the conclusion that Columbia Union is pervasively sectarian requires more evidence. It said the district court examined the college's written policies but failed to examine its practices. It returned the case to the district court with instructions to examine practices at Columbia Union "to determine whether religious indoctrination pervades the institution."

Attorneys for the college told the Supreme Court that such a close examination of the college's practices would involve "forbidden intrusion by courts into matters of religion." Δ

Justices reject challenge to ban on use of public school facilities

The U.S. Supreme Court refused to review a New York public school district's policy that bars the after-hours use of its facilities for religious worship and instruction.

The policy was challenged by Full Gospel Tabernacle and its pastor, Jorge Vega, after the church was denied after-hours use of a Queens elementary school.

Officials of Community School District 27 based the refusal on a state law governing use of school facilities and the district's policy implementing the law.

The policy bars use of school facilities for religious services or instruction during nonschool hours. But the district permits use of facilities to discuss or distribute religious material or material that contains a religious viewpoint.

In a ruling upheld by the 2nd U.S. Circuit Court of Appeals, U.S. District Judge Charles Haight Jr. rejected the church's claim that the policy violates its First Amendment rights.

The court concluded that under New York law and the district's policy, the school facilities were not open public forums but "limited public forums."

Limited public forums are open only for specified uses, Haight said. Excluded uses, he added, can be justified by merely showing they are "reasonable" and do not discriminate on the basis of the speaker's viewpoint.

Haight relied on a 1997 ruling by the 2nd Circuit that upheld the ban on use of facilities for religious worship and instruction. In that case — *Bronx Household of Faith vs. Community School District No. 10* — the appeals court said it was reasonable for the district "to avoid identification of a school with a particular church."

In *Full Gospel Tabernacle vs. Community School District 27*, Haight rejected arguments that the school became an open forum for religious worship be-cause two congregations had been permitted to use it for worship in 1993-94.

He noted that those permits were granted by a school employee who "failed to properly implement the district's clear policy against such use, and the district promptly corrected these errors and took effective steps to prevent such a mistake in the future."

In asking justices to review the case, attorneys for Full Gospel Tabernacle argued that the lower court rulings are at odds with decisions by other federal courts, including the Supreme Court.

Church attorneys said the school's policy makes room for "all the secular components of worship," such as singing and learning, but bars such uses as part of religious worship.

School facilities may be used, the church's attorneys argued, "to study the Scriptures, but not if they do so from the perspective of believers. They may sing religious hymns for musical entertainment, but not for worship of God."

Attorneys for the school district urged the court to reject the case, arguing that the lower court rulings were consistent with past decisions by the Supreme Court and other federal courts.

Twelve religious groups sided with Full Gospel Tabernacle in a friend-of-the-court brief filed by the Christian Legal Society.

The religious groups argued that the lower court rulings against the church conflict with a 1981 Supreme Court ruling that struck down a Missouri university's prohibition against student groups from meeting for religious worship and instruction.

In *Widmar vs. Vincent*, they argued, the high court "rejected the argument that religious worship can be distinguished from other religious speech and discriminatorily excluded from public facilities."

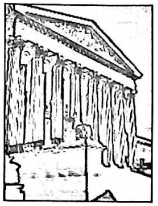
The religious groups also argued that the decisions upholding the ban conflict with Supreme Court rulings that require government to treat religion neutrally.

"A government policy that discriminates against conduct done for religious reasons while allowing the same conduct done for secular reasons violates the Free Exercise Clause," they argued.

They also argued that requiring government officials to distinguish between religious worship and other religious speech will result in excessive entanglement

See Facilities, next page

Supreme Court stays ruling against special school district



A public school district created to provide special education services for disabled Satmar Hasidic children in New York can continue to operate while the U.S. Supreme Court decides whether to review a lower court ruling that declared the district unconstitutional.

In a June 21 order, the high court stayed a judgment by New York's highest court that the special school district created in the village of Kiryas Joel impermissibly advances one religious group.

Residents of Kiryas Joel are members of the Satmar Hasidic religious community, which practices a strict form of Judaism. Most Satmar students attend religious schools, but disabled Satmar children are entitled to special education services provided by the public school system.

In 1989 the state legislature created the Kiryas Joel district within the Monroe-Woodbury Central Public School District to serve disabled Satmar students. Lawmakers took that step after efforts to furnish special education services for Satmar children in Monroe-Woodbury schools proved unsatisfactory. At that time, a Supreme Court decision barred public school officials from providing special education services on site at religious schools.

A legal challenge by two New York taxpayers led to a 1994 Supreme Court ruling that the Kiryas Joel district was unconstitutional because it singled out the Satmar religious community for special treatment.

The legislature then attempted to reauthorize the district through legislation designed to comply with guidance in the Supreme Court's 1994 ruling.

In 1997 New York's top court said lawmaker's second effort appeared on its face to be neutral but said it had "a nonneutral effect of allowing Kiryas Joel to create its own school district without providing the same opportunity to other groups."

Three months later the legislature tried again to enact a "neutral" law. Making the point that the new legislation was not designed solely to apply to Kiryas Joel, Gov. George Pataki asserted that 10 municipalities would be immediately eligible to form school districts under the new law.

But the state's highest court again invalidated the law, saying the state's claim that the statute is "a religion-neutral law of general applicability is belied by its actual effect." It said the new law potentially benefits only Kiryas Joel and one other New York municipality.

"The non-neutral effect of the statute is to secure for one religious community a unique and significant benefit — a 'public school' where all the students adhere to the tenets of a particular religion — unavailable to other similarly situated communities," the New York court said.

The New York court also noted that the Supreme Court in 1997 reversed its earlier decision barring on-campus provision of remedial services at religious schools. This reversal eliminated the need for the special district because it would permit public schools to provide special education in Satmar schools, the court said.

In asking the high court to accept the case, Pataki and others argue that the New York court's ruling conflicts with Supreme Court rulings. They also contend that the Supreme Court's 1997 decision in *Agostini vs. Felton* allows, but does not require, public school employees to deliver special education services at religious schools.

"There is no assurance that the Monroe-Woodbury Central School District would be willing to provide at Kiryas Joel's religious schools the accommodation *Agostini* now permits," they told the high court. Δ

Facilities, Continued from Page 2

between church and state and foster government discrimination among religions.

Groups joining the CLS brief were Queens Federation of Churches, Union of Orthodox Jewish Congregations of America, Clifton Kirkpatrick as stated clerk of the General Assembly of the Presbyterian Church (U.S.A), Church of Jesus Christ of Latter-day Saints, Baptist Joint Committee, National Association of Evangelicals, Family Research Council, Focus on the Family, Liberty Counsel, Ethics and Religious Liberty Commission of the Southern Baptist Convention and North American Mission Board of SBC.

High court refuses to revive cities' anti-handbill laws

The U.S. Supreme Court refused June 24 to revive ordinances in four Arkansas cities that barred the placement of handbills on parked, unattended cars.

The ordinances were challenged by three members of the Twentieth Century Holiness Tabernacle Church, who argued that the ordinances were unconstitutional because they kept them from placing religious literature on parked vehicles.

A federal district court sided with the four northwest Arkansas cities that had enacted the ordinances — Alma, Dyer, Fort Smith and Van Buren. The district court said the ordinances were justified by the cities' interest in preventing litter.

But the 8th U.S. Circuit Court of Appeals disagreed, saying the ordinances suppressed more speech than necessary to serve the cities' purpose of preventing litter.

"The ordinances prohibit the placement of any handbill on any unattended vehicle, regardless of whether the driver, owner, or an occupant might wish to receive the handbill and notwithstanding the fact that some, if not most, people would not throw on the ground papers left on their cars," the appeals court said. Δ

Bill calling for prayer, fasting, reconciliation fails in House

A U.S. House of Representatives measure urging Americans to pray, fast and humble themselves before God failed June 29 to garner the two-thirds vote necessary for passage.

The measure, sponsored by Rep. Helen Chenoweth, R-Idaho, was supported by 275 House lawmakers and opposed by 140. It is expected to be brought up again under a rule that only requires a simple majority vote.

The resolution would put Congress on record urging Americans "to unite in seeking the face of God through humble prayer and fasting, persistently asking God to send spiritual strength and a renewed sense of humility to the Nation."

Rep. Chet Edwards, D-Texas, opposed the measure, saying that "prayer should not be a government-imposed duty, ... it is a God-given right. To even suggest prayer should be a government-dictated duty demeans the very sanctity of prayer."

A Chenoweth spokesman said while the measure failed, "we made a statement." He said it puts lawmakers "on the record" for or against the measure. "They are going to have to justify their vote," he added. Δ

House adds Ten Commandments rider to juvenile offenders bill

As part of legislation to curb juvenile violence, the U.S. House of Representatives voted June 17 to permit states to post the Ten Commandments in public schools and other government buildings.

The House added the Ten Commandments provision and three other religion riders to the Consequences for Juvenile Offenders Act, which was approved on a 287-139 vote.

House leaders pushed the act as a way to address cultural, moral and spiritual issues after the recent high school shootings in Littleton, Colo. It would authorize $1.5 billion in grants to states and local governments to curb juvenile crime.

The Ten Commandments amendment, sponsored by Rep. Robert Aderholt, R-Ala., states that the authority to display the Ten Commandments on government property is among the powers reserved to the states. It passed the House 248 to 180.

It also states that the expression of religious faith by individuals on public property is "declared to be among the rights secured against laws respecting an establishment of religion or prohibiting the free exercise of religion."

The measure would likely face a constitutional challenge in light of a 1980 U.S. Supreme Court decision that struck down the posting of the Ten Commandments in Kentucky classrooms.

Aderholt defended the proposal, saying, "Our nation was founded on Judeo-Christian principles." He said that "simply posting the Ten Commandments will not change the moral character of our nation overnight" but insisted it is a step states can take "to promote morality and work toward an end of children killing children."

Rep. Jerrold Nadler, D-N.Y., spoke against the Ten Commandments measure. "I think most people who talk about them do not really know what they say."

He asked, "Whose Ten Commandments? Which version? The Catholic version? The Protestant version or the Jewish version? They are different you know. The Hebrew words are the same, but the translations are very different."

In other religion related amendments, House lawmakers voted:

◆ 238 to 189 to bar the payment of attorney's fees for plaintiffs who successfully challenge school policies that violate church-state separation.

Rep. Jim DeMint, R-S.C., sponsor of the amendment, said that "public schools are being intimidated into suppressing religious expression by the threat of costly litigation." He referred to an Indiana Civil Liberties Union letter threatening to sue schools that allowed graduation prayers.

But Nadler said the measure was an attempt "to bias the courts financially against people who would sue on the basis of the Establishment Clause, and frankly the courts ought to be neutral."

◆ 300 to 127 to state the House's view that religious activities as part of a memorial service on campus honoring slain students do not violate the First Amendment.

Sponsored by Rep. Tom Tancredo, R-Colo., this amendment would require that in any lawsuit challenging the constitutionality of school memorials or memorial services, each party would pay its own attorney's fees and court costs.

Nadler criticized the proposal, saying that Congress "cannot declare what the Constitution means and what violates the Constitution and what does not." He also criticized the attorney's fees provision and a provision requiring the U.S. attorney general to support the school district in such matters.

◆ 346 to 83 to add a "charitable choice" provision that would make pervasively sectarian organizations eligible to provide tax-funded juvenile social services.

Rep. Mark Souder, R-Ind., who sponsored the measure, said it would allow faith-based groups to be treated "fairly" and permits tax dollars to flow to pervasively sectarian groups. "They do not have to change their internal operations. They cannot proselytize with any of the money or they would lose the grant."

But Rep. Chet Edwards, D-Texas, said "Five years from now we will have the Baptists arguing with the Methodists, with the Catholics, with the Jews, with the Hindus, with the Muslims, over who got their proportional share of the almighty federal dollar." Δ

House committee passes RLPA; Senate panel holds hearing

The U.S. House Judiciary Committee approved a bill to bolster protections for religious liberty June 23.

The Religious Liberty Protection Act, which cleared the panel on a voice vote, is not expected to be considered by the full House until after lawmakers return from a July Fourth break.

RLPA would use Congress' spending and commerce powers to restore religious liberty protections provided in the partially invalidated Religious Freedom Restoration Act of 1993. The Supreme Court ruled in 1997 that Congress lacked the authority to impose RFRA on the states but lower courts have upheld the law at the federal level.

RLPA would prohibit state and local governments from placing a substantial burden on the free exercise of religion unless they employ the least restrictive means of furthering a compelling state interest such as health or safety. It includes a separate provision to protect churches and other religious organizations from restrictive zoning laws.

An amendment offered by Rep. Jerrold Nadler, D-N.Y., failed on a voice vote in the committee. It addressed concerns by gay and lesbian groups that RLPA could be used to deny housing or employment to homosexuals because of religious beliefs.

Another amendment, which failed, was offered by Rep. Barney Frank, D-Mass. It would have defined religious organization more narrowly and would have clarified that RLPA does not establish or eliminate a defense under a federal or civil rights law.

Rep. Charles Canady, R-Fla., primary sponsor of the bill, released a statement following passage of RLPA. In passing the measure, the House committee "took an important step in the protection of religious freedom," he said.

Meanwhile, the Senate Judiciary Committee held a hearing June 23 on the need to protect religious liberty.

Committee Chairman Orrin Hatch, R-Utah, said that while it would be "preferable for the court to return to its previous solicitude for religious liberty claims, until it does, this Congress must do what it can to protect religious freedom in cooperation with the court."

Witnesses at the hearing discussed the hurdles in passing measures similar to RFRA and the bill now moving through the House.

Texas state Rep. Scott Hochburg described the passage of such a law in Texas. He said that a Texas coalition of religious and civil liberties groups helped craft civil rights language in the Texas Religious Freedom Restoration Act to "apply RFRA to the special circumstances of religious organizations, while continuing to leave the task of balancing religious and equal protection rights to the courts."

Hochburg said, "I urge you to adopt a strong law to reinforce what we have done in Texas. But in doing so, I would also ask that you follow the wisdom of our governor and our legislature and include language to protect state civil rights laws."

But Steven McFarland, director of Christian Legal Society's Center for Law and Religious Freedom, criticized the civil rights provision in the Texas bill.

McFarland said the provision breached the principle of "protection for all, without exceptions." He said, "One carve-out beget another. And thus shall it be if Congress opens the Pandora's Box of stripping RLPA's protections from disfavored religious practices and believers."

The national coalition of nearly 80 groups that support the bill "oppose any exemptions," he said.

"If RLPA is amended so that it could not be raised as a defense to ... discrimination law, then the coalition's magnetism will have been lost," McFarland said.

University of Texas Law School professor Douglas Laycock told Baptist News Service that the Texas civil rights provision was crafted for that state and would not work on the federal level.

Phil Strickland, executive director of the Christian Life Commission of the Baptist General Convention of Texas, said the Texas coalition worked hard to "create language regarding civil rights that all members of the Texas coalition could live with. We succeeded in doing that though the language did not totally satisfy many of the coalition members." Δ

Quoting

"Our nation faces serious problems, but all the House can offer are pious platitudes and meaningless resolutions. ... It's not surprising that the House is considering calling for a national day of prayer and 'humiliation.' Many Americans are already humiliated by the nonsense coming from the House and are praying that members of Congress move on to real issues."

— Barry Lynn
Executive Director
Americans United for Separation of Church and State

"Let's let churches call us to prayer rather than Congress. There is no question that in the wake of Littleton some serious soul-searching is needed to address the problems our nation has, but we don't need government-sponsored religion, which just undermines and politicizes religion."

— Melissa Rogers
Associate General Counsel
Baptist Joint Committee

Lawsuit seeks to void Florida voucher plan

Florida has become the nation's first state to allow students statewide to attend private secular or religious schools with the aid of tax dollars. The voucher plan, which begins with the upcoming school year, is open to students whose public schools are deemed to be "failing."

Opponents of the plan filed a lawsuit June 22 — one day after Gov. Jeb Bush signed the voucher plan into law — in an attempt to have it declared unconstitutional. Bush said he was assembling a legal team to defend the plan, part of a far-reaching educational reform program that was a cornerstone of his run for governor last year.

"We're going to give parents other options when their schools — the most important public service that we provide — don't work for their needs," Bush said.

The Florida plan allows students in schools that receive an "F" rating by the state to get up to $4,000 a year to help defray the cost of attending a private school, including a religious one.

Opponents say the vouchers violate federal and Florida constitutional guarantees of church-state separation by allowing tax dollars to go to religious schools. Δ

Witnesses say 'sect' investigations hurt Western Europe faith groups

Minority faith groups in Western Europe face government restrictions and investigations, according to testimony by religious leaders before U.S. lawmakers on the Helsinki Commission.

The Commission on Security and Cooperation in Europe, popularly known as the Helsinki Commission, held hearings June 8 on "growing government intolerance" of religious minorities in Western Europe.

Participants named France, Belgium, Austria, Germany and Greece as countries that have begun investigations into "dangerous sects" or restricted religious freedom for minority faiths.

Rep. Chris Smith, R-N.J., said the action by several Western European governments is a "very dangerous trend."

Smith noted that on a recent trip to Russia, he was surprised how often Russian officials pointed to similar practices in Western Europe when asked about a recent Russian law restricting religious minority groups. Smith said the hearing was the beginning of the effort to scrutinize Western governments.

Pastor Louis Charles DeMeo, founder of a Baptist Bible college and seminary in France, told lawmakers that "religious discrimination has been increasing in France over the last few years."

Since 1996, he said, "France has neither kept its part of the Helsinki agreement, nor followed its own constitutional commitments to religious liberty."

DeMeo's Institute de Theologique de Nimes (ITN) was one of 172 groups placed on a list of "possibly dangerous cults" in a report released by the National Assembly of France in 1996.

While ITN has existed in France for 17 years, it has never before been the subject of a government inquiry, DeMeo said. But the 1996 sect report is "irreversible," he added, since the parliamentary commission that drafted the report has been dissolved and cannot be challenged in court.

"Since the publication of the cult list, ITN has experienced undeserved and we believe illegal harassment and persecution by French officials and the private sector that is taking its cue from the French governmental policies," DeMeo said.

DeMeo said phones are being tapped, license plates of church attendees are written down and ITN and its members have trouble securing bank loans.

He also said that recently every religious group on the sect list received a 30-page questionnaire concerning the income and financial details of the organization.

"We agree that the government has a legitimate right to investigate criminal activity, but we do not adhere to the principle that the government has the authority to control religious thought."

Willy Fautre, director of Brussels-based Human Rights Without Frontiers, said this new fear of sects has been triggered "by the collective suicides, homicides and attacks perpetrated on the initiative of leaders of religious movements or movements claiming to be religious."

He said that while 11 of the 15 European Union member states determined that the "sects" did not harm society to the point of having to create new institutions to combat their influence, four have done so.

In a prepared statement to the Helsinki panel, Fautre said:

◆ Austria created an information and documentation center about sects, placing it under the authority of the Federal Ministry of the Environment, Youth and the Family.

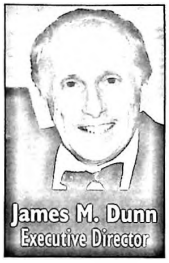
◆ Germany set up a parliamentary commission and published a report on sects. Scientology was placed under surveillance, but no legal action is being taken.

◆ France set up a parliamentary commission, which published a report listing 172 dangerous and harmful sects. An "observatory" of sects was put into action, then later replaced by the Interministerial Mission to Fight Sects.

◆ Belgium created a parliamentary inquiry commission and published a report "annexing a list of 189 movements suspected of being harmful sects."

Sen. Ben Nighthorse Campbell, R-Colo., said the U.S. panel may be criticized for "trying to force our views on unwilling European states." That "just doesn't stand up to examination," Campbell said. "What we are doing is asking our European partners to live up to the commitments they have already made to abide by these well-established international standards." Δ

Are women human? Ask the U.S. Senate



Are Women Human? That is the title of a little book of essays by Dorothy L. Sayers.

Sayers held her own in this "man's world" as a scholar, theologian, playwright, essayist and author of detective stories. Miss Sayers stressed that she was not a feminist. Her way of life was simply based on the premise that male and female are adjectives qualifying the noun "human being." Dorothy Sayers' take on women was formed by her faith.

Biblical people should have no trouble understanding that since the first chapter of the first book of the Bible reads: "So God created humankind in his image, in the image of God he created them; male and female he created them" (Gen. 1:28) and then "God saw everything that he had made, and indeed it was very good" (Gen. 1:31 NRSV).

Yet, the U.S. Senate is rushing along at molasses speed toward ratifying the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). That's true even though the United States was active in drafting the Convention, adopted by the United Nations on December 18, 1979, twenty years ago.

Then, the United States signed the treaty in 1980. In 1993 sixty-eight senators signed a letter urging President Clinton to take steps to ratify.

Support in the present Senate spreads the spectrum from the senior senator from South Carolina, Strom Thurmond, to the senior senator from Massachusetts, Edward Kennedy. In 1994 the Senate Foreign Relations Committee reported it out favorably, by a vote of 13 to 5 (with one abstention). Since then, there it sits.

Why? We are one of the few nations that has failed to put practical feet to the Universal Declaration of Human Rights. Already, 163 countries have ratified.

Why? When we hold other countries accountable and urge them toward a better human rights and religious freedom record, why do we drag our feet?

Why? When U.S. law largely complies with terms of the treaty, why do we hinder our own efforts in demanding fair treatment for women by being a hypocritical holdout?

Why? Some say the "founding fathers wouldn't have liked it." Right! They weren't too hot on freeing the slaves either.

Why? Some disturbed women of America raise all the traditional fears about what might happen: unisex rest rooms, little girls ruling the roost, abolition of single-sex schools, advancement of single-sex relationships.

Why? A tiny minority of the U.S. Senate, the same few who usually say "no," are thwarting the will of the "world's finest deliberative body" and thereby of the more sensible American people. That's why this commonsense step toward greater human rights has not been taken.

We Baptists are heirs of Roger Williams and Walter Rauschenbusch, stewards of the work of J.M. Dawson and Harold Stassen, who as much as any two people are responsible for the Universal Declaration of Human Rights. We are charged with carrying on the crusades of Martin Luther King Jr. and Jimmy Carter, Baptists of our day.

Surely we do not support violence against women, targeted poverty, lack of legal status, no right to inherit or own property, no access to contracts or credit.

Miss Sayers ended a talk to a Women's Society in 1938 with this analysis:

> To oppose one class perpetually to another — young against old, manual labor against brain-worker, rich against poor, woman against man — is to split the foundations of the state; and if the cleavage runs too deep, there remains no remedy but force and dictatorship. If you wish to preserve a free democracy, you must base it — not on classes and categories, for this will land you in the totalitarian State. ...You must base it upon the individual.

Women are human. Δ

Religious Liberty Council elects officers

At its annual meeting June 25, the Religious Liberty Council re-elected its four officers and elected two new members to serve on the Baptist Joint Committee.

The RLC, the individual membership arm of the BJC, met during the annual gathering of the Cooperative Baptist Fellowship in Birmingham, Ala.

The RLC elected Toby Druin and Todd Heifner to be members of the BJC. Druin is the former editor of the Texas *Baptist Standard*. Heifner is director of Endowment and Capital Funds at Samford University in Birmingham. Both will serve three-year terms.

Re-elected to three-year terms were CBF Coordinator Daniel Vestal and Suzii Paynter, educational development consultant based in Austin, Texas. The RLC re-elected its tri-chairs Patsy Ayres, an activist from Austin, Texas; Hardy Clemons, pastor of First Baptist Church in Greenville, S.C.; and Gardner Taylor, pastor emeritus of Concord Baptist Church of Christ in Brooklyn, N.Y. Jerry Martin, a Kensington, Md., pastor, was re-elected secretary of the RLC. Δ

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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School Prayer: A Community at War

A documentary by Ben Crane and Slawomir Grünberg premieres nationally July 20 on the PBS series "POV."

That the citizens of Pontotoc, Miss., are sincere and devout in their zeal for the Lord is obvious in an upcoming PBS documentary, *School Prayer: A Community at War*. Love is less apparent in Pontotoc, as the advent of an outsider who challenged the decades-old state-sponsored religious practice in its public school revealed.

In profiles of players on both sides of a lawsuit filed in federal district court in 1994 (*Herdahl vs. Pontotoc County School District*), the film examines the deep community rifts state-sponsored religion in schools create.

Local folks speculate that Lisa Herdahl, who brought her family to her husband's native Mississippi from Wisconsin, was planted by the ACLU to rip faith from the fabric of their daily lives, or, worse, that she is demon-possessed. She objected to daily devotionals broadcast over the intercom at school. Her son didn't attend the Bible classes the school offered.

In fact, Lisa Herdahl is a Christian who believes mightily in prayer — *private* prayer, at home and at church. She resents the attempt by the school and local church authorities to indoctrinate her children. Herdahl wrote to the school board to bring to their attention Mississippi state statutes outlawing the exercises, but they responded that their tradition would endure, leaving the courts as Herdahl's only recourse. When she and her attorneys secured a temporary injunction against the broadcast of devotionals, students began gathering before school in the gym for prayer and Bible reading in a show of solidarity and in protest. One pastor wonders how, in America, one person's will can override that of the majority. He doesn't see the tyranny of his majority.

Lisa Herdahl does, though. She received death threats, lost her job, feared for her life every time she started her car, and needed a police escort to the courthouse on her trial date.

Footage from that day offers insight into community thinking. Outsider bias is strong. One attorney for the plaintiff angrily rebuffs a journalist who wants to confirm a rumor that she is Jewish. "I don't think the religious beliefs of the attorneys in this case have any bearing on the case whatsoever," she says. Then, to the film crew, she elaborates, "it's the notion that only Jews, atheists, and, down here in Mississippi, Catholics would object to sectarian prayer over the intercom. That's part of the problem."

Interviews with D.C. attorney Elliott Mincberg of People For the American Way and school prayer activist William Murray explore the national implications of Pontotoc.

Saying she is not one to run away, and that she would do it all over again, Herdahl explains her decision to remain in the community after the legal battle. Life certainly isn't easy for her or her family there. Being a champion of religious liberty is lonely in a town of embittered folks who have circled the wagons. The documentary is a well-crafted reminder of why the Establishment Clause is needed: Tyranny once established never dies, but only festers under the surface, fanning the flames of hate. Δ

— Holly Shaver
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