



REPORT FROM THE CAPITAL

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NewsMakers

◆ **Steven T. McFarland**, director of the Christian Legal Society's Center for Law and Religious Freedom, has been named executive director of the U.S. Commission on International Religious Freedom. The 10-member commission, established under the 1998 International Religious Freedom Act, is charged with advising the administration and Congress on ways to combat religious persecution around the world. The CLS has named **Carl Esbeck**, University of Missouri constitutional law professor, to succeed McFarland.

◆ **Mildred Rosario**, a former New York City public school teacher, alleges in a lawsuit that she was wrongfully terminated after she led her class in prayer. Rosario led the prayer after a student asked about a classmate who had recently drowned. School officials fired Rosario after she would not agree to refrain from similar actions in the future. The Rutherford Institute filed the suit, which seeks financial damages and reinstatement of her job and teacher's license.

◆ **M. Osman Siddique** is the first Muslim to be sworn in as a U.S. ambassador, according to the State Department. The travel executive, born in Dacca, became ambassador Aug. 17 to the Pacific island-nations of Fiji, Nauru, Tonga and Tuvalu. Δ

Search committee to nominate Walker as BJC executive director

A search committee voted unanimously Aug. 18 to nominate **J. Brent Walker** as the next executive director of the Baptist Joint Committee.

Walker, an attorney and ordained Baptist minister, is general counsel and associate executive director of the BJC.

Subject to confirmation by the BJC directors at their Oct. 4-5 meeting, Walker will succeed **James M. Dunn**, who has directed the agency since January 1981.

Dunn is leaving the post Sept. 1, when he will become president of the Baptist Joint Committee Foundation and professor of Christianity and public policy at Wake Forest Divinity School in Winston-Salem, N.C.

Dunn is the BJC's fourth chief executive, succeeding **J.M. Dawson** (1946-1953), **C. Emanuel Carlson** (1954-1971) and **James E. Wood Jr.** (1972-1980).

The 11-member search committee chose Walker, 48, after interviewing several candidates Aug. 17-18 in Chicago.

In a statement released Aug. 19, the committee said it was led to Walker "because of his enthusiasm for education and for igniting the flame of religious liberty in a new generation of Baptists and young people. He is deeply respected by legislators, is a proven church-state advocate and has a panoply of legal and pastoral abilities and talents."

Search committee chairman **Aidsand Wright-Riggins III** said the panel's task was to "identify a person who would carry our cause into the next millennium. In **J. Brent Walker**, we found a candidate young enough to continue the energetic

and vigorous legacy of the Committee and old enough to lead it with wisdom and maturity."

Wright-Riggins, executive director of National Ministries, American Baptist Churches in the U.S.A. and chair of the BJC, described Walker as a gifted spokesperson, preacher, lawyer and administrator.

"We were impressed that Brent's spiritual journey led him to leave a prestigious law practice, prepare for Christian ministry and then dedicate his skills as an ethicist and advocate for extending and defending religious freedom," Wright-Riggins said.

Walker said he is "humbled and honored to be nominated to succeed a legend, the Baptist equivalent of a

Vince Lombardi or a Bear Bryant. I look forward to building on **James Dunn's** agency-saving leadership and to guide the BJC in its mission of defending and extending religious freedom for all."

Walker earned a bachelor's degree in political science (1972) and a master's degree in public administration (1973) from the University of Florida. After earning a juris doctor from Stetson University College of Law in 1976, he joined the Tampa law firm of **Carlton, Fields, Ward, Emmanuel, Smith & Cutler** and became a partner in the firm in 1982.

Walker left the Tampa firm in 1986 to attend Southern Baptist Theological Seminary in Louisville, Ky., where he earned a master of divinity degree in 1989. He joined the BJC staff that year as associate general counsel and became general counsel in 1993. Δ



J. Brent Walker

California court upholds refusal to post Ten Commandments

A California appeals court upheld Aug. 17 a school district's refusal to post the Ten Commandments on the fence of a ball field.

In 1995, Downey High School sought advertisers to cover the expense of new uniforms. Edward DiLoreto, chief executive of a local engineering firm, paid \$400 and had a sign designed with the Ten Commandments under a caption that read: "Meditate on these principles to live by."

The school, located in the Los Angeles suburb of Downey, refused to display the sign. The Downey Unified School District received an opinion from then-Attorney General Dan Lungren that the display would be legal, but decided to remove all ads from the fence in 1996 and concluded the fund-raiser.

The conservative Individual Rights Foundation sued on DiLoreto's behalf, claiming the district violated freedom of religion and free speech.

The 2nd District Court of Appeals upheld a lower court's ruling against DiLoreto. Δ

Mississippi school officials reverse Star of David ruling

A Mississippi school board has reversed its controversial decision that barred a Jewish student from openly displaying a Star of David necklace.

On Aug. 23, the Harrison County School Board voted unanimously to exempt religious symbols from a policy that prohibits students from wearing items that could be considered gang symbols that might prompt violence.

The parents of Ryan Green, an 11th grader, requested that school officials rethink the policy. Mississippi American Civil Liberties Union officials had also filed suit in an effort to overturn the board's initial vote.

And a frequent critic of the ACLU had also backed the student. In an Aug. 18 written statement religious broadcaster and Christian Coalition President Pat Robertson said that "today a school board may decide the Star of David is inappropriate, tomorrow a school board may decide a Christian icon is unacceptable."

The board originally said the necklace could only be worn inside his shirt while he was at school. But the board, which meets in Gulfport, Miss., reconsidered its stand following an onslaught of criticism.

"We realized that it infringed on freedom of religious expression, and that freedom supercedes the safety issue," said board president Randy Williams.

The six-pointed Star of David, one of Judaism's central symbols, is sometimes incorporated into gang symbols, law enforcement officials have said.

Robertson said the reversal "is a victory for religious expression for people of all faiths. They showed real courage by reversing their earlier decision and restoring this student's constitutional right."

Mark J. Pelavin, associate director of the Religious Action Center of Reform Judaism, also praised the board reversal. "This decision is the right one, the just one, and the appropriate one, as well as a resounding affirmation of our first freedom, religious liberty," he said. Δ

First statewide voucher program begins in Florida

The first statewide school voucher program began Aug. 16 in Florida, as supporters cheered the change and opponents criticized the move as a violation of the separation of church and state.

Twenty of the state's 58 voucher students began classes at St. Michael Inter-parochial School in Pensacola.

"One child getting a better education makes our world a little bit better," said Sister Robert Ann, the school's principal. "And if they have a little bit of religion, all the better."

The program began at four Roman Catholic schools and a nonreligious private school. It permits students in public schools deemed to be Florida's worst to receive vouchers of up to \$3,389 a year to pay for parochial or private school education at taxpayer cost.

The only eligible children are those who have attended schools the state has determined are failures.

The NAACP, Americans United for Separation of Church and State and other groups have filed suits challenging the program's constitutionality. Δ

Probe of 'cults' on Maryland campuses hit with lawsuit

A Maryland task force looking into the extent of "cult" activity at the state's public universities and colleges has prompted a lawsuit by opponents who say the panel violates constitutional rights and amounts to a religious inquisition.

The suit was filed Aug. 15 in Baltimore by several groups and individuals, including the International Coalition for Religious Freedom, which is associated with the Rev. Sun Myung Moon's Unification Church.

The suit seeks to halt the task force's investigation. It claims the task force violates the First Amendment's Free Exercise Clause, the Maryland Constitution and the U.N.'s Universal Declaration of Human Rights.

"The United States has correctly criticized European states for scrutinizing smaller and newer religions through government commissions such as this one," said Dan Fefferman, ICRF executive director. "The state of Maryland has been manipulated into engaging in religious McCarthyism by carrying out a biased inquisition into new religious minorities as 'cults.'"

The task force was established last year by the Maryland legislature following complaints to lawmakers by the parents of a University of Maryland at College Park student who claim their daughter was persuaded to join the International Churches of Christ by the resident supervisor of her dormitory. Δ

Guilt-by-association assertions won't sidetrack coalitional efforts



James M. Dunn
Executive Director

When I was a little boy in Fort Worth, on one or two special occasions, Mother bought a kaleidoscope for me at Woolworth's. Remember those toy tubes that when twisted turned little slivers of color into

fascinating formations?

The components were constant, but rearrangement sent different images. That sort of kaleidoscopic change is very like the sort of shifting that represents the single-issue coalitions of religious and related organizations on Capitol Hill in Washington, D.C.

All sorts of groups from left to right, with diverse special interests and with none, work together for short periods to pass or defeat legislation, to advance or inhibit various movements. This drives some purists stark-raving crazy. Others who actually know better act as if they didn't and engage in the most outrageous flights of fantasy to invoke guilt by association.

Whoever leads this or any other effective Christian witness in national politics will continue to practice cooperative coalition building. It is the standard operating procedure for shaping public policy.

Incidentally, it takes more not less faith, hope and love to pursue common goals with those unlike yourself. More than it does to be a pastor, a missionary or an evangelist. I know. I've been there.

Some critics squawk, "Be not unequally yoked with unbelievers!" First, we are not "yoked." Then, those who join to "do justice, love mercy and walk humbly with God" are not unbelievers.

To tell the truth, the harsh haters of the Baptist Joint Committee will soon aim their anger at my successor. Their agenda is fixed. They do not subscribe to a full-throated, whole-hearted, unconditional religious liberty. They cannot accept the separation of church and state as a necessary corollary of the first freedom. Rather, the enemies of everything for which this

agency stands are strong and loud and seem to be winning.

There are Democrats, even Vice President Gore, who would trade off the separation of church and state for a mess of "charitable choice" pottage. This scheme would funnel tax dollars directly into "faith-based" programs, effectively neutering their first name: "Faith."

There are Republicans who have made their first priority the passage of education vouchers. Little do they realize that they have been massively misled by the church that owns 90 percent of the parochial schools. Few friends of vouchers face the fact that a Roman Catholic Church desperate to save its schools has partnered with fundamentalist Christians seeking public money for their segregation academies: a marriage made in hell.

There are folks in both parties who, in Kansas, for instance, have placed a premium on ignorance for the sake of "creationism." God did create the universe in any way and at any pace God chose to do it.

Then, following the flavor of the year in righteous outrage, scores of parroting preachers speak of the "clear teaching of scripture" characterizing biblical passages that arguably might deal with homosexuality. Serious scholars suggest that violence, idolatry, prostitution and pederasty contextually crowd those debatable verses. But dozens of teachings that are not in question clearly condemn adultery, divorce, greed, mistreatment of the poor, etc., et al.

The Baptist Joint Committee has, for 20 years now, absolutely taken no position in the abortion wars, despite attempts to say we have. The BJC has made no statements, paid no money, joined no groups, signed no positions, attended no meetings where the focus was abortion.

The BJC has no plans to join the gay rights fight. Yet, mean-spirited, petty persons will continue to lump us with their enemies.

So, stick with my successor as you have supported me. He will speak out. He will be attacked. He will continue to do justice, love mercy, walk humbly with God. That ought to be good enough. Δ

Quoting

If the Supreme Court decisions of 1962 and 1963 had curtailed the free exercise of religion by the people, our churches would have protested this as a violation of the Constitution. However, since the decisions dealt with the role of government powers, the Baptist channels that dealt with the issues saw them as contributing to the progress of a great principle.

Among us, prayer is not a matter of social adjustment or of national heritage. It is understood to involve communication between a person or people and God. The presence or the absence of such communication is in no wise dependent upon the actions of federal, state, or local governments. On the contrary, attempts by public authorities to claim some permissive or regulatory power over prayer or worship is an immediate cause of apprehension among us.

— C. Emanuel Carlson

in testimony before the
House Judiciary Committee
May 28, 1964

Carlson served as the second
executive director of the
Baptist Joint Committee,
heading the agency
from 1954-1971.

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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Judge halts voucher plan, says it advances religion

A federal district judge temporarily stopped a 4-year-old Cleveland school voucher program one day before public schools opened, ruling that the program has a primary effect of advancing religion.

In issuing the injunction Aug. 24, U.S. District Judge Solomon Oliver said opponents of the voucher program had a "very substantial chance" of winning their argument that the U.S. Constitution's Establishment Clause bars such aid to religious schools.

The injunction, which halts the program pending a decision on the merits of the case, left parents of as many as 4,000 students scrambling to determine where their children would attend school.

In his order, Oliver said a violation of the First Amendment "constitutes irreparable injury," and said that "it is always in the public interest to prevent the violation of a party's constitutional rights."

Oliver said the Cleveland program, which was to provide 3,801 students up to \$2,500 each to attend private or parochial schools, "does not make aid available without regard to the nature of the schools to be benefitted. The participating schools are overwhelmingly sectarian. This means that parents cannot make an educational choice without regard to whether the school is parochial or not."

"Therefore the Cleveland Program has the primary effect of advancing religion. Failing to grant the injunction under such circumstances would not only be contrary to law, but could cause an even greater harm to the children by setting them up for greater disruption at a later time," the ruling stated.

A principal of one participating school said it was going to make it "tough" for

the school to survive. But Carol Sperry, principal of Westside Baptist Christian School, said she is optimistic that a way will be found for the 46 voucher students to attend her school of 166.

Sperry sees no church-state conflict with the voucher program. The separation of church and state was intended by the founders to only bar a state church, she said. "Everybody should have a right to choose where they attend school."

Oliver's injunction rekindled debate over the constitutionality of vouchers.

Voucher supporters argue that since the voucher is made out to a parent who can choose a school, it is not direct aid to a school. But in Cleveland, Oliver said, the state sends "a check to the chosen school made payable to the parents of the recipient; thereafter, the parents must endorse the check to the school. The state places no restriction on how the private school may utilize the money."

Barry Lynn, executive director of Americans United for Separation of Church and State said, "This decision brings the school voucher train to a screeching halt."

"This is the second federal court to rule against vouchers in the past three months," he said. "Voucher supporters need to realize the law is not on their side. Taxpayers cannot be required to support houses of worship or their schools."

The federal lawsuit, filed by AU, People For the American Way and a coalition of civil liberties and educational groups, marked the first federal test of a voucher program that includes religious schools. Earlier, a federal court rejected a challenge to Maine's exclusion of religious schools from a voucher program.

Supporters of the Cleveland program immediately appealed Oliver's injunction to the 6th U.S. Circuit Court of Appeals. Δ



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