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REPORT FROM THE CAPITAL

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NewsMakers

◆ **James M. Dunn**, Calvin W. Didier and Micah White received religious liberty awards from Americans United for Separation of Church and State. Madison-Jefferson Awards were presented to Dunn, Baptist Joint Committee Endowment president, and Didier, retired pastor of the House of Hope Presbyterian Church in St. Paul, Minn. White, a high school senior in Grand Blanc, Mich., received the Religious Liberty Award for successfully challenging school officials' decision to bar him from starting an atheist club.

◆ **Li Chang**, **Ji Liewu**, **Wang Zhiweng** and **Yao Jie** — leaders of the Falun Gong spiritual movement — were charged by the Chinese government for "organizing a cult to undermine the implementation of the laws." Members of the movement largely went underground after the government filed the charges and imposed new penalties on members of religious "cults."

◆ **British Prime Minister Tony Blair** has ruled out changing a law that bars Roman Catholics or anyone married to a Catholic from the British throne. Blair told Lord **James Douglas-Hamilton**, a member of the Scottish Parliament, it would be too complex to repeal the 1701 act. Douglas-Hamilton had said the law was out of date for the multifaith nation. Δ

Rogers named general counsel at Baptist Joint Committee

Melissa Rogers has been named general counsel of the Baptist Joint Committee on Public Affairs.

Rogers, associate general counsel of the BJC since 1994, succeeds Brent Walker, who recently was named executive director of the Washington, D.C.-based religious liberty agency.

"Melissa Rogers is the perfect person for this job," Walker said. "She's a brilliant lawyer who cares deeply about religious liberty. She works tirelessly and is admired by friend and foe alike."

"That's a recipe for success, if I've ever seen one," he added.

Rogers is a 1991 graduate of the University of Pennsylvania School of Law where she was a member of the National Moot Court Team, a legal writing instructor and an associate editor of the *Comparative Labor Law Journal*. She is also a Phi Beta Kappa graduate of Baylor University in Waco, Texas (1988).

Before joining the BJC staff, Rogers was associated with the D.C. firm of Dow, Lohnes & Albertson, where she specialized in telecommunications law. She is a member of the Maryland, D.C. and U.S. Supreme Court bars.

In her new position, Rogers said she would "work diligently to uphold a level of excellence in legal representation."

"As a lawyer, it is a fascinating experience to work at the intersection of church and state," she said. "As a Baptist, it is a true privilege to serve a group that has such historic and continuing commit-

ment to religious liberty and church-state separation."

June McEwen, chair of the Baptist Joint Committee, said Rogers is "an outstanding attorney" who "has an unusual amount of the abilities needed to do the job well."

"I think it's a cause for celebration for the Baptist Joint Committee that she has accepted the position," added McEwen, a retired educator and author from Chattanooga, Tenn.

Daniel Vestal, coordinator of the Cooperative Baptist Fellowship and a member of the Baptist Joint Committee, said, "Melissa Rogers is highly qualified with rich experience and a great commitment to religious liberty. The BJC is fortunate to have her fill this role."



Melissa Rogers

At the BJC, Rogers speaks and writes frequently about church-state issues. She has made guest appearances on Court TV, CNN, PBS' "Religion and Ethics Newsweekly," C-SPAN and numerous radio programs.

A native of New Orleans, Rogers and her husband, Stan Fendley, live in Alexandria, Va., and are members of Ravensworth Baptist Church in Annandale, Va. They have two sons, Adam, 3, and Carter, 10 months.

Rogers is the fourth person to serve as BJC general counsel. Preceding Walker, who served as general counsel from 1993 to 1999, were Oliver Thomas (1985-1993) and John W. Baker (1979-1985). Baker joined the BJC staff in 1969 as director of research and was named the agency's first general counsel in 1979. Δ

Tax complaint filed against Louisiana church

A church-state organization has filed a tax complaint against a small New Orleans church, asking the Internal Revenue Service to determine whether the church went too far in backing a Democratic candidate for governor.

Americans United for Separation of Church and State directed the IRS to a published account in which the Rev. Zebadee Bridges acknowledged he endorsed Rep. William Jefferson, D-La., from the pulpit of Asia Baptist Church.

In the same article, Bridges also said he told congregants they could contribute to the Jefferson campaign through envelopes the campaign had placed in the church.

"Collecting money on behalf of a candidate in church seems like a clear violation of the Internal Revenue Code," wrote AU Executive Director Barry Lynn in an Oct. 25 letter to the tax agency.

The collection in Bridges' church was part of a larger effort by the Jefferson campaign to solicit support from hundreds of Louisiana churches. Δ

House passes nonbinding statement on school prayer

The House of Representatives approved a nonbinding measure Nov. 2 asking the U.S. Supreme Court to uphold prayers at athletic events in the wake of a ruling against school-sponsored prayer at football games.

Although the resolution states the view of lawmakers that such prayers do not violate the Constitution's Establishment Clause, the measure changes no laws or court decisions.

"In this day and age when parents and communities search for answers in helping our young people, what is wrong with voluntary prayer before kickoff?" said Rep. Henry Bonilla, R-Texas, sponsor of the resolution, which passed on a voice vote.

Leading the opposition during the 40-minute floor debate was Rep. John Conyers, D-Mich. He said the resolution "comes very close to not only protecting religious expression but crossing over and violating the Establishment Clause."

He said that "courts have been very generous and have allowed student-led prayers, but have drawn the line at coached prayers or using the mechanics of the state, out of fear of a coercive effect." He also said the measure appears to find that "state-led prayer may be constitutional."

Supporters said the resolution is needed after a 5th U.S. Circuit Court of Appeals ruling that barred school-sponsored prayer at football games.

In 1994, the Santa Fe Independent School District in Galveston, Texas, adopted a policy allowing "student-selected, student-given, non-sectarian, non-proselytizing" prayers at graduations. The school district later attempted to modify the policy, arguing that it need not include the nonsectarian, nonproselytizing requirements to be constitutional. The 5th Circuit rejected that argument.

It also struck down the extension of this modified policy to football games. But it reaffirmed its earlier decision that commencement prayer could be acceptable if it meets certain guidelines.

Allowing such prayers at football games is unconstitutional, the court ruled, "even if such a policy includes the non-sectarian, non-proselytizing restrictions." The court said that a legitimate need to "solemnize" commencements does not exist at athletic events.

Rep. Walter Jones, R-N.C., said during the debate that "children have been barred from bowing their heads in private

prayers and writing their beliefs in school papers, and even from bringing the Bible to school."

Opponents of the resolution charge that supporters overstate the degree to which religious expression has been restricted.

Rep. Bobby Scott, D-Va., rejected claims that students' ability to pray voluntarily is restricted. "There is no prohibition against that," he said. "We are not talking about a student's ability to pray. We are talking about the ability of that student to require everyone else to participate," Scott added.

Brent Walker, Baptist Joint Committee executive director, criticized amendment supporters' characterization of what is allowed in public schools under current law. "It is no wonder why some people think they are barred from praying or carrying a Bible in public schools. Supporters of misguided measures like this continue to spread those false statements." Δ

Ten Commandments display debated at Baylor event

Alabama's attorney general and a Baptist church-state specialist squared off in a recent debate over whether the First Amendment prohibits displaying the Ten Commandments in a courthouse.

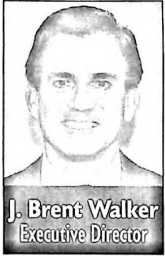
Alabama Attorney General Bill Pryor is an ardent defender of Circuit Judge Roy Moore, a Southern Baptist whose courtroom display of the Commandments sparked two legal battles. Pryor told an audience at Baylor University in Waco, Texas, that he sees nothing in the First Amendment to prohibit posting the Commandments in a courthouse.

Judeo-Christian beliefs are the "basis of this republic," he said, suggesting that if it is unconstitutional to hang the Ten Commandments in a courtroom it ought to be equally illegal to hang the Declaration of Independence because of its acknowledgment of God.

Derek Davis, director of the J.M. Dawson Institute of Church-State Studies at Baylor, took the opposing view. The question of whether to post the Commandments in a courtroom is "not a difficult one at all," Davis said. "Those who want to post them should not, and those who have them up should take them down."

"What drives the desire to post the Ten Commandments is a sense that we are in a moral decline in our country," Davis asserted. "The answer for many is an infusion of religion." That's only a problem, he said, when government becomes the agent to infuse religion. Δ

House lawmakers harm religion by using prayer as political football



J. Brent Walker
Executive Director

Prayer has long been used as a metaphorical political football; now, the Congress is playing politics with prayer at football games.

The House of Representatives passed a resolution on a voice vote to tell

the U.S. Supreme Court that "prayers and invocations at public school sporting events are constitutional under the First Amendment" and instructed the Supreme Court to "uphold the constitutionality of such practices." Nearly an hour of floor time was devoted to this nonbinding, "sense of the Congress" resolution, while mammoth appropriations bills and other critical legislation languish in the wings.

I'm really getting sick and tired of Congress taking up meaningless measures and lying about the need for them. One Democrat who supported the measure complained about the Supreme Court and "this First Amendment mumbo-jumbo." A Republican said that unlike NFL players, student-athletes are "prohibited from expressing their faith on the field."

Not true! The First Amendment's Establishment Clause prohibits public schools from advancing religion. Public school athletic events, which are held at stadiums owned and equipped by the schools, are school-sponsored. Thus, public schools are barred from allowing prayers to be broadcast over the loudspeaker or otherwise participating in or encouraging them at athletic events.

But that's not the end of it. Many forms of voluntary prayer are already permitted at athletic events:

- Students and student athletes may gather voluntarily before or after the game, as long as the school does not sponsor it. This could include pre- or post-game huddles or informal gatherings in the stands for vocal prayer.
- Spectators, students and student

athletes, of course, may pray silently at any time.

- A moment of silence may be observed before the event. This is probably the best way. There is a public reservation of a time for quiet reflection or meditation, and those who want to use the time to pray are allowed to do so without restriction. As long as these moments of silences are truly neutral, they are constitutional and sensitive to the rights of conscience.

These alternatives obviate what we really want to avoid — government officials selecting the pray-er or directing the prayer.

I'm also growing weary of members of Congress not standing up for these principles. Only Baptist John Conyers, D-Mich., Seventh-Day Adventist Sheila Jackson Lee, D-Texas, and Episcopalian Bobby Scott, D-Va., spoke out forcefully against the measure. Rep. Chet Edwards, D-Texas, also spoke in opposition. He criticized the fact that the resolution was being ramrodded through, instead of being thoughtfully considered in the Judiciary Committee. Although a full committee hearing and rigorous debate are usually warranted when addressing constitutional issues, this one needed less, not more, time and attention paid to it. Others who know better, such as Rep. Gene Green, D-Texas, actually spoke in favor of the bill.

Indeed, we have our work cut out for us. As we enter a new millennium, the Baptist Joint Committee must continue to emphasize the essentially *religious* reasons why state-sponsored prayer is wrong. We oppose it because we believe in the efficacy of prayer, not because we are opposed to it for any secular reason. Unless prayer is truly voluntary, it is really not prayer at all.

We all need to pray a lot more and talk about it a lot less. And certainly politicians should stop playing football with prayer. Δ

Quoting

Ibring some concern to this resolution, not because there is not good intention, but because there are the opportunities to have a story such as Plaintiff Jane Doe, II, who was attending seventh-grade Texas history class, and her teacher handed out advertising regarding a Baptist religious revival ...

But Jane Doe was not a Baptist, and she was inquired about her religious affiliation. It was noted that she was from the Church of Jesus Christ of the Latter-day Saints — Mormons. Her teacher launched into a diatribe about the non-Christian cult-like nature of Mormonism and its general evils. In fact, in the Duncanville case, the plaintiff's history teacher referred to her as a little atheist.

... I want the football team to pray. I want the Capitol to pray. I want those in the stadium to pray, and they have a right to pray. The idea, of course, is that they cannot force upon others a prayer that others would not want to have.

— Rep. Sheila Jackson Lee

D-Texas

Speaking in opposition to a resolution that supports school-sponsored prayer at athletic events

Baptist Joint Committee

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- ◆ 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

J. Brent Walker
Executive Director
Larry Chesser
Editor
Kenny Byrd
Associate Editor

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Flight into Freedom: The Story of Roger Williams and the Making of America

Sidney Hormell (Kearney, Neb.: Morris Publishing, 1997) 160 pp. (\$7.95)



In *Flight into Freedom*, Sid Hormell portrays the life of Roger Williams, the Puritan preacher who brought to America the passion for separation of church and state. An early crusader for soul freedom, Roger Williams began the fight against state-enforced religion in America. In so doing, he founded both the first Baptist church in America and the colony of Rhode Island.

The text itself is historical fiction, memoirs imagined to be from Williams' own hand. Yet Hormell promises that the fictitious details and skewed chronologies do not detract from the factual basis of the story woven here. "Even those details which are imagined could have taken place, and most likely did!" insists the author.

In his foreword, Hormell makes the case for a text on Roger Williams intended for the masses: "There are many scholarly works and children's stories about Roger Williams. However, the general public needs to know his story, for there are many movements in America and around the world which seek to reunite state and religion and threaten the existence of people's basic liberties." Through a modest, rather than erudite, exploration of Williams' flight from oppression, Hormell reminds his readers of the struggles that secured the religious liberty that must, today, be protected.

Hormell appeals to this "general public" with his portrayal of the very human

side of this revolutionary. His Williams is passionately romantic, brave in his interactions with Native Americans and the wilderness, hotly tempered, chauvinistic, and entirely faithful in his love for his wife, Mary, and their five children. His good sides and his less-than-flattering qualities are portrayed with equal fervor and determination.

Also in an effort to bring the Roger Williams legacy to the lay reader, Hormell treats lightly the laborious political details of the Long and Short Parliaments and the Interregnum. There is something to be said for the brevity with which he handles such complicated history. However, the uninitiated reader may be more daunted by references to the Levellers and the Rump Parliament than by detailed information about the politics of the century.

Flight into Freedom may be a particularly helpful resource for teaching Baptist youth about their denominational heritage, or for teaching youth in general about the beginnings of religious liberty in America. Because it is divided into seventeen chapters, the text can be easily examined as part of a semester-long discussion group. Perhaps with the aid of a "character list" — an explanation of the roles of the political power players — this text can be a helpful introduction for anyone interested in Roger Williams and the religious liberty for which he fought. Δ

— Mary Elizabeth Hill
Baptist Joint Committee Intern



**BAPTIST
JOINT
COMMITTEE**

200 Maryland Ave. N.E.
Washington, D.C. 20002-5797
202-544-4226
Fax: 202-544-2094
E-mail: bjcpa@bjcpa.org
Web site: www.bjcpa.org

Non-profit Org.
U.S. Postage
PAID
Riverdale, MD
Permit No. 5061



BILL SUMNERS
901 COMMERCE ST STE 400
NASHVILLE TN 37203-3630