



REPORT FROM THE CAPITAL

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NewsMakers

◆ Florida Gov. **Jeb Bush** has restored the civil rights of former Watergate figure-turned-evangelical activist **Charles Colson**, 25 years after Colson was sent to jail for his role in the Watergate coverup. Colson, 68, was the special counsel to former President Richard Nixon and spent seven months in federal prison for his role in the Watergate scandal.

◆ Addressing the proposed U.S. issuance of debt relief to the world's poorest countries, Rep. **Sonny Callahan**, R-Ala., said, "The debt relief issue is now a speeding train. We've got the Pope and every missionary in the world involved in this thing."

◆ On Oct. 17, President **Bill Clinton** signed into law the Children's Health Act of 2000. He cited a provision allowing religious organizations to qualify for grants from the Substance Abuse and Mental Health Services Administration on the same basis as other nonprofit institutions but placed limits on its implementation. "This provision would be unconstitutional to the extent that it were construed to permit governmental funding of organizations that do not or cannot separate their religious activities from their substance abuse treatment and prevention activities that are supported by SAMHSA aid," Clinton said. ▴

Supreme Court agrees to review ruling against Good News Club

The U.S. Supreme Court agreed Oct. 10 to hear the appeal of a Christian youth organization that was denied use of school facilities because of its religious nature.

While non-religious groups such as the Boy Scouts and 4-H Club were able to

use school facilities after hours, the U.S. 2nd Circuit Court of Appeals said the Good News Club does not qualify under a New York school district's policy.

Milford Central School District has had a policy since 1992 allowing local residents to use school facilities for social, civic and recreational meetings and entertainment events.

The policy states, however, that school premises "shall not be used by an individual or organization for religious purposes."

In 1996, the Good News Club — affiliated with a Christian missionary organization known as Child Evangelism Fellowship — applied to use the school's facilities to have "a fun time of singing songs, hearing [a] Bible lesson and memorizing Scripture."

The club said its program typically begins by calling attendance and awarding a treat to each child who can recite a Bible verse. The children sing songs, learn Bible stories, memorize Bible verses and close with a prayer.

After reviewing the club's program materials, the district's interim superintendent said the proposed activities were not merely discussion of secular subjects

from a religious perspective, but "were in fact the equivalent of religious instruction itself."

The Milford Board of Education denied the application, and the club filed a complaint with a U.S. district court in March 1997, charging its rights of free

speech, equal protection and religious freedom had been violated.

The district court ruled in favor of the school district, and the 2nd Circuit upheld the ruling.

The 2nd Circuit said that "it is not

difficult for school authorities to make the distinction between the discussion of secular subjects from a religious viewpoint and the discussion of religious material through religious instruction and prayer."

A dissenting opinion from the 2nd Circuit, however, said, "Even if one could not say whether the club's message conveyed religious content or religious viewpoints on otherwise-permissible content, we should err on the side of free speech." It also stated that "no one should be surprised if a religious viewpoint on morality looks very like religion itself."

A Baptist religious liberty advocate says it is difficult for government to draw lines in religious matters.

"This is not a meeting during class time," said Baptist Joint Committee Executive Director Brent Walker. "It's after hours. The government is ill-suited to draw hard and fast lines between speech from a religious perspective and religious instruction." ▴



Good News Club
vs.
Milford Central School
99-2036

Most Protestant pastors support vouchers, prayers

Most Protestant church pastors support school voucher programs and student-led prayers at public events in public schools, according to a survey by Ellison Research.

The Phoenix-based marketing research company found that 49 percent of ministers strongly support "giving parents school vouchers to help pay for their children to attend private schools (religious or non-religious) if they choose." Twenty-four percent said they somewhat support the idea, compared with 14 percent who strongly oppose it and 13 percent who somewhat oppose it.

Sixty-three percent of pastors affiliated with denominations tied to the National Association of Evangelicals strongly support school vouchers.

Thirty-one percent of pastors from denominations affiliated with the National Council of Churches strongly support school vouchers.

A national sample of 518 active Protestant pastors also were asked about school prayer.

Overall, more than 90 percent of pastors said they support "laws allowing student-led prayers at public events in public schools, such as graduation." Surveyors found 67 percent strongly support such laws, 25 percent somewhat support them, 4 percent oppose them somewhat and 3 percent oppose them strongly. Δ

Melissa Rogers to leave BJC for Pew Charitable Trust forum

Melissa Rogers, Baptist Joint Committee general counsel, has announced she will leave the post at the end of October to begin work at a newly created think tank on religion and public life.

In November, Rogers will begin serving as executive director of the Pew Forum on Religion and Public Life, a new venture funded by Pew Charitable Trusts. It will convene a wide range of religious and public policy leaders, academics, journalists and members of the public.

The co-conveners of the forum are E.J. Dionne Jr. of the Brookings Institution and Jean Bethke Elshtain of the University of Chicago.

Rogers, 34, joined the BJC staff in 1994 as associate general counsel. In 1999, she succeeded Brent Walker as general counsel after Walker was named the agency's executive director.

"I want to thank Baptists for the privilege of working with them to advance religious liberty," said Rogers.

Rogers and her husband, Stan Fendley, have two children — Adam, 4, and Carter, 18 months.

During her tenure as BJC general counsel, Rogers helped lead a diverse coalition of religious and civil liberties groups that steered through passage of the Religious Land Use and Institutionalized Persons Act, a bill helping churches that face burdensome zoning regulations.

The measure, which also protects religious practices by people of faith living at state-run institutions, was signed into law Sept. 22 by President Clinton.

"We worked very hard to unite an incredibly diverse group of people in Washington, and through the good will and hard work of these people, we've been able to accomplish important gains for religious liberty," Rogers said.

Walker said Rogers has made an "invaluable contribution to the work of the BJC. We are sad to see Melissa go, but we send her off with our blessings." He said that Rogers led an "often-contentious and unruly coalition with a steady hand and a gracious spirit." Passage of the religious land use law is a "lasting testimony to her effectiveness."

Walker added, "She will be very difficult to replace but we are determined to search for a first-rate church-state advocate to fill her shoes."

During her tenure at the BJC, Rogers has become one of the nation's leading

experts on "charitable choice" measures that provide tax funding for religious social services. She also helped lead the BJC's efforts to defeat a proposed constitutional amendment that would have altered church-state dynamics. It was offered by Rep. Ernest Istook, R-Okla., and defeated in the House of Representatives in 1998.

Accounts could face audits, say charitable choice backers

Being allowed to contract with the government to provide social services like drug rehabilitation might seem like a windfall to churches and other religious organizations already performing those ministries, but it could open them to greater government scrutiny and regulation.

That's the opinion not only of opponents of so-called "charitable choice" measures now before Congress, but of some supporters as well.

Lawmakers at a Sept. 28 press conference promoting charitable choice acknowledged that houses of worship that accept taxpayer funds could be subject to audit by the government.

"Any government funds have the potential of an audit," Rep. Mark Souder, R-Ind., said in an interview following the press conference. "If you want government money, there is going to be red tape." Among criticism leveled against allowing tax dollars to flow into church coffers is that accompanying regulations could infringe on the free exercise of religion.

Souder said the government should audit only special accounts set up by houses of worship to administer charitable choice funds and not other church accounts.

But only one of the several spending measures now before Congress that include charitable choice requires that a church set up a separate account for public funds.

Stanley Carlson-Thies, director of social-policy studies at the Center for Public Justice, a Christian study center that sponsored the press conference, also spoke. He advised that any group accepting tax money should set up a separate account and be aware that "government has the ability to audit that account."

"When public funds are spent," he said, "there are certain rules to be followed." The focus of the press conference was the release of a report card on state-by-state implementation of charitable choice legislation already on the books. Δ

Working for religious liberty an education and mission



Dear Friends,

Working for the Baptist Joint Committee has been an education and a mission for me. When I came here almost seven years ago, I was a telecommunications lawyer with little experience in

church-state law. Nonetheless, James Dunn and Brent Walker took a chance on me. At their feet, and at yours, I have learned much about the Baptist vision of religious liberty.

I have been inspired by our heritage. When I have needed motivation to keep up the good fight, I have often thought of Isaac Backus, the 18th century Baptist preacher who rode an estimated 67,000 miles and preached more than 10,000 sermons as he crusaded for religious liberty.

I have been moved by the acts of modern day Baptists as well. You have fought for religious freedom and church-state separation, and many of you have the scars to show for it. You have resisted school-sponsored prayer in the face of tremendous community support for such practices. You have fought zoning boards to ensure that churches' homeless feeding programs survive. As a matter of principle, you have turned down financial benefits from the state for your churches. You have gently and patiently reminded others that no, God has not been kicked out of the public schools. You have taught me much about courage and faithfulness.

Working here has also been my mission. So many are still surprised when they learn that Bible-believing persons of faith can support the separation of church and state and religious liberty for all. This message is important because it helps to safeguard the precious, God-given right of an individual to choose in matters of faith. It is also important because it sometimes convinces those who have abandoned their faith to return to it. It is important because it helps to bind up the wounds of those who have been on the receiving end of governmental coercion

on religious matters. It is important because, every now and then, it even captures the imagination and the heart of someone who has never had any use for religion at all. I have witnessed these things, and for that I will always be grateful.

Now I am turning to a new undertaking. Beginning in November, I will serve as Executive Director of the Pew Forum on Religion and Public Life, a new venture funded by the Pew Charitable Trusts.

It is a bittersweet moment for me. While I am excited about this new opportunity, I will miss you and this work deeply. Not only have you supported religious freedom, you have supported me. You have welcomed me into your churches and conventions. You have read what I wrote and then wrote me back. You have asked about my kids and shared stories from your own lives. You have sent me words of encouragement through e-mail, phone and fax. Through your words and deeds, I have truly experienced Christian love. One could not ask for a better group of people to work with and for.

Although I am changing jobs, I am not changing convictions or religious affiliations. I will continue to support the critical work of the Baptist Joint Committee, albeit in different ways. I look forward to joining you as a member of the Religious Liberty Council and bumping into you at Baptist gatherings.

So, while words seem woefully inadequate, let me thank you for the high privilege of working with and for you during these years. I look forward to continuing my relationships with you as fellow religious liberty advocates, Baptists and friends.

Sincerely,

Melissa

Religious group must pay unemployment expense

A group that runs a Christian school in Wisconsin lost its bid to avoid paying unemployment compensation Oct. 10 when the U.S. Supreme Court declined to review a lower court ruling.

Left intact was a Wisconsin Court of Appeals ruling that Soldiers of Jesus Christ, Inc., does not qualify as a church and is not operated primarily for religious purposes.

The organization runs a boarding school called Peniel Christian School, which is funded primarily with private donations and support from churches of various denominations. The school uses "Christian curriculum," but does not preach any particular doctrine, according to court documents.

Wisconsin's unemployment compensation law exempts employers from making the payments for services performed while employed by a church or organization operated primarily for religious purposes and principally supported by a church.

While the Soldiers organization and its school is run by a Lutheran pastor, the state's highest court said neither the school nor its employees are directly operated, controlled or employed by any branch of the Lutheran Church. 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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Missouri governor, member of RLC, dies in plane crash

Missouri Gov. Mel Carnahan, who died Oct. 16 in a plane crash near St. Louis, was a lifelong Southern Baptist active in his church and denomination and a member of the BJC's Religious Liberty Council.

Carnahan, 66, who was running for the U.S. Senate, died while en route to a campaign stop. Also killed were his son, Randy, who was piloting the plane, and longtime aide Chris Sifford.

Both Carnahan and his son were active members of First Baptist Church in Rolla, Mo. The governor was a former member of the Missouri Baptist Convention Executive Board and a former trustee of Southwest Baptist University and the Southern Baptist Foundation.

Carnahan's career in public service spanned more than 40 years.

In a 1994 interview with Associated Baptist Press, Carnahan described public service as a "noble profession" and said that his Baptist faith influenced the way he governed. "A lot of the decisions that one makes are very delicate ones on matters of policy," he said. "I would hope that I inject some very basic beliefs in my decision process." ▴

Texas congressman labels BJC an 'extremist' group

A Texas lawmaker is standing by a written statement that referred to the Baptist Joint Committee as one of many "extremist" groups with a "faith-hostile agenda."

Rep. Tom DeLay, R-Texas, made the statement in November 1999, but it came to light only recently. In an interview Oct. 16 with Associated Baptist Press, DeLay's press secretary, Emily Miller, said DeLay

stands by the comments because he believes the BJC "is trying to remove all religion" from the public square.

BJC officials have requested a meeting with DeLay.

"To claim that the Baptist Joint Committee is hostile to religion simply doesn't square with the record," said Brent Walker, the agency's executive director.

Walker said that three times since 1984, the BJC "led the fight to pass legislation protecting the free-exercise rights of Americans." He pointed to the Equal Access Act of 1984, which gives students the right to have religious clubs and religious meetings. Also, the BJC chaired coalitions of religious and civil liberties groups to help pass the 1993 Religious Freedom Restoration Act and the Religious Land Use and Institutionalized Persons Act, which was recently signed into law.

"The BJC has never sought the removal of faith from the public square," he said. "What we oppose is government sponsorship of religion. After all, what is more damaging and hostile to religion — leaving faith free to flourish on its own or saddling it with government's regulation?"

DeLay's comments were not made on the House floor but inserted into the record several days after a debate on "charitable choice." He took the opportunity to criticize Rep. Chet Edwards, D-Texas, for opposing the legislative initiative, which allows tax dollars to fund the social services of houses of worship.

DeLay said the meaning of the First Amendment has begun to change at the hands of "activists" like Edwards. He further decried the "faith-hostile agenda" of groups siding with Edwards on the issue, including the Baptist Joint Committee and Americans United for Separation of Church and State. ▴



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