

Nashville, Tennessee

REPORT FROM THE CAPITAL



Volume 56, No. 18

September 12, 2001

NewsMakers

◆ **Laura Cadena** of Dallas, Texas, and **Daniel Whitehead** of Cynthia, Ky., are serving fall semester internships at the Baptist Joint Committee. Cadena recently graduated from George W. Truett Theological Seminary in Waco, Texas, with an M.Div. in Christian education. She also holds a B.A. in journalism from Baylor University in Waco. Whitehead is a recent graduate of Georgetown College in Georgetown, Ky., with a degree in history and political science.

◆ **R. James Nicholson**, new U.S. ambassador to the Vatican, said that President Bush has assured Pope John Paul II of his commitment to bring "freedom and justice and peace" to the world. Nicholson, former Republican national chairman, succeeds **Corinne (Lindy) Boggs**, a former U.S. representative from Louisiana, who served as President Clinton's envoy to the Holy See.

◆ **Eugene Korn**, an adjunct professor of Jewish thought at Seton Hall University, has been named director of interfaith affairs for the Anti-Defamation League. He succeeds Rabbi **Leon Klenicki**, who retired earlier this year.

◆ **Illinois Gov. George Ryan** signed legislation making his state the second in the nation to penalize manufacturers who label food "halal" that has not been prepared according to Islamic law. Δ

Supreme Court asked to rule on vouchers, minute of silence

Disputes over education vouchers and a Virginia minute-of-silence law are among the First Amendment issues the U.S. Supreme Court is being asked to address as it returns to the bench Oct. 1 for the 2001-2002 term.

Justices are being asked to decide whether the separation of church and state is violated by tax-funded vouchers for religious schools in Cleveland and a Virginia law requiring public schools to set aside 60 seconds for students to engage in "meditation, prayer or other silent activity."

At issue in the voucher dispute is a program that provides tuition assistance for 3,800 students in Cleveland. More than 90 percent of the students in the program attend religious schools, prompting a federal appeals court to rule that the program violates the separation of church and state.

The Cleveland dispute is viewed as a likely test case for justices to address the contentious voucher issue. In 1973, the high court struck down a New York program that reimbursed religious school tuition through tax deductions and grants to parents, but justices have yet to rule on "voucherized" tuition payment for students attending religious schools.

U.S. Solicitor General Theodore Olson urged justices to review the case, saying it is "in the nation's interest" to settle the issue.

In his brief, Olson argues that the 6th U.S. Circuit Court decision against the voucher program is inconsistent with current Supreme Court interpretations of the First Amendment. Olson contends

that the Constitution is not violated when voucher programs indirectly benefit religious schools as a result of private choices by parents.

Virginia lawmakers approved the minute-of-silence legislation during the 2000 General Assembly and the measure took effect July 1 of that year.

"From the bill's original wording, which required teachers to announce to students that it is time to pray or meditate, to the sponsor's relentless fight to keep the word 'prayer' in the bill when some other legislators wanted it out, this law has been about putting state-sponsored religion back in public schools," said Kent Willis, executive director of the American Civil Liberties Union of Virginia.

Willis' organization, acting on behalf of seven public school students and parents, has asked the high court to reverse a ruling of the 4th U.S. Circuit Court of Appeals that upheld the statute.

"It is not at all clear that the Supreme Court will grant review in these cases," said Brent Walker, executive director of the Baptist Joint Committee. "The vote is likely to be close in both cases, and the uncertain outcome may discourage any four justices from voting to grant review."

Walker added that both cases are "ripe for review."

"There is a conflict among the lower courts on vouchers, and the 4th Circuit ruling arguably conflicts with a 1985 Supreme Court ruling striking down a similar Alabama moment-of-silence law," he said. Δ



2001-2002
Term

Production firm plans to base TV movie on Good News case

A Maryland company that intends to produce movies dramatizing disputes about church-state separation hopes to turn a prominent Supreme Court case into a made-for-TV movie.

Liberty Bells Video Project of Gaithersburg, Md., announced Aug. 24 that it has received a signed depiction release from Stephen Fournier that will allow it to make a movie about the recent case involving the Good News Club, a Christian children's organization that won the right to continue to meet in a Milford, N.Y., public school. Fournier is one of the leaders of the club.

The company hopes to begin production of the movie in the summer of 2002.

"Liberty Bells Video Project, Inc. has been organized to make movies that dramatize the conflict of religious expression in public as it relates to separation of church and state or the conflict of religious expression within culture and society," the company said in a statement. "The format of these movies will be along the lines of NBC's 'Law and Order.'"

The company was co-founded by Pastor Louie DiPlacido of Faith Baptist Church in Wheaton, Md., and Steve Heise, a videographer based in Germantown, Md. Δ

Lawmakers seek to sanction campaign activity by churches

Some lawmakers want to change the nation's tax laws to permit churches and other houses of worship to support and oppose candidates in political campaigns.

Current law allows churches to engage in a limited amount of lobbying activity but bars them from supporting or opposing political candidates if they want to maintain their tax-exempt status.

Rep. Walter B. Jones Jr., R-N.C., has introduced legislation (H.R. 2357) that would permit churches and other houses of worship to engage in political campaign activity in the same limited way they are now allowed to lobby on legislation. Jones' bill, which has more than 50 co-sponsors, would allow churches to support and oppose political candidates as long as their campaign activity represents an insubstantial part of their total activities.

Also, Rep. Philip Crane, R-Ill., plans to introduce legislation that would permit churches and other religious organizations to engage in campaign activity as well as lobbying without jeopardizing their tax-exempt status.

In a letter to House colleagues, Crane said his bill would provide a "bright line" to spell out how much lobbying and campaigning religious organizations can engage in without undermining their tax-exempt status. Crane wants to allow religious organizations to devote up to 20 percent of their resources to lobbying activities and up to 5 percent on campaign efforts.

Brent Walker, executive director of the Baptist Joint Committee, warned that both proposals would be "bad news" for churches and other religious organizations.

"They would turn churches into virtual political action committees and invite closer IRS scrutiny of lobbying activities," he said. "They could also create conflicts with federal elections laws." Δ

Judge: Chaplain's suit against U.S. Navy can continue

A federal judge has allowed the case of a former evangelical chaplain claiming discrimination by the U.S. Navy to proceed.

U.S. District Judge Thomas Penfield Jackson denied part of the Navy's motion to dismiss the case of D. Philip Veitch in an Aug. 30 order. Among Veitch's claims that the judge said should be considered are his allegations that he suffered "unlawful

retaliation" and that his religious and free-speech rights were violated under the First Amendment.

"Although it appears unlikely at the moment, it is impossible to conclude beyond doubt that plaintiff can prove no set of facts in support of those claims which would entitle him to relief," Jackson wrote.

Veitch, of Jacksonville, N.C., charges that military supervisors discriminated against him for theological reasons. He said Roman Catholic and Episcopal chaplains overseeing his work accused him of preaching "nonpluralism" in a Navy chapel in Naples, Italy, and he was forced to resign because he refused to stop including his conservative Christian beliefs in his sermons.

Veitch is affiliated with the Reformed Episcopal Church, an evangelical denomination. In the suit, he asked to be reinstated by the Navy.

"This is good news for us, obviously," said Art Schulcz, a Vienna, Va., lawyer who is representing Veitch and other chaplains who have sued the Navy.

Lynette S. Williams, spokeswoman for the Navy Chief of Chaplains, declined to respond to the latest court action. Δ

James D. Ford, former House chaplain, dies at 70

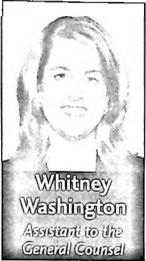
The Rev. James D. Ford, the widely respected former chaplain of the U.S. House of Representatives who retired last year, has died at the age of 70.

Ford died Aug. 27, according to his family and The Associated Press. Ford, a Lutheran, pastored members of Congress for two decades, from 1979 until his retirement in 2000.

"Through his many years of service he touched many lives, providing spiritual guidance to members and staff of all religions and political persuasions," House Speaker Dennis Hastert said in a statement. "We will miss this fun-loving man, known for his spirit of adventure, who was loved and respected by so many people who work on the Hill."

Ford served quietly on Capitol Hill, drawing the most attention when he retired and a firestorm erupted over his successor. A House panel had chosen a Roman Catholic priest to be chaplain, but Republican leaders overrode that vote in favor of a Presbyterian. After weeks of charges of anti-Catholic bias, Hastert tapped the Rev. Daniel Coughlin from Chicago as the House's first Catholic chaplain. Δ

World of Washington a leap from public school classroom



Whitney
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The political world of Washington, D.C., feels like an incredible leap from a sixth-grade classroom in Plano, Texas, where I taught for three years. I was at once thrust into the highly charged “charitable choice” debate on the eve of the

House vote on the legislation. I knew immediately that the passion that brought me to the BJC would only be fueled in the coming weeks.

A deeply rooted Baptist heritage, including grandparents in the mission field and a degree from Baylor University, have heightened my awareness of religious freedom and strengthened my resolve to further educate those living here and around the world. Having lived abroad for 6 years, I realize the wealth of religious liberty we enjoy in the United States, yet we must continue the struggle to preserve it. My desire to participate in the protection of our religious liberties and education system led me to the strong voice of the Baptist Joint Committee.

On my first day with the BJC, I witnessed the House Ways and Means Committee dissect the non-itemizer deduction provision, the very part of the Community Solutions Act that had any merit — a hard lesson of the reality of politics on Capitol Hill. We visited with members of Congress until the day before the vote to answer questions, reminding them of opportunities that already exist for religious groups that provide social services.

A varied gathering of strong religious voices, including Brent Walker, the executive director of the Baptist Joint Committee, proclaimed “charitable choice” the wrong way to do right. I worked alongside my predecessor, Mandy Tyler, to dialogue with members

of Congress about the detrimental effects of a direct financial cooperation between government and religious organizations. Your voices and those of other friends in Washington were offered that week, yet political arm-twisting and a forceful push from the White House led to passage of the bill in the House. And this was only the beginning of my new education.

As the August recess neared, we were invited to visit with Sen. Edward Kennedy. We were granted the rare opportunity to discuss the Workplace Religious Freedom Act with the senator himself. Kennedy provides a voice opposing school vouchers and supporting free exercise legislation such as the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA).

Because of his busy schedule, we were hustled by the senator’s aides from his conference room in the Russell Senate Office Building, to a Capitol hideaway with a panoramic view of the National Mall. The room was filled with family heirlooms and mementos of President John F. Kennedy. The fireplace on the side wall was reportedly used by the British to ignite their torches used to burn the White House. The famous senator barreled into the room and listened to our concerns about religious freedom in the workplace. He offered guidance, strategy and strength for a continued battle to hold employers accountable for accommodating their employees’ rights. As he left the room, I shook hands with a man who has helped shape history.

I look forward to continued encounters with policymakers and congressional members as I work with the Baptist Joint Committee in preserving religious freedom. Δ

Alabamians favor wall, but also support Moore

In principle, a solid majority of Alabamians favors a wall of separation between church and state. In practice, however, an even larger majority does not think Alabama Supreme Court Chief Justice Roy Moore jumped that wall by erecting a monument to the Ten Commandments on state property, the results of a new poll suggest.

More than three-fourths of those queried in a *Mobile Register*-University of South Alabama poll said they approve or strongly approve of Moore’s decision to place the 4-foot granite sculpture in the rotunda of the Alabama Judicial Building in Montgomery.

That resounding show of support came even as 62 percent agreed that government and organized religion should be kept separate, and more than half said the current degree of distance is about right or needs to be widened.

Moore secretly arranged for the monument’s installation almost four weeks ago. About 4 feet tall and weighing 5,280 pounds, the sculpture depicts the Ten Commandments and 14 other quotations about God and law. No public money was spent on the monument, according to Moore’s office. Δ

Baptist Joint Committee

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REPORT FROM THE CAPITAL

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REPORT FROM THE CAPITAL (ISSN-0346-0661) is published 24 times each year by the Baptist Joint Committee. Single subscriptions, \$10 per year. Bulk subscriptions available.

Roger Williams: Prophet of Liberty

Edwin S. Gaustad. Oxford University Press, New York, N.Y., 2001. 139 pp.



Edwin S. Gaustad has written an informative and readable book about one of the most remarkable American personalities of the 17th century. Gaustad presents Roger

Williams as a man of exceptional vision, unusual courage and extraordinary perseverance. Williams was among the Puritans who came to America to escape persecution by the Church of England. While some settlers were moderate in their view that religion in the Colonies should not be completely divorced from the Church of England, Williams saw the adventure in America as one requiring a complete severance from the Church of England as the only way to provide freedom of conscience as it relates to religious affirmation and choice.

Roger Williams' views of religious liberty quickly marked him as a dissenter in Colonial America. Williams believed that American Indians should be fairly compensated for the purchase of land by the settlers. He believed that civil authorities have no jurisdiction in religious matters of concern and that kings had no divine rights endowing them with that authority. He believed that religious commitment could never be a matter of compulsion but personal, conscientious choice.

While a pastor of a Salem, Mass., church, his views came under careful scrutiny of Massachusetts Bay Colony authorities. They concluded that Williams represented a serious threat to the authority and stability of the colony. He was finally banished from the colony in 1635. Williams fled the colony, braved a most

difficult winter for 14 weeks and finally identified an area 40 miles south of Boston that he believed could be the beginnings of a new settlement. He called the new settlement Providence, believing that God had led him providentially to that place. Williams' willingness to establish a new colony, without authorization from the King of England, represents one of the boldest adventures in Colonial America.

Williams had to meet many challenges, any of which could have destroyed the settlement. Tension and conflict between American Indians and settlers were a constant challenge. Claims that the Providence settlement encroached upon the land owned by the Massachusetts Bay Colony had to be dealt with, causing Williams to finally shift its geographical boundaries. Williams eventually realized the importance of securing a formal charter from England, which he received in 1644 from the English Parliament.

Roger Williams was a pivotal figure in the struggle for religious liberty in America. Had he not insisted on religious liberty, the Constitution and, in particular, the Bill of Rights, might read very differently. What Williams accomplished became the building block and foundation for others who followed him, including Thomas Jefferson and James Madison. The spirit of Roger Williams is alive; the religious freedom that we enjoy today is a part of his legacy. Francis Wayland, a former president of Brown University was right when he said "Some people leave monuments everywhere."

— Cedric Grant

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