

Report from the Capital

NEWSLETTER OF THE BAPTIST JOINT COMMITTEE

Walker: First Amendment would fail today

Language in the Constitution protecting religious liberty probably would not pass if Congress were voting on it today, says Baptist Joint Committee Executive Director J. Brent Walker.

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof," are the first 16 words of the First Amendment, which also protects the freedoms of speech, the press, peaceful assembly and redress of grievances against the government.

Citing a recent survey reporting that 49 percent of Americans think the amendment goes "too far" in protecting certain freedoms, Walker asked BJC directors to ponder: "You think that such a bill would have much chance of passing? To tell you the truth, I'm pretty sure it would not."

In a report to BJC directors attending their annual meeting Oct. 7-8, Walker said it has been a tough year for groups like the BJC that advocate the separation of church and state. The U.S. Supreme Court allowed the use of tax-funded vouchers for religious schools in Cleveland. The House of Representatives voted to expand federal funding of faith-based social services. A prominent book attacked modern interpretations of church-state separation.

"It feels, for all the world, like we are paddling upstream against a raging torrent from all sides," he said.

Despite that, Walker also reported successes, including the defeat of a law that would have allowed churches and other houses of worship to engage in partisan political activity while enjoying privileges of being tax-exempt.

Board member David Massengill, a



BJC Executive Director J. Brent Walker addresses conference on post-modernism. (See story, Page 2)

New York City lawyer who lives a few blocks from the site where the World Trade Center once stood, found an analogy for church-state separation in the destruction of Sept. 11, 2001. All of the buildings on the World Trade Center complex eventually fell, because they shared a foundation with the twin towers, he said. But St. Paul's Chapel, an Episcopal church just a block away, survived because it had a separate foundation.

"If our churches become dependent on the government — if they move into nice government-built buildings with government-built foundations — then when the storms rise and the governments fall, our churches will fall with them," Massengill said.

"That's why the Baptist Joint Committee's work is so important."

The BJC staff and directors also held a brainstorming session about future policy on school vouchers. The BJC has opposed them in the past, saying they are unconstitutional and warning that accepting public funding would likely result in increased regulation for churches.

Now that the Supreme Court has said vouchers are constitutional, the BJC must decide whether to continue its historic position against the regulation of churches or simply say to those accepting taxpayer funds "we told you so."

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NewsMakers

◆ **Attorney Art Schulz** has filed a lawsuit against the U.S. Navy on behalf of four ministers claiming they were unfairly denied chaplain posts. The suit, filed in U.S. District Court for the District of Columbia on Oct. 11, alleges that the men were qualified for the positions but the military service denied them fair treatment because of a "culture of prejudice against nonliturgical faith groups and their clergy."

◆ **Charles Haffey**, a Florida man who tried unsuccessfully to change his name to "God," has instead legally changed his name to "I Am Who I Am." The Lake City, Fla.-native petitioned a judge for the heavenly name change. When the judge refused, Haffey turned to the Bible for an alternative. He found Exodus 3:14, where God tells Moses, "I Am Who I Am." Judge Vernon Douglas approved the name change.

◆ A Chinese court has repealed the sentences of **Gong Shengliang, Xu Fuming** and **Hu Yong**, who were given death sentences, and **Gong Bangkun** and **Li Ying**, who were given suspended death sentences, all accused by the Chinese government of being involved in an "evil cult." The Hubeis Provincial High Court overturned a ruling by a municipal intermediate court because it lacked evidence for a conviction, the Information Center for Human Rights & Democracy said in a statement. The court also ordered that the five be retried, Reuters reported. △

Speakers: New focus needed to reach postmoderns

Baptists will need to focus less on propositional truth and more on the quest for meaning to be relevant to a "postmodern" culture, said speakers at a conference on religious freedom and postmodernism.

David Wheeler, pastor of First Baptist Church in Los Angeles, said many Baptists have done evangelism by appealing to the reason of an "autonomous self" to accept or reject theological concepts contained in a fixed, sacred text. But those concepts are increasingly viewed as irrelevant to postmodernists, a name given to philosophers reacting against some of the basic ideas that produced the Enlightenment and defined Western thought until the 20th century, Wheeler said.

Wheeler, however, said that Christians, and Baptists in particular, still have answers for the postmodern quest for meaning and community.

"When the self is an evolving project, and critical consciousness has dissolved the certain, there is still a quest for meaning and a quest for community," he said.

Instead of trying to prove Christianity by rational argument, Wheeler said Baptists should do what believers did before the modern age — urge others to follow Jesus.

"To dare to follow Jesus — and invite people to follow Jesus in their quest for meaning, in their quest for community — could be tremendously effective in evangelism," Wheeler said.

Phyllis Rodgerson Pleasants, a church history professor from Baptist Theological Seminary at Richmond (Va.), said individualism and rationalism of a later era changed the way early Baptists viewed their quest for meaning.

Citing Baptist confessions of faith from the 1600s, she said: "Their accent mark was not on autonomous freedom. Their accent mark was not even on the autonomous congregation's freedom. Their accent mark was on people's freedom to follow the Lamb wheresoever the Lamb was going."

She said earlier Baptists understood the concept of following Christ in community better than their modern counterparts, who view discipleship in more individualistic terms. "They believed if God was revealing God's self, and you thought you had an inkling of that revelation, [then] God was going to reveal it to someone else," she said.

Both speakers said experiencing Christ in community is more valid to postmod-

ernists than rational appeals based on the authority of texts or doctrines.

"The center is Jesus Christ, who never once said, 'say after me,' but commanded, 'follow me,'" Pleasants said.

"Instead of defending a certain set of dogmas, we [should] dare to listen to Jesus saying, 'Believe me, follow me,'" Wheeler said. "In doing so, we may find the highest degree of certainty possible in this postmodern age."

A panel discussion led by representatives of the BJC, The Interfaith Alliance Foundation, the Religious Action Center of Reform Judaism, The American Jewish Committee and the National Council of the Churches of Christ in the U.S.A. addressed the current state of religious liberty.

The five religious organizations recently published a joint statement titled *A Shared Vision: Religious Liberty in the 21st Century*.

Mark Pelavin, associate director of the Religious Action Center, said the joint statement emphasizes that in the United States' constitutional scheme, religious liberty is the goal, and the separation of church and state is the means to that goal. Treating religion like everything else would be a disaster for religion, he said.

Richard Foltin, legislative director of The American Jewish Committee, said that religious liberty has been one of the most crucial issues for the Jewish community in the United States.

He warned that the danger of the idea that neutrality is enough is that "if you fund on an equal basis, you can regulate on an equal basis." In buying into the neutrality argument in its recent voucher ruling, the Supreme Court has set aside the notion that the Constitution treats religion differently, he said.

Welton Gaddy, executive director of the Interfaith Alliance, told the conference that religious liberty means "that faith and politics always interact, but that neither controls the other."

The *Shared Vision* document, first published in 1994, was updated to reflect legislative and judicial developments in church-state law. To download a copy of the statement, visit the BJC website (www.bjcpa.org).

The conference, "Baptist Freedom in the 21st Century: Engaging the Postmodern Culture," took place Oct. 8-10 at the 200-year-old First Baptist Church of Washington, D.C. The Baptist Joint Committee, the Alliance of Baptists and American Baptists' Roger Williams Fellowship sponsored the meeting. △

St. Paul's survival shows value of separate foundations

Last year, temporarily homeless, I told you, "The debris has stopped burning, and we are going home this week." Close, but not quite right. In fact, it was about a week later before we moved back into our apartment, and then we had to move out again for three days to have it cleaned by environmental specialists. But after that we were home. And we have stayed home, on lower Broadway.

I was completely wrong about the debris. It had not stopped burning. I smelled that burning pile of debris for months. Late at night, after the crowds had left, I would go and look at it. Steel skeletons standing 12 stories high, giant cranes, huge earthmoving machines crawling over the debris like insects; all wreathed in the smoke rising from the burning rubble. I told people that I now lived one block due east of the gates of hell.

But the fires stopped; the pile was removed; rebuilding has begun.

It has been an interesting year on the street where I live. One of the most interesting stories has been St. Paul's Chapel. There is a moral to the story of St. Paul, at least for me: We do ourselves a real disservice when we see the BJC's job as only building walls between church and state. We are building something much more important than walls.

St. Paul's was built in 1766. It was George Washington's church when he was president of the United States. Alexander Hamilton is buried in the churchyard, a churchyard that was directly across the street from the World Trade Center complex.

I say complex because there were six buildings grouped together around the WTC Plaza, not just the Twin Towers. Every one of those buildings was substantial. When it was all over, every one of those buildings lay in ruins.

There is a picture, taken from a police helicopter, showing the cloud of debris from that collapse pouring over St. Paul's Chapel. You can just see the top of the spire, engulfed by a wave of dust, debris, and flying paper.

But when everything settled, St. Paul's

stood, unharmed. A few broken windows, an uprooted tree, nothing more.

During the months that followed, St. Paul's became the heart of the recovery effort. People barbecued meals on its steps, put mattresses on the pews for workers to sleep, gave massages and treated foot problems. It welcomed and stored thousands of memorials from around the country.

During this past year, I never saw a wall between church and state at St. Paul's; I saw a church that survived because it rested on its own separate foundation.

You see, the Trade Center buildings rose around a common massive foundation, far more impressive than the minor effort under St. Paul's. But the Trade Center buildings shared that central foundation, and when the twin towers fell, they all fell.

St. Paul's, on its own foundation, withstood the storm. And when I came walking back, looking for some sign of hope, I saw the steeple of St. Paul's standing against the sky.

Preserving that kind of strength is what this Committee is all about. We are preserving the foundations of our churches. It is so easy to let the government build our churches, support our missions. But if churches become dependent on government support, if they move into government-built sanctuaries with government-built foundations, when storms arrive and governments fall, our churches will fall with them.

That's why the BJC is always going to be a priority for me. Because I remember how good it felt to see St. Paul's standing there, offering some answer to the constant question "where is God?" Because preserving that kind of strength in our churches for the next time of disaster and despair is worth fighting for. △

David Massengill is an attorney in New York City, a member of Metro Baptist Church and a board member of the Baptist Joint Committee. Massengill, who lives one block east of the site where the World Trade Center buildings once stood, delivered remarks based on this commentary to the BJC board Oct. 8, 2002.



David Massengill

Member
BJC Board

State Department analyzes global religious liberty

Citing their suppression of religious minorities stigmatized as "cults" or "sects," the State Department included Belgium, France and Germany among countries that have violated religious freedom in the last year.

But the report said the worst repression of religion existed in a handful of countries including China and traditional foes such as Cuba, Vietnam and North Korea, along with Myanmar and Laos.

According to the department's fourth annual report on international religious freedom, the three European countries are guilty of adopting "discriminatory legislation or policies that stigmatize certain expressions of religious faith by wrongfully associating them with dangerous 'sects' or 'cults.'"

Secretary of State Colin L. Powell said the report "shines a much needed light on governments that flout international law and basic decency by making it difficult, and even dangerous, for their people to follow the dictates of their conscience and to practice their faith."

The report detailed religious persecution in 195 countries and grouped the worst offenders into five categories depending on the nature of their suppression of religious groups.

However, it stopped short at this time of identifying which, if any, additional countries would be designated "countries of particular concern" — the department's highest censure. △

BAPTIST JOINT COMMITTEE Supporting Bodies

- ◆ Alliance of Baptists
- ◆ American Baptist Churches USA
- ◆ Baptist General Association of Virginia
- ◆ Baptist General Conference
- ◆ Baptist General Convention of Texas
- ◆ Baptist State Convention of North Carolina
- ◆ 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

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.

"It could be uncomfortable encouraging polities that are regulating churches when we've always been for not regulating churches," said K. Hollyn Hollman, the BJC's general counsel.

Board member Timothy Brendle of Virginia said he thought the BJC should continue to fight against government regulation of religious institutions — even for schools that accept government funding. "Our role is to be a watchdog against the regulation of religion," he said.

But Cynthia Holmes, a St. Louis attorney and moderator-elect of the Cooperative Baptist Fellowship, said churches ought to follow the same rules as everyone else competing for public funds. "I would say, if you're willing to take voucher money, you have to follow the Golden Rule, which is to do what everyone else has to do," Holmes said.

Hollman responded it might hurt the "greater witness" if churches accept government dollars but argue for special treatment when it comes to government regulation. "That creates a lot of political resentment against churches," she said.

In other business, BJC directors closed a recent chapter of the organization's history on a positive note. A "memorandum of understanding" reported reconciliation in a dispute between the organization and one of its supporting bodies.

The North American Baptist Conference General Council had earlier voted to withdraw from the BJC unless the two groups found a way to address NABC concerns that the BJC sometimes works in coalitions on religious liberty issues with organizations that have broader mandates.

Leaders from the BJC met with the NABC General Council to address its concerns and to clarify the nature of the BJC's work.

The memorandum of understanding states that while "legitimate differences" exist among Baptists on matters of public policy and there are "different opinions" about the BJC's work, the NABC "reaffirms its commitment" to the religious liberty agency.

BJC board members re-elected all of their current officers. Reginald McDonough of Virginia will continue as chairman, Ed Massey of Kentucky as first vice chair, Margaret Ann Cowden of Pennsylvania as second vice chair, and Richard Bloom of Illinois as secretary.

The board also approved a \$1.07 million budget for next year, an increase of 4 percent from 2002. Δ

— Robert Marus
Associated Baptist Press

Court says towns can bar churches from residential areas

An appeals court has ruled that towns can prevent houses of worship from opening in residential areas in an attempt to control traffic and noise.

The Oct. 16 ruling by the 3rd U.S. Circuit Court of Appeals overturned a lower court ruling that struck down a local zoning law in Abington Township, Pa., that permitted kennels, riding clubs and golf courses — but excluded churches — in residential areas.

The appellate decision was a setback for Congregation Kol Ami, which has been trying to open a synagogue in the suburb of Philadelphia. The case was returned to a U.S. district court for further action, leaving open the possibility that the congregation could prove its case on an array of legal grounds. Δ



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