

# Report from the Capital

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NEWSLETTER OF THE BAPTIST JOINT COMMITTEE

## Alabama clergy, others oppose religious display

More than 40 Alabama clergy and religious leaders have urged a federal appeals court to uphold a district court's ruling that Alabama Chief Justice Roy Moore violated the U.S. Constitution by placing a 5,300-pound monument of the Ten Commandments in the State Judicial Building.

In an *amicus* brief prepared by the Baptist Joint Committee, the clergy and religious leaders contend that the monument violates the separation of church and state required by the First Amendment. Also joining the brief were the American Jewish Committee, the Anti-defamation League, the Commission on Social Action of Reform Judaism, The Interfaith Alliance, The Interfaith Alliance of Alabama and the Rev. Clifton Kirkpatrick, as Stated Clerk of the General Assembly of the Presbyterian Church (U.S.A.).

Filed recently at the 11th U.S. Circuit Court of Appeals, the brief supports the legal challenge to Moore's action by Americans United for Separation of Church and State and the Alabama affiliate of the American Civil Liberties Union on behalf of Stephen Glassroth, Beverly Howard and Melinda Maddox.

In November, federal district Judge Myron Thompson ruled that Moore's actions violated the Establishment Clause and ordered the monument removed. Moore won election to the state's top judicial post in November 2000 after campaigning as the "Ten Commandments Judge."

Thompson said the display lacked a secular purpose and had the primary effect of advancing religion.



*"The real friends of religion here are those Alabamians who had the courage to stand for the First Amendment."*

K. Hollyn Hollman

"The only way to miss the religious or non-secular appearance of the monument would be to walk through the Alabama State Judicial Building with one's eyes closed," Thompson wrote.

The *amicus* brief argues that the display "violates the freedom of conscience of those outside the Judeo-Christian faith by endorsing particular sectarian beliefs of that tradition."

With more than 75 religious faiths claiming at least 60,000 members, "Alabama enjoys great religious diversity, and includes many who do not adhere to the Judeo-Christian tradition," the brief states.

The brief also contends that the display violates the conscience of many within the Judeo-Christian faith by endorsing a particular version of the Commandments.

The display "degrades religion by allowing the government, rather than private individuals or faiths, to define religious practices and beliefs," the brief states.

"Governmental efforts to promote religion drain religious practices and beliefs of their spiritual significance, thereby depreciating, rather than revitalizing, religion."

The brief contends that religion

prosper best when the separation of church and state is maintained.

"To call for the separation of church and state is not to express hostility toward religion," the brief asserts. Instead, the parties to the brief "vigorously support separation of church and state precisely because the principle has enabled religion to flourish in the United States."

Like all governmental endorsements of religion, Moore's Ten Commandments display offends the basic purposes of the First Amendment, the brief argues.

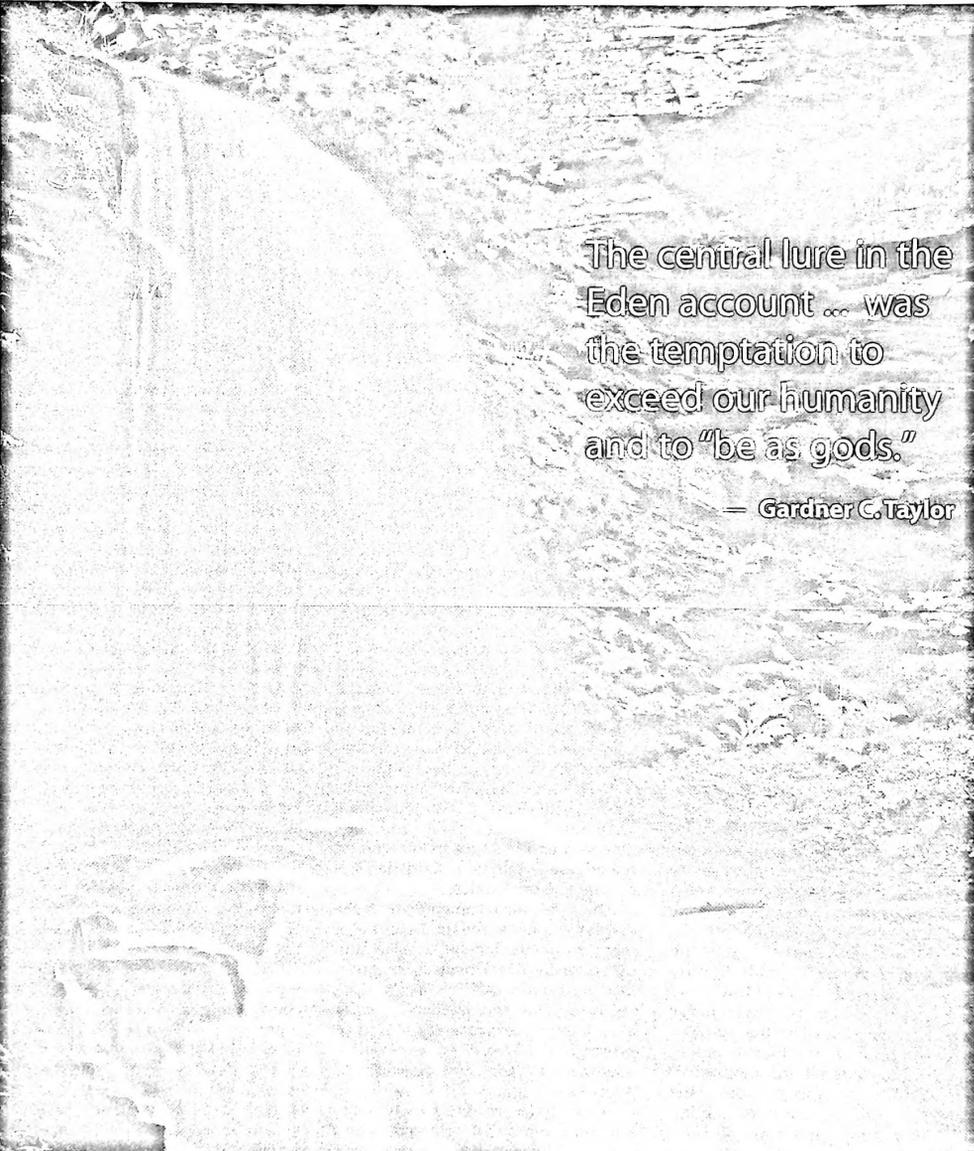
"Rather than strengthening religion, the display undermines religious interests: it shows disrespect for the freedom of conscience, tends to degrade and corrupt religion, and engenders social conflict and religious discord," the brief states.

"Religion has thrived in the United States precisely because it has been left to the private sphere," the brief concludes.

"This case shows that those who seek to use government to advance their faith do religion no favors," said K. Hollyn Hollman, general counsel at the BJC.

"The real friends of religion here are those Alabamians who had the courage to stand for the First Amendment against a popularly elected judge," she said.

Twenty-two Alabama Baptists were among the clergy and religious leaders signing the brief. It was also joined by Disciples of Christ, Episcopal, Jewish, Presbyterian, Unitarian-Universalist, United Church of Christ and United Methodist representatives. △



The central lure in the  
Eden account ... was  
the temptation to  
exceed our humanity  
and to "be as gods."

— Gardner C. Taylor

Religious Liberty Day 2003



## Religious Liberty and License

By Gardner C. Taylor

"... Ye shall be as gods ... ." Genesis 3:5

The central lure in the Eden account of our human beginning was the temptation to exceed our humanity and to "be as gods." Midst the luscious fruit and the endless springtime, a slimy presence strikes at the most vulnerable element in the human makeup, "ye shall be as gods." All of history since supplies tragic evidence that this continues to lie at the heart of the human problem. We mortals are created a little lower than God, a lofty status, but in our attitudes and actions we tend to forget the "little lower" and seek the glory which cannot be forcibly seized — the status and prerogatives of very God.



*"The freedom of every person to worship God "under his vine and under his fig tree" can become the overreaching that is license."*

— Gardner C. Taylor

My friend, Robert Handy, who taught church history at New York's Union Theological Seminary, in a bicentennial article in 1976, pointed out the claim of "speciality" in much of the history of America, actually going back to its English antecedent. The reign of Queen Elizabeth (1558-1603) "was a time when," as Winthrop Hudson put it, "returning exiles devoted their energies to making clear England's identity as a chosen people." It was kin to the theme which John Winthrop uttered on board the *Arabella* as it sailed toward Massachusetts, "we shall find that the God of Israel is among us ... when he shall make us a praise and glory... for we must consider that we shall be as a City upon a hill, the eyes of all people are upon us."

Jonathan Edwards took up the same line of reasoning in the Great Awakening of the 18th century when he said, "America has received the true religion of the old continent." Abraham Lincoln was a little more modest when in 1861 he spoke of America as the Almighty's "almost chosen people."

One hears that theme at the dawn of the 20th century from Senator Albert J. Beveridge, who saw it as God's plan in "the eternal movement of the American people toward the mastery of the world." Robert Bellah, the sociology professor at the University of California at Berkeley,

points out this theme as addressed by Herman Melville when he wrote that "the rest of the nations must soon be in our rear."

The great blessings of religious liberty, the freedom of every person to worship God "under his vine and under his fig tree" can

become the overreaching that is license, lack of due restraint, the inability to make the distinction between being made a "little lower" than God and being God.

This is the peril America faces today. Recently on television one of the gurus of conservatism spoke in a Ted Koppel interview as this being the "American Century." We are in danger of seeing our blessings as license. To be sure, America has enjoyed an ever-brighter history and an expanding sense of human worth and dignity. Our democratic pilgrimage represents the grandest political emprise in human history. Never before have people of so many diverse backgrounds, of such varying political faiths and religious beliefs been brought together, with the abomination of human slavery in the mixture, and given the mandate to contract a society of mutuality, liberty and opportunity.

That mandate is enshrined in the Declaration of Independence. One reads the words of this grandest and most eloquent of political creeds with a lift of the spirit and a gasp of wonder.

When in the course of human events it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation — We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness ...

In the gathering experience and sensibility of passing time, one would want to look askance at some of the language contained in the Declaration of Independence. A growing awareness of gender regard would make us want to substitute the word "people" for "men." It is more than merely mischievous to point out that the term "separate and equal" was purloined by the United States Supreme Court in its infamous *Plessy vs. Ferguson* decision that there could be "separate but equal" facilities for blacks and whites, substituting the conjunction "but" for the one in the Declaration, "and." Still, there is in the Declaration of Independence a subtle recognition of religious liberty. This occurs in the words "endowed by their Creator," not by any Congress or Parliament.

There have been grievous blights on the American undertaking. One mentions, hopefully with shame, the indefensible injustice visited on the original Americans, the Indians, as in the "Trail of Tears" when more than 100,000 Indian people were moved from the "Great Smokies" and herded toward what is now Oklahoma. The sin of human slavery and its entail, too often endorsed by Christian denominations and the cause of their schisms of region, remains a continuing shame and pain.



Through all of that history, liberty — secular and religious — has soldiered on until it is now basic in the American society. The sense of greatness which such liberty has bestowed on America tempts its people with a feeling of superiority and "speciality," which may be the regnant danger now faced by our society. Many Americans do not recognize the peril in preeminence in things material and military. It is the danger of license — the hubris of thinking "our way or the highway."

The graveyard of nations is filled with once great powers who strutted across the stage of history. Their sin was the fatal one of feeling that they were beyond judgment and beyond question. This is one of the problems of preeminence, perhaps the chief problem. There is today no major opposing power through whose presence we might be restrained and halted in our feeling of license, of freedom to act arbitrarily without regard to the sensibilities, justified or not, of other nations, the temptation to speak and act with arrogance toward other national communities.

It is at this point that a truly free religious pres-

ence in the nation can exercise its God-given genius. America, all unknowingly, may in these troubled times be most in need of that religious counsel which warns that "pride goeth before destruction and a haughty spirit before a fall" (Proverbs 16:18).

The stakes could not be higher than they are now for the future of this bright presence in history, which we lovingly call "America."

Beyond cavil, now is the time, as never before, when the Christian community must look at our country *sub specie aeternitatis*, under the

gaze of eternity, and under the judging presence of our God who has made himself most clearly seen in the work and words of our Lord Jesus Christ with his stern warning of "what shall it profit a man (or nation) to gain the whole world and lose his (its) own soul."

*Gardner C. Taylor is senior pastor emeritus at the Concord Baptist Church of Christ in Brooklyn, N.Y. He served as senior pastor of the Brooklyn congregation from 1948-1990. His sermons have been widely published, and he has received numerous academic and other honors, including the Presidential Medal of Freedom, the nation's highest civilian honor, from President Clinton in August 2000.*

## Children's Sermon

By Stephanie Wyatt  
Baptist Joint Committee Intern

Hold up a sign that reads "Special." Ask the children what "special" means to them.

*Possible response: Different, better, get attention.*

Do you like to feel special?

*Possible response: Yes!*

When are times when you feel special? Maybe like your birthday? What makes you feel special on your birthday?

*Possible response: Get presents, cards, cake, friends come to see you.*

Feeling special is one of the greatest things in the world. We like to feel like other people pay attention to us and tell us that they love us for being just who we are. But sometimes if we are not careful we think that being special gives us a right to something others do not have. We might say, "Well I'm special so I get to have (insert cool toy of the moment) instead of Caleb (or insert other name)." God does not like that very much.

In Genesis (Chapter 12) God comes to Abraham and asks Abraham to follow the Lord in faith. God tells Abraham that God will bless him (blessing somebody is kind of like "making

them special") if he will do what God asks of him. God tells Abraham that God is doing this so that other people might be "blessed." In fact, God says that through Abraham the whole world will be blessed. Because we trace our faith back to Abraham, what God says to Abraham applies to us, too! (This portion could have a visual of Abraham listening to God on felt board, projection screen, or poster. Also write out the word "bless" with definition "to make someone special.")

God teaches us that we are special. God makes us special so that we can let others know that they are special, too, because God loves them just as much as God loves us!

Today, the adults are going to hear a sermon about religious freedom. God promises us in the Bible that in Jesus we are free to feel very special, but that we should be free in a way that makes everyone free. As Christians, we support religious freedom because we know that is the best way to share God's love with others.

### Let Us Pray

Thank you God for knowing each one of us. Thank you God for loving us and calling us special. Help us to remember ... that in calling us special you ask us to tell others that they are special. Help us to love others as you have loved us. In Jesus name we pray. Amen.

## Book Resources

### Young People (Children and Youth)

#### Keepers of the Faith: Illustrated Biographies from Baptist History

Jeffrey D. Jones

Valley Forge, Pa.: Judson Press, 1999

Available through [www.judsonpress.com](http://www.judsonpress.com)

*Biographical Sketches in cartoon form of a variety of Baptist figures, including religious liberty heroes, as well as others. Cartoons may be reproduced for use in congregational settings.*

#### Celebrate Freedom: A Baptist Distinctives Vacation Bible School

Macon, Georgia: Smyth & Helwys Publishing

Available through [www.helwys.com](http://www.helwys.com)

*Educational curriculum suited for VBS or other educational unit. All materials encompassed in one book with activities for preschool, grade school, youth and adults*

#### Citizens of Two Kingdoms: Lessons for Youth in Baptists History and Religious Liberty

Baptist Joint Committee in cooperation with Smyth & Helwys Publishing

Macon, GA: 1996

Available through the Baptist Joint Committee

(202) 544-4226 or [www.helwys.com](http://www.helwys.com)

*Booklet including four lessons on religious liberty for youth. Lessons include elements of Bible study, Baptist history and contemporary issues of religious liberty and separation of church and state. Lessons could also be used with adults.*

### Adults

#### Beliefs Important to Baptists

Robby Barrett, Deborah McCollister, Larry Shotwell

Dallas: BaptistWay Press, 2001

[www.baptistwaypress.org](http://www.baptistwaypress.org)

*Series of Bible Study Lessons on Baptist Principles*

#### Freedom for the Journey

Phyllis Rodgeron Pleasants

Richmond: Center for Baptist Heritage and Studies, 2002

[www.baptistheritage.org](http://www.baptistheritage.org)

*Short book on Baptist principles including group discussion questions and activities*

*Companion PowerPoint CD also available*

*Additional resources may be obtained from Judson Press at its website [www.judsonpress.org](http://www.judsonpress.org) or from Smyth and Helwys at its website [www.helwys.com](http://www.helwys.com). Please contact the Baptist Joint Committee for additional materials related to Religious Liberty Day.*

## Litany for Religious Liberty

Baptists have never been party to oppression of conscience.

**Our contention is not for mere toleration, but for absolute liberty.**

There is a wide difference between toleration and liberty.

**Toleration implies that someone falsely claims the right to tolerate.**

Toleration is a concession, while liberty is a right.

**Toleration is a matter of expediency, while liberty is a matter of principle.**

Toleration is a gift from people, while liberty is a gift of God.

**It is the consistent and insistent contention of our Baptist people, always and everywhere, that religion must be forever voluntary and uncoerced.**

And that it is not the prerogative of any power, whether civil or ecclesiastical, to compel anyone to conform to any religious creed of worship.

**God wants free worshippers and no other kind.**

GEORGE W. TRUETT

*Delivered on the East Steps of the United States Capitol, May 16, 1920*

# Church-state separation in Iraq would promote liberty, stability

During a recent interview, Tom Brokaw asked President Bush about the prospect of an Islamic government in postwar Iraq, a country with a 60 percent Shiite majority. President Bush replied: "What I would like to see is a government where church and state are separated." He suggested that many citizens in Iraq would prefer a government that represented all Iraqis, not just certain groups, asserting in conclusion: "And I believe that can happen."

President Bush's embrace of church-state separation abroad honors what may be America's most unique contribution to modern constitutional government. In upcoming weeks, Baptists will honor that tradition by observing Religious Liberty Day. Sermons in many churches will reflect on the importance of religious liberty and the lessons from Baptist history that inform our commitment to the principle of church-state separation. It seems fitting that we look to America's past as we debate the future of Iraq, where religious differences are likely to present significant challenges.

For several reasons, President Bush's support for secular government — meaning one that is neutral, not hostile, toward religion — in Iraq is hardly a surprise. First, it reflects national security concerns. An Islamic state controlled by pro-Iranian Shiite clergy would likely oppose U.S. interests. Apparently reflecting the views of the Pentagon, Defense Secretary Rumsfeld has stated flatly that a government of Muslim clerics "isn't going to happen."

Second, on the domestic political front, any move to accept an Islamic theocracy would threaten to alienate important Bush supporters on the religious right, many of whom have openly voiced concerns about Islam. Even Pat Robertson, a usual critic of church-state separation, recently urged the president to adopt such a policy in Iraq, stating that it is going to be "absolutely imperative to set up a constitution and safeguards that say we will maintain a secular state" while respecting the faiths of all people.



**K. Hollyn Hollman**

*General Counsel*

These rationales, while perhaps compelling to the Bush administration in this case, do not capture the deeper and more universal virtues of church-state separation. Ultimately, the principal reason that President Bush should seek to promote this American tradition — not only in Iraq, but around the world — is that secular governments best promote the twin goals of religious liberty and social stability.

In the aftermath of decades of Baathist repression, the risk of religious strife in postwar Iraq is considerable. In addition to ethnic diversity, there are significant divisions between and within Sunni and Shia Islamic groups, not to mention Christian and other minorities. Some commentators thus suggest that Iraq is not fertile soil for the transplant of American political ideals. No one should naively assume that Iraq and other Middle Eastern governments will readily adopt and effectively implement American constitutional norms.

Nevertheless, it was precisely the experience of religious repression and sectarian strife in Europe and the American colonies that encouraged Baptist leaders such as Roger Williams and John Leland to promote the separation of church and state. This American principle emerged and gradually gained support from religious and political leaders in difficult and uncertain times, not an era of tranquility and stability.

For whatever reasons, President Bush has clearly set the proper course regarding the relationship between church and state in Iraq. Whether the seeds planted by American planners ultimately take root and bear fruit may depend on whether religious leaders in Iraq and elsewhere in the Islamic world embrace religious liberty and begin to appreciate the importance of church-state separation as the best way to achieve it — just as visionary Baptist leaders did in early America. △

## Quoting

Even more troubling is the Bush administration's battle to create "faith-based" initiatives, which could potentially open a direct line of funding to church-related social programs — while allowing those organizations to proselytize with federal dollars. Congress, particularly the Senate, seems worried about how all this could violate the First Amendment. But the president's indifference to the church-state barrier is especially perplexing at a time when this country faces grave peril from religious fundamentalists abroad who aspire to theocracy.

The president's conduct in the area has alarmed religious organizations, which recognize that religious freedom depends entirely on maintaining the constitutional separation between church and state. One group, the Baptist Joint Committee, has been bird-dogging the president on this issue. It recently reminded him that he was elected to serve as "the political leader of the whole nation, not one segment of the religious community."

Some of the president's supporters tend to dismiss those who disagree with him as hostile to religion. But much of the discontent is in fact emanating from devout people who have spent as much time in the amen corner as Mr. Bush and who want only to preserve the spacious ecumenical spirit that has ruled the public square up to now.

**Brent Staples**  
*The New York Times*  
 April 27, 2002  
[www.nytimes.com](http://www.nytimes.com)

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### Report from the Capital

**J. Brent Walker**  
Executive Director  
**Larry Chesser**  
Editor  
**Jeff Huett**  
Associate Editor

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## Join the Religious Liberty Council of the Baptist Joint Committee at its annual luncheon



**Speaker: Tony Campolo**

**Noon to 1:45 p.m.**

**Friday, June 27, 2003**

Grand Ballroom ABC — Westin Charlotte Hotel

Tickets: \$25 at the BJC exhibit in the Resource Fair

Tony Campolo, emeritus professor of sociology at Eastern College in St. Davids, Pa., will address religious liberty and the separation of church and state. The author of 28 books, including *Revolution and Renewal: How Churches Are Saving Our Cities*, Dr. Campolo will be available to sign books following the luncheon.



Please send \_\_\_\_ tickets for the 2003 Religious Liberty Council luncheon.

Enclosed is a check in the amount of \$\_\_\_\_\_

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For additional information, contact Wanda Henry ([wheny@bjcpa.org](mailto:wheny@bjcpa.org)).



**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](mailto:bjcpa@bjcpa.org)  
Website: [www.bjcpa.org](http://www.bjcpa.org)

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