

Report from the Capital

NEWSLETTER OF THE BAPTIST JOINT COMMITTEE

Grant pays for historic church renovations

Due to the intervention of the White House, a federal historic preservation program will for the first time pay for renovations to a church sanctuary.

The move represents Bush administration efforts to expand the ways in which the government may provide tax support to religious groups. Like past efforts, this move also has drawn criticism from church-state separation advocates.

Administration officials announced May 27 that the Old North Foundation of Boston will receive a \$317,000 grant to renovate sanctuary windows in that city's historic Old North Church. The church, which dates from 1723, is most famous for its role in Paul Revere's ride prior to the battles of Lexington and Concord on the night of April 18, 1775.

Old North Church is the nickname for the building that houses an Episcopal congregation whose formal name is Christ Church of the City of Boston. According to the federal Department of the Interior, the money will be given through the Save America's Treasures program, which provides support for renovations to buildings that are historically significant.

The foundation that will receive the grant and pay for the renovations is incorporated separately from the church, according to the church's pastor, Stephen Ayres. It has "an independent board that has an interfaith membership" mainly composed of non-church members, he said.

Because of constitutional concerns over government endorsement of religious activities, Save America's Treasures previously had not provided grants to houses of worship that

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— K. Hollyn Hollman



still house active congregations. A 1995 regulation under the administration of President Bill Clinton made that policy explicit.

But officials with the Bush administration have been reviewing the policy with historic preservation groups and have effectively rescinded it with the Old North Church grant.

Interior Secretary Gale Norton, in a statement announcing the grant, said, "This new policy will bring balance to our historic preservation program and end a discriminatory double standard that has been applied against religious properties."

Other administration officials said the philosophy behind the policy change was similar to that behind Bush's attempt to expand government's ability to give money to religious groups for social services.

In a May 27 speech to a group of Christian charity administrators, Jim Towey, director of the White House Office of Faith-Based and Community Initiatives, said the Old North Church grant was intended to end "discrimination" against houses of worship in federal preservation programs. "If [Old North Church] is not an American treasure, I don't know what is," Towey said.

Towey noted that government funding — both for historic preservation and for faith-based social services — should not directly subsidize religious teaching. "You can't preach with Uncle Sam's dollars," he told the group. "[President Bush] doesn't want government funding religion — that's the worst thing that could happen to you. But he wants to fund programs that bring results."

Others said the administration's move raises First Amendment issues.

"No one questions that the Old North Church is a historic treasure," said K. Hollyn Hollman, general counsel of the Baptist Joint Committee. "The issue is whether we are witnessing the continuing erosion of another treasure — the unique treatment of religion in our Constitution."

Barry Lynn, head of Americans United for Separation of Church and State, said, "Somebody needs to spread the alarm that the Bush administration is taxing people to support houses of worship. [Old North Church's] repair and upkeep ought to be paid for by the people who worship there."

Ayres, the church's pastor, said he does not believe his church's acceptance of federal aid amounts to a violation of the First Amendment's ban on government support for religion.

He said his church is in a unique position among houses of worship. "We're a small neighborhood congregation of 150 members that happens to have over 500,000 visitors a year," he said. To Ayres, the renovations amount to a public accommodation "so we can continue to teach about the history of the country." △

— ABP & Staff Reports

NewsMakers

◆ **Meredith Holladay** of Louisville, Ky., is serving a summer internship at the Baptist Joint Committee. Holladay is a recent graduate of Georgetown College in Georgetown, Ky., where she majored in religion and English. She will attend Princeton Theological Seminary this fall.

◆ **Daniel King, an** Amish farmer in Zion, Pa., reacted after city officials ordered him and another farmer to remove horses from their property because they violated local zoning laws. "We're living in America here. I can't believe you can't have a horse for religious transportation. It makes no sense at all," King said.

◆ **Judge Janet C. Thorpe** of Orange County (Fla.) Circuit Court has ruled that a Muslim woman could not wear a veil in her driver's license photo, stating that wearing the covering could help conceal identities. The decision held that the right to free exercise of religion would not be unconstitutionally infringed if the woman, Sultaana Freeman, 35, was required to have her face shown on her license.

◆ **Colorado Judge John Vigil** has ruled that a death sentence handed down by a jury should be thrown out because the panel used a Bible during deliberations to find passages on the death penalty. The Associated Press reported that this is one of several death penalty sentences to be overturned over the past 20 years because judges ruled that the Bible was illegally used in deliberations. △

Appeals court considers Ten Commandments case

The attorney for Alabama's chief justice argued June 4 before an appellate court that a Ten Commandments monument should stay in the state Supreme Court building.

Herb Titus told the 11th U.S. Circuit Court of Appeals the monument to the biblical laws should remain because God is the "source of law and liberty." He argued against a federal judge's order that the commandments be removed, The Associated Press reported.

Alabama Chief Justice Roy Moore had the 5,200-pound granite monument installed one night two years ago in the state Judicial Building.

Titus said the biblical laws should be permitted to stay because they are the basis for the Declaration of Independence and the Constitution.

"God is officially acknowledged as the source of law and liberty," he said. "This monument is part of that unbroken history."

The Southern Poverty Law Center, the American Civil Liberties Union and Americans United for Separation of Church and State filed suit on behalf of three Alabama lawyers who claimed the monument violated their constitutional rights.

Ayesha Khan, one of the lawyers who sued, said after the hearing, "Religion is too personal and too sacred and too holy to be used as a tool by the government."

The appearance of the biblical laws in public settings has prompted numerous cases regarding church-state separation across the country.

A three-judge panel of the same court that is considering Moore's case ruled during the last week of May that a Richmond County, Ga., court seal that depicts the Ten Commandments should be permitted to remain in use because it does not endorse religion. The small seal, used since at least 1872, shows tablets with Roman numerals rather than the written laws. (RNS) △

Federal appeals court permits distribution of religious ads

An appeals court has ruled that an Arizona school district cannot prohibit distribution of literature advertising a program with religious content.

The decision May 22 by the 9th U.S. Circuit Court of Appeals concerned a Scottsdale Unified School District policy.

"The district cannot refuse to distribute

literature advertising a program with underlying religious content where it distributes quite similar literature for secular summer camps, but it can refuse to distribute literature that itself contains proselytizing language," a three-judge panel concluded.

Mary Ellen Simonson, Scottsdale school district attorney, said the district may ask the full appellate court to review the decision or ask the U.S. Supreme Court to hear the case, The Associated Press reported.

She said the appellate decision puts school districts in the "untenable position" of assessing "how far a brochure can go in promoting a religious event in its advertising."

The ruling was hailed by the American Center for Law and Justice, which filed suit in 2000 on behalf of Joseph Hills, president of "A Little Sunshine From Arizona," a nonprofit corporation that planned a summer camp and wanted to advertise it through the school district.

"The appeals court decision sends an important message about the constitutional rights of religious speakers," said Walter M. Weber, senior litigation counsel for the law firm founded by religious broadcaster Pat Robertson.

"School districts cannot legally discriminate against the type of literature distributed at schools simply because that literature promotes an event that includes religious speech."

The camp, which was to feature two classes on the Bible, was never held because its organizer could not find enough participants, said the Alliance Defense Fund, a Scottsdale-based organization that helped fund the suit. (RNS) △

Hare Krishna couple flees town where cows drew ire

A Hare Krishna couple who drew the ire of neighbors for raising cows in the backyard has decided to move to a Hindu enclave in Bangor, Pa., where the sacred animals can roam free.

Neighbors and local businesses in Angelica, N.Y., complained of the smell from the cows and flies they attracted to Stephen and Linda Voith's backyard. Town officials filed suit last year, charging that the couple was raising farm animals without a permit, *The New York Times* reported.

The Voiths, like other Hindus, believe that cows are sacred and said the law violated their religious freedom rights. Without the cows, "our house is devoid of life," Stephen Voith said. (RNS) △

BJC to change newsletter format, basis for membership in RLC

The Baptist Joint Committee is on the cusp of making several changes in the way we do business that will affect you — our supporters and readers of this publication. I think you will like them.

First, the BJC will soon change the format and frequency of *Report from the Capital*. It will arrive in your mailboxes 10 times a year as an attractive, four-color, eight-page publication, instead of the one-color, four-page biweekly that you now receive. You will get about the same number of total pages each month and the same staff columns (my "Reflections" and Holly Hollman's "Church-State Intersection," which will be renamed "Hollman Report"), plus more in-depth articles, analysis and commentary.

The new publication, which will begin with the July-August issue, will focus more on analysis than news. In an Internet-driven, 24-hour news cycle world, the "news" is inevitably "old news" when you read it in *Report from the Capital*, whether delivered biweekly or monthly. So, we intend to rely more on our website and a planned e-mail publication to keep you informed about breaking developments.

Moreover, we have decided to distribute this new and improved *Report from the Capital* to our readers without a subscription fee. We want you to read *Report* religiously, from cover-to-cover, and then give it away to a friend, without worrying about a formal subscription charge. Instead, we will continue to solicit and welcome your voluntary gifts! Nowadays we count on gifts from individual supporters to make up about one-quarter of our annual budget.

At the same time, we will discontinue the Religious Liberty Council's quarterly publication, *First Freedom*. Much of the contents of *First Freedom* — features and reflective articles — will appear in the new *Report from the Capital* format. The elimination of *First Freedom* — along with fewer mailings of *Report from the Capital* — will result in savings on postage and handling costs, which over the past several years, have escalated dramatically.



J. Brent Walker

Executive Director

The BJC will also change the way that we identify members of the Religious Liberty Council. For more than a decade, the RLC has been the BJC's membership organization, allowing individuals — not just denominations — to become personally involved in our work by becoming advocates for religious liberty and church-state separation in local communities. Membership in the RLC has required the payment of dues (\$35, with students and seniors paying \$20). This has sometimes proved to be cumbersome and difficult to administer. Now, all donors to the BJC — large and small — automatically will qualify for membership in the RLC. We want all of our faithful donors to be considered partners in the BJC's work — to be our advocates as well as financial supporters. Those who cannot contribute money to the BJC — but who want to be a member of the RLC — will still be welcomed upon request.

Finally, through the dynamic leadership of the RLC — co-chairs Bill Wilson and Suzii Paynter and secretary David Rogers — we are taking measures to further energize the advocacy role of the RLC in dramatic ways. For example, a new BJC video, titled "Freedom is Not Free," will be premiered at the RLC luncheon at the Cooperative Baptist Fellowship General Assembly in Charlotte, N.C., on June 27. We are encouraging RLC members to show this video in communities and churches to help spread the word about the Baptist Joint Committee's work and sound the alarm about the dire threats to our precious liberty and the impending demise of the wall of separation. We need your help!

In sum, we believe these changes will streamline our operation, result in a more thorough dissemination of information, advance our education and advocacy efforts and result in cost savings that will improve our stewardship of financial resources.

We appreciate you — our readers, supporters and church-state freedom fighters. I hope you will join us in Charlotte. Δ

Belarus Christian leader seeks political asylum in the United States

One of Belarus' most persecuted Christian leaders is seeking political asylum in the United States, saying the degree of religious repression in the former Soviet republic has become unbearable and dangerous.

"We have had to practically go underground. There are large fines for praying at home. You can even end up in prison," said Father Yan Spasyuk, 36, administrator of the tiny Belarusian Autocephalous Orthodox Church, in an interview May 28 from Highland Park, N.J.

Spasyuk said the situation grew especially acute after a draconian new religion law was signed in October by Belarus' President Alexander Lukashenko. The law strongly favors the country's dominant Russian Orthodox Church and lays the legal groundwork for a clampdown on minority faiths in the country of 10 million between Russia and Poland. A private consultant in Brooklyn who helped Spasyuk prepare the application for the Immigration and Naturalization Service said the priest has a strong chance.

"It is quite a serious case. He must have brought in eight or 10 kilograms of material, photographs, videos, newspaper articles," said Global General Service's Leonid, who declined to give his last name. (RNS) Δ

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

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Religious liberty watchdogs nervous about Iraq's future

As Washington officials announce a new approach to setting postwar Iraq on the road to a permanent government, human rights watchdogs fear that religious freedom will become yet another example of the war's "collateral damage."

Several news sources reported June 3 that Iraqi groups are angry about a new American plan that calls for Iraq's current civil administrator, Paul Bremer, to hand pick an advisory council of Iraqis to help him run the country.

Earlier, United States officials said they would begin setup of an interim Iraqi administration by convening a national meeting of representatives from various ethnic, tribal and religious groups this summer. U.S. officials reportedly have now scrapped that plan.

Many of those upset with U.S. management of Iraq are fundamentalist Shiite Muslim political parties and civic groups. Religious freedom watchers have long feared that such groups — in some cases influenced and funded by their counterparts in neighboring Iran — would attempt to establish an Iranian-style "Islamic republic" that severely limits the freedoms of religious minorities, as well as more moderate Muslims.

Under Saddam Hussein's largely secularist Ba'ath Party regime, Christians and some other religious minorities had enjoyed far more freedom of worship than their brethren in other majority-Muslim nations.

However, Hussein, who was raised in the Sunni tradition of Islam, severely repressed the nation's Shiite Muslim majority.

In May, the U.S. Commission on International Religious Freedom released its

annual report on religious liberty conditions around the world. The panel said that, while the fall of Hussein had meant the end to repression of the Shiites, the once-repressed majority was now being tempted to institute repression itself.

Iraq is reportedly 60 percent Shiite, while only 600,000-750,000 of the country's 22 million citizens are Christians.

The chaos and lawlessness that continues in Iraq has opened doors of opportunity through which Shiite clerics have already stepped, observers note.

The Washington Post reported in May that some religious leaders had set up Islamic courts in some areas of the country to settle legal disputes. The paper also reported businesses that raised the moral ire of fundamentalist Muslims — such as movie theaters and alcoholic beverage distilleries — were being harassed and sometimes attacked by self-appointed religious police.

Despite that, Bob Edgar, president of the National Council of Churches, expressed hope for the religious freedom situation for the nation's Christian community and smaller minority groups. Edgar recently returned to the United States from Jordan, where he helped a group of more than 20 Iraqi religious leaders craft a joint statement calling for religious freedom to be a priority in postwar Iraq.

The statement, issued May 28 and endorsed by 40 other international religious leaders, diplomats and human-rights activists, asked that "the permanent Iraqi government be built on the basis of direct, free, democratic elections, a constitution and the rule of law that protects equally all religious, ethnic and national groupings, while maintaining Iraq's sovereignty and territorial integrity." The World Conference on Religion and Peace sponsored the meeting. (ABP) Δ



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
Website: www.bjcpa.org

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

*****AUTO**ALL FOR AADC 370 T18 P1
Bill Sumners
Southern Baptist Hist. Library & Archives
901 Commerce St Ste 400
Nashville TN 37203-3628