



# REPORT

from the Capital

## Religion harmed, not helped, by Ten Commandments display

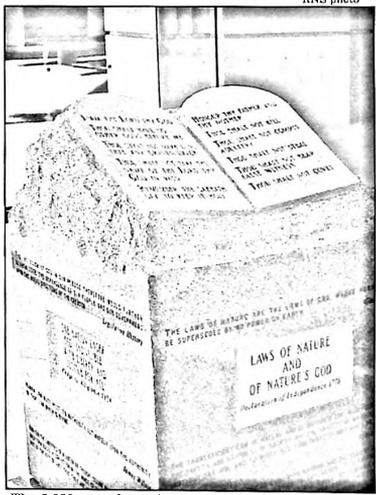
By K. Hollyn Hollman

For all the demonstrating, legal maneuvering and political grandstanding it provoked, the decision of Chief Justice Roy Moore to install a huge Ten Commandments monument in the Alabama State Judicial Building resulted in a rather ordinary legal opinion. While drawing lines in church-state cases is often difficult, this case was not even close. Two federal courts (in one of the more conservative federal circuits) found the monument clearly violated the Establishment Clause. Yet, many religious people supported the display.

Many in the crowds outside the courthouse failed to appreciate the robust protections for religion provided by the First Amendment. While the religion clauses provide a separation between the institutions of church and state, they do not and should not eliminate the many religious influences on our history, culture and political debates. It is understandable that some religious individuals want concrete (no pun intended) reminders that religion is important in our society. What is harder to understand is why so many people of faith believe that Chief Justice Moore's monument is good for religion.

The facts of the case were largely undisputed. In the summer of 2001, Moore, who was elected after campaigning as "the Ten Commandments Judge," installed a two-and-one-half ton monument of the Ten Commandments in the rotunda of the State Judicial Building. The monument stands alone. It is not part of any artistic tribute to lawmakers, like the representation of Moses in the U.S. Supreme Court frieze. The top of the monument shows two tablets sloped to give the appearance of an open Bible resting on a lectern. The tablets contain excerpts from Exodus 20:2-17. The central placement ensured that all who entered the building would see it. Moore installed the monument as the administrative head of the Alabama judicial system. He did so after the close of business, without the knowledge of the court's other eight justices. The monument, he asserted, served to remind all who entered the building of his belief in the sovereignty of the Judeo-Christian God over both the state and the church.

A federal district court ordered the monument's removal, and the 11th U.S. Circuit Court of Appeals affirmed. Justice Moore continued to crusade for his monument until forced by the unanimous decision of his colleagues on the bench to comply with the federal order. ↵



The 5,280-pound granite monument of the Ten Commandments was prominently displayed in the Alabama Judicial Building.

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SOUTHERN BAPTIST HISTORICAL  
LIBRARY AND ARCHIVES  
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OCT 29 2003

↔ Both courts simply applied well-settled legal principles – including those requiring government actions to have a secular purpose and to avoid advancement of religion. The evidence overwhelmingly demonstrated that the monument had no secular purpose. While the inquiry could have ended there, the courts also concluded that the monument had the primary effect of advancing religion.

The appeals court also respectfully addressed, but ultimately rejected, two rather creative arguments that illustrate the radical nature of Moore's claims. First, his attorneys boldly contended that because the display did not command or prohibit its conduct, its installation in the courthouse was not covered by the First Amendment's ban on an establishment of religion. In other words, Moore claimed the right to post an even more



ABF photo

explicit and exclusive religious message than he chose.

Second, the court rejected Moore's argument that the display was similar to ceremonial legislative prayers, upheld as constitutional under a 1983 Supreme Court decision. The problem, of course, is that there is no historical tradition of governmental displays of the Ten Commandments analogous to that of legislative prayers. The court stated: "That there were some government acknowledgments of God at the time of this country's founding and indeed are some today, however, does not justify under the Establishment Clause a 5,280-pound granite monument placed in the central place of honor in a state's judicial building."

Like the district court, the appeals court specifically distinguished this case from those where representations of the Ten Commandments have been upheld. The court noted it had earlier rejected a challenge to a 130-year-old County Superior Court seal that included a depiction of a Ten Commandments tablet that was one inch in diameter and appeared alongside a sword, as a symbol of the legal system. In that case, there was no evidence showing a religious purpose or effect. The court's well-articulated distinction makes a mockery of the claim that the federal courts are out to eliminate all evidence of religion in government.

While the legal outcome was not remarkable, the attention it received certainly was. What was often missing from the countless media reports, however, were religious voices who disagree with Moore.

But they were not missing from the case. More than 40 Alabama clergy and religious leaders filed an *amicus* brief demonstrating that even if the law were no obstacle, there are many reasons that religious individuals should oppose the monument. Some of these arguments fit well within the legal analysis and even find their way into judicial opinions. For instance, it is one of the clearest commands of the religion clauses that the government cannot prefer one religious perspective over another. To do so would trample on the rights of religious minorities. While many in Alabama may share Moore's religious views, they should not seek to impose their beliefs on others through government action. Moore has made his religious views clear, and his actions send a message of exclusion to those who do not share the Judeo-Christian tradition.

Another purpose of our constitutional separation between religion and government is to avoid social conflict and strife based upon religious differences. Allowing officials to use their government authority to endorse certain religious beliefs would create divisiveness and competition for state approval in the religious community.

More troublesome to people of faith, however, is the simple fact that religious displays sponsored by government degrade religion. This happens in a variety of ways. First, in a country where our religious differences are so numerous and so obvious, it makes no sense to let a government official be the arbiter of which version of the Ten Commandments to commemorate. While differences between alternative versions of the commandments may seem rather trivial, they often reflect deep theological differences. Seventh Day Adventists, for example, may rightly object to Moore's selective and incomplete rendering of the Sabbath commandment. Short of advocating for a theocracy, supporters of the monument offer no reasons why the state, rather than private individuals or faith communities, should be given authority to shape religious practices and messages.

Second, the role of religion is likely to be compromised by the quest for political power. Moore provides a clear example of someone using faith to promote political ambitions. When religion aligns itself too closely with a particular political leader or partisan view, it risks being tainted. Some of those who supported Moore because they liked the way he promoted religion found themselves on the defensive when he asserted, astonishingly, that his views put him above the law.

Third, even if we could find a leader more pure in his religious motives, more tolerant in his beliefs and more accepting of our religious diversity, it remains offensive to act as if God needs the government's endorsement. Do the Ten Commandments need Justice Roy Moore or the stamp of approval of the Alabama Supreme Court? Some of Moore's supporters suggested that removing the monument meant taking God out of the court. Such support for a graven image illustrates the danger of making idols of religious symbols at the expense of real religion. For valid religious reasons — not just because the First Amendment says so — religious leaders and laypersons should actively oppose demagoguery that demeans religion by using the power of government to promote it.

Our religious liberty depends on it.

# REFLECTIONS

## Gentle breeze of freedom in China allows churches to move forward



J. Brent Walker  
Executive Director

The state of religious liberty in China has been and should be the subject of much discussion. Despite welcome economic and social reforms, China is no paragon of Jeffersonian democracy. Freedom in China is more like a gentle breeze than a gusty gale. Religious liberty is sometimes repressed, particularly by provincial governments.

That's the bad news. The often overlooked good news is that the conditions are far better than critics of the Chinese government often claim, and China is far ahead of where it was 20 – even 10 – years ago!

What I observed during an eight-day trip to that amazing and ancient land gave me hope for the future about religious liberty in China. But you should judge for yourself.

Chen Mei Lin (pictured at right), executive associate general secretary of the China Christian Council (CCC), spoke with pride of China's churches and the way in which the CCC strives "to render unto Caesar the things that are Caesar's and unto God the things that are God's." The group's credo is, "Love country/love church – glorify God/serve people." Stated another way, they want to be good citizens and good Christians at the same time. Sound familiar? She spoke with great elation when she surveyed the Christian movement in China. In 1979, there were approximately 600,000 Christians in China; today there are over 16 million. And that doesn't count millions of Christians who are not associated with the CCC.

Rev. Yu Xin Li, general secretary of the Beijing Christian Council, was relegated for 22 years to harvesting rice during the Cultural Revolution. He returned to pastor the Gang Wa Shi Church – the first church in Beijing to reopen in 1980. A gregarious man, he regaled us with sermons and stories over a gourmet meal. Sitting at the same table was the studious dean of the seminary in Beijing, who was a member of the Red Guard in his younger years. Wow! A former persecutor and victim sharing table fellowship.

Our visit to the Eastern China Theological Seminary and the Jiangsu Bible School revealed a fecund climate of theological education – 18 seminaries – training pastors to serve in rapidly burgeoning Chinese churches. The CCC and private donations support the seminaries. Tuition is free. There is no direct financial support from the government – although seminaries, like churches, are often given good deals on land. They operate openly and above ground.

We worshiped on Sunday morning at the Mo Chou Road Christian Church in Nanjing. The sanctuary was already rocking when we arrived early for the 8:30 service. The entire congregation had come early, as it always does, to "practice" the hymns. A female lay leader, Zhang Fenglin, delivered the 40-minute sermon. I did not understand a word, but enjoyed every minute of it. Chinese Christians come to worship early, stay late and long for the next opportunity to gather.

On Wednesday, we attended prayer meeting at the Gang Wa Shi Church, also at 8:30 a.m. Again, packed and raring to go. Led by a female pastor, Du Fengying, the church has grown over the past 20 years to over 5,000. Multiple services are needed to accommodate the congregation.

These worship services were conducted openly and with full knowledge – even blessing – of the government. Even so-called "underground" churches (ones that are not affiliated with the CCC and not "registered" with the government) typically worship without interference. It is said that, what is reputed to be the largest "underground" church in all of China meets on the second floor of a building that houses the police station on the first floor!

The state of church-state relations in China is too complex and multi-faceted to be explored adequately in this space. China continues to struggle with human rights and religious liberty, but it is far better than many suppose. Some of the stories of persecution – particularly outside of the urban centers in the East – are credible. As Bill O'Brien has observed, in a country of 1.2 billion, anything that can be said about China is true *somewhere* in China. But, to criticize China for failing to replicate in 25 years American constitutional constructs and culture that have germinated for 250 years seems unfair and unrealistic. And, lest we be too smug, even in this country we still struggle to get it right and often fail to secure religious liberty for all.

When we sing or pray, "God bless America," let's remember also to thank God for the progress China has made as we continue to pray for China and for freedom throughout the world.

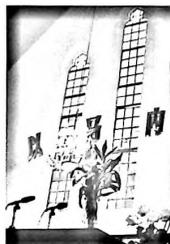


*What I observed during an eight-day trip to that amazing and ancient land gave me hope for the future about religious liberty in China.*

## Bible distribution, thriving churches part of today's

# China experience

By Patrick R. Anderson



Much of what we read and hear in the United States about China leads to the conclusion that Bibles are not legally available, that the Chinese government regularly suppresses religious expression and that Christians are widely persecuted.

Before going to China for the first time in 2002, I knew very little about the country. My perceptions were shaded by accounts of the expulsion of missionaries in 1949. From childhood I remember stories about the Korean War, the Cold War, the Red Guard and the Cultural Revolution. I heard the oft-stated domino theory during the Vietnam War, which projected Red China as America's "real" enemy. More negative impressions stemmed from the Tiananmen Square incident and the more recent strife with the current Bush administration.

Those impressions aside, I can testify to what I have seen and learned firsthand in China. Brent Walker, Derrill Smith and Jim Fowler of North Carolina CBF, along with CBF representatives Brenda Lisenby and Jack and Anita Snell, saw a different side of China. Bibles appear to be available to virtually anyone wishing to have one in China. A Chinese non-governmental agency called Amity Foundation prints, binds and distributes 10,000 Chinese Bibles each day, 32 million since beginning in 1987. "Every year it is easier for Chinese people to get a Bible," one Chinese friend said.

But in rural areas, many mature and older adults are illiterate. So, Amity produces "easy reader booklets" with Bible stories and Scripture passages and also large picture calendars with Scripture passages. We were told that often young children in rural families read the daily Scripture for their illiterate grandparents. Most of the costs for these products are paid by some of China's poorest people. Chinese Christians have a deep burden for people in rural areas, putting aside one handful of rice each day for taking the gospel to the poor areas.

We were shown a map marking 70 Bible distribution points throughout China, many in the remote and poor Northern and Western provinces. Amity currently has only 12 vans to transport Bibles, so our group donated money to help purchase an additional van. But we were most impressed by the oft-stated request, not for money — the Chinese Christians accept help but value being "self supporting" — but for prayer. Rev. Yu Xin Li in Beijing said it the way every other Chinese Christian responded to offers of help: "Pray for us. Power comes from God ... nothing can stop God's power!"



We were also introduced to the other side of allegations of governmental suppression of religious activities and the persecution of believers. China is a large country, most of it rural and poor. Dr. Stephen Ting reminded us that there is a wide range of local government officials. In the rural, agrarian economy the local government is more complicated than in most cities and in the central government in Beijing. There most people are not educated beyond the sixth-grade level, and many older adults are not educated at all. Poverty, poor facilities and a shortage of qualified teachers result in a lack of opportunities for personal or economic growth. Equal opportunity for the rural poor is not available, and the cycle of poverty and inadequate education is continued.

In that context, some governmental leaders are also bound by their cultural biases. They do not trust religion and do not understand religious expression. By contrast, in cities and more developed areas, the local government actually helps churches by giving tax advantages and providing land for church buildings at less than commercial value. The seminary in Shanghai, for instance, was built on land provided by the government.

Photos courtes  
with Jim Fowle

RIGHT  
Members of a CB  
delegation (from  
left) Anita Snell  
Brenda Lisenby  
Brent Walker, Pt  
Anderson, Derril  
Smith, Jim Fowler  
and Jack Snell vis  
with Peter Dea  
(second from right  
of Amity Printing C

Poverty and lack of education are not the only explanations for the wide range of local government reactions to religious expression, however. In Tibet the churches that tried to register with the government were denied not by government leaders, but by religious leaders who control the local government.

Nothing about China is simple. It is a very complex sociopolitical country. Many Americans tend to understand the



Protestant churches in China as either "registered, official" churches or as "unregistered, underground" churches.

Don and Wei Hong Snow,

who live in Nanjing, helped us understand that such a binary understanding of the China church is overly simplistic. In a letter written last year, they describe the five categories of Protestant churches in China.

First, many churches are legally registered with the



government. They tend to be urban with trained professional clergy and buildings. These churches have been the backbone of the nationwide movement since 1979 to recover old church buildings, open seminaries and Bible schools, publish Bibles and literature, sponsor public works of compassion and give the church a positive public presence.

Second, many congregations gather in "meeting points," often in homes or other non-church structures. They are also legally registered with the government but are led by lay elders

rather than professionally trained clergy. These congregations are usually located in cities and towns rather than villages and are often affiliated with a larger church.

Third, some churches have a denominational identity, despite the widespread principle that churches in China are post-denominational. The China Christian Council does not officially recognize denominations, and many Christians do not have a sense of denominational identity. Yet many churches in China continue their identity with non-Chinese denominations such as the Seventh Day Adventists and Methodists. Others are uniquely Chinese denominations such as Little Flock, True Jesus Church and Jesus Family. Some relate to other churches not of their denomination, hold separate meetings in churches, and in some cases have their own church buildings.

Fourth, some church groups have made a clear choice *not* to register with the government or to associate with the China Christian Churches and the Three Self Patriotic Movement. They are often called "house churches" or "underground churches." They tend to be urban, led by long-time Christians who have a legacy of grievances with the government or the Three Self Patriotic Movement dating back to the 1950s. The arrests of some Christians in these result in reports of religious persecution. Mostly, however, the local governments tolerate these groups. Their meetings are half-kept secrets. They choose not to register with the government because they want to avoid any possible government regulations or restrictions on their activities. Some do not want to associate with any other churches which do not share their theological beliefs. Some feel that churches should have no interaction with the government at all. Others have leaders who have had personal conflicts with Christians in registered churches resulting in church splits.

The fifth category, the rural Christian groups, is the most difficult to characterize. They are located in villages and in the countryside and are far away from organized churches in cities or towns. Many consist of new believers and tend to be led by strong lay leaders, themselves young Christians. Although not registered, their meetings are publicly known. Registration of churches is a "city" concept, and it has little meaning for the rural groups. These groups often accept help from registered churches in Bible distribution, clergy-led baptisms, communion and other services.

Since the overwhelming population in China lives in the rural areas, this last category is the fastest growing segment of the church in China. It is also the segment that presents the most concern. Church and seminary leaders in the cities told us repeatedly of the needs in the rural areas for lay training, clergy, and theological education.

All five categories of groups and churches are viable and thriving in China. The instances of government intrusion or suppression of religious expression are not the norm, although they do occur. Churches of every type, both registered and unregistered, meeting in fine refurbished buildings or meeting in private homes, continue to multiply and prosper.

— Patrick R. Anderson represents the Cooperative Baptist Fellowship and is a criminology professor at Florida Southern College in Lakeland, Fla. He also is a member of the Baptist Joint Committee board.



K. Hollyn Hollman  
General Counsel

## Is government required to fund religious instruction?

This fall the U.S. Supreme Court will hear arguments in the case of *Locke vs. Davey*, a case that challenges a college scholarship program in the state of Washington, but that will likely have much greater repercussions for church-state relations in general. The case, brought by a student studying for the ministry at an Assemblies of God-sponsored college near Seattle, is certain to be controversial.

Recipients of Washington Promise Scholarships may attend any accredited post-secondary institution in the state. Based upon past court rulings, we know that the program would be upheld as *permissible* under the federal Establishment Clause.

Here is the twist. In *Locke vs. Davey* the court will decide whether the federal Free Exercise Clause *requires* the state to fund religious instruction when it pays for secular instruction, despite the state's own constitutional provisions that prohibit it.

The federal Constitution defines minimum substantive rights; state law may provide greater protections. Washington's constitution provides more stringent anti-establishment and free exercise protections than

the First Amendment. Specifically, it prohibits use of public money "for or applied to any religious worship, exercise or instruction, or the support of any religious establishment." This section is based on the statement that "absolute freedom of conscience in all matters of religious sentiment, belief and worship, shall be guaranteed to every individual ..."

According to an 1891 opinion of the state attorney general, these provisions were not "the work of the enemies, but of the friends of religion." The drafters "were unwilling that any man should be required, directly or indirectly, to contribute toward the promulgation of any religious creed, doctrine or sentiment to which his conscience did not lend full assent."

The scholarship program respects that concern for freedom of conscience by disallowing scholarship funds for religious training. The scholarships are available for in-state students graduating from high school who meet certain requirements. A student must meet academic criteria (certain class rank or score on college admissions test), income criteria (a set percentage below state's median income), and enrollment criteria (enrolled at least half-time in an accredited post-secondary institu-

tion in Washington, not using the scholarship to pursue a theology degree). The state relies on the school to designate whether the student is pursuing a degree in theology. Scholarship students are not restricted from taking religion courses or even using their scholarship to major in religion where that major is available and does not amount to a course of training for the ministry.

This program seems designed to balance principles of free exercise and no establishment, which often are in tension with one another. Government should not interfere with the religious choices of individuals. Likewise, government must avoid sponsorship of religion. In between what the Establishment Clause permits and the Free Exercise Clause requires there is room for constitutional policymaking, what the Supreme Court has called "play in the joints." That is the value that the Baptist Joint Committee is supporting in its *amicus* brief to the Supreme Court in this case. (For more information see [www.bjcpa.org](http://www.bjcpa.org).)

Three important points deserve particular attention. First, it would be easy, but wrong, to equate any government *funding* program with a government-created *speech* forum in which religious speech must be treated like other forms of speech not sponsored by the government. By doing just that, the court below failed to acknowledge the state's interest in avoiding sponsorship and financial support of religion. As Justice O'Connor has noted, tax support for religion raises special Establishment Clause concerns.

Second, there is a distinction between a government regulation that truly burdens religion and one that merely avoids sponsoring a religious practice. As Justice William O. Douglas once observed, "The fact that government cannot exact from me a surrender of one iota of my religious scruples does not, of course, mean that I can demand of government a sum of money, the better to exercise them. For the Free Exercise Clause is written in terms of what the government cannot do to the individual, not in terms of what the individual can exact from the government."

Third, in addition to ignoring important Establishment Clause values (avoiding state-sponsorship of religion) and misinterpreting free exercise rights (equating paying for religious education with removing a burden on religious practice), the lower court's decision equates Washington's law with hostility toward religion. It is a popular tactic in the courts, as well as in legislatures these days. Unfortunately, it misses the mark and threatens to trivialize our well-grounded constitutional tradition.

*In between what the Establishment Clause permits and the Free Exercise Clause requires there is room for constitutional policymaking.*

## Survey: Majority of Americans OK with Ten Commandments, Pledge in public schools

More than 60 percent of Americans think government officials should be able to post the Ten Commandments in government buildings and believe it is constitutional for teachers to lead the recitation of "one nation under God" in the Pledge of Allegiance, according to a survey.

The "State of the First Amendment 2003" survey, released Aug. 1, was jointly commissioned by the First Amendment Center and the *American Journalism Review*.

Sixty-eight percent of respondents said teachers leading the pledge with the words "one nation under God" were not violating the principle of separation of church and state, while 26 percent said they were.

Sixty-two percent of those surveyed agreed with the statement that government officials should be allowed to post the Ten Commandments within government buildings, while 35 percent said they should not.

Researchers found that 60 percent of respondents favored allowing the government to give money to churches or other religious institutions to help them operate programs that aim to prevent drug abuse, even if they include a religious message in their program. Thirty-six percent opposed such funding.

The Center for Survey Research & Analysis at the University of Connecticut surveyed 1,000 Americans during June 3-15. The results have a margin of error of plus or minus 3.1 percentage points.

## Senator seeks DOD inquiry of groups approving Muslim chaplains

Sen. Charles Schumer, D-N.Y., has renewed his request that the Department of Defense investigate organizations involved in approving Muslim chaplains after an Army chaplain of that faith was detained upon his return from the naval base at Guantanamo Bay, Cuba.

Army Chaplain (Capt.) Yousef Yee, 34, was detained Sept. 10 by federal officials. Military representatives have declined to give details of the nature of his detention but he was reportedly considered to have classified documents with him when he returned to the United States.

Yee was endorsed by the American Muslim Armed Forces and Veteran Affairs Council, said Chaplain (Col.) Philip Hill, executive officer for the Army's chief of chaplains.

Schumer, who requested in March that the Defense Department's inspector general investigate the selection of Muslim military chaplains, announced Sept. 23 that he has asked for an inquiry again.

Representatives of the endorsing organization, which is based in Virginia, could not be reached for comment. Its Web site said it could not respond to Yee's detention "due to insufficient information" and requested privacy for Yee's parents.

## Judge orders school board to permit after-hours religious meetings

A federal judge has ordered a Louisiana school board to drop its ban on religious groups meeting in school buildings during after-school hours, ruling in favor of that state's chapter of the Christian Coalition.

U.S. District Judge Ginger Berrigan of New Orleans said the St. Tammany Parish School Board's denial of a coalition prayer meeting "constitutes unconstitutional viewpoint discrimination." The Associated Press reported.

Schools Superintendent Gayle Sloan said that officials of the school system had not yet reviewed the opinion and declined comment.

The coalition filed suit in 1998. A district judge ruled in the group's favor in 1999, but the school board won an appeal in 2000 and the lower court decision was overturned.

In 2001, the U.S. Supreme Court ruled that religious groups cannot be denied access to public school buildings for after-hours meetings based on their religious nature. Shortly thereafter, the high court overturned the appellate ruling in the St. Tammany case. An appeals court later sent the case back to federal district court, ordering it to reconsider it in light of the high court's finding in the 2001 case.

*"As I wrote to you in March, I fully support the teaching and worship of Islam in the military but want to ensure that the groups in charge of such activities are of the highest caliber, have unimpeachable reputations, and endorse religious pluralism so that Muslims of all sects are able to follow their faith,"*

*—Sen. Charles Schumer, D-N.Y., in a letter to the Defense Department's inspector general.*

*"A policy that allows events pertaining to the welfare of the community, including the discussion of character and morals, cannot exclude the club based upon the manner in which it leads its discussions. This is clearly a free-speech case. The court recognized that the separation of church and state does not require the exclusion of the Good News Club."*

*— Baptist Joint Committee General Counsel K. Hollyn Hollman commenting on the BJC's friend-of-the-court brief in the Good News Club vs. Milford Central School case. The case was decided by the U.S. Supreme Court in 2001.*

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# REPORT from the Capital

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## D.C. voucher opponents vow to defeat bill in Congress

Opponents of a D.C. school vouchers plan have vowed that they will "use all tools available" to defeat Congress' annual D.C. appropriations bill if the legislation reaches the Senate floor.

School voucher opponents are decrying procedural moves by Republican leaders in the House of Representatives that enabled a voucher plan to go forward. A bill that would impose a federally funded voucher program on the District of Columbia passed 210-206 on Sept. 9. The GOP leadership, in an unusual move, had postponed the vote until after 8 p.m. that evening.

Voucher opponents said the timing was suspicious because it seemed designed to ensure the absence of some of the bill's opponents - including Democratic presidential candidates Richard Gephardt of Missouri and Dennis Kucinich of Ohio, and African-American House members who were scheduled to be in Baltimore that evening for a presidential debate sponsored by the Congressional Black Caucus Institute.

An effort to kill the voucher program narrowly failed Sept. 5 on a tie vote. In seeking final approval Sept. 9, Republicans delayed the vote for about 40 minutes to round up the last votes needed to overcome another anti-voucher amendment. Finally Rep. Ernie Fletcher, R-Ky., who voted against the plan four days earlier, cast the "yes" vote needed to

break a 208-208 tie.

The vote on the final bill, which includes millions in funding for other causes, had already been postponed once. An amendment to add the voucher provision passed by the thinnest of margins - 205-203 - on Sept. 5.

The District of Columbia is unique in that Congress has oversight authority over much of the D.C. government, including schools. That gives Congress the opportunity to enact a voucher proposal that it could not impose on the states.

Opponents of vouchers have said the bill would force Washington residents to accept a plan they don't want and for which they haven't voted. But local voucher opponents, who held a Sept. 3 press briefing to kick off a day of lobbying, said D.C. Mayor Anthony



Jeffrey Haggray

Williams, school board president Peggy Cooper Cafritz and D.C. council member Kevin Chavous were misguided and blinded by promises of federal money. "We cannot sit silent with a bill before Congress to fund private schools at a time when our public schools are suffering \$40 million in budget cuts," Jeffrey Haggray, D.C. Baptist Convention executive director/minister told reporters. "We cannot be silent when the pending voucher bill would cost our school system an additional \$25 million in per-pupil funding."

—By Robert Marus, Associated Baptist Press



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