



REPORT

from the Capital

White House 'faith-based' director says Bush will continue agenda

The man spearheading President Bush's effort to increase government grants to religious entities to perform social services said the initiative will continue in Bush's second term, although he offered few specifics as to how that will happen.

Speaking during a Washington conference on Bush's program, Jim Towey, director of the White House Office of Faith-Based and Community Initiatives, said the president interprets his re-election as a public endorsement of the plan.

"As he looks at his second term, President Bush is not only looking at his general priorities, but is renewing his commitment to the Faith-based Initiative," Towey said. "He very clearly staked out where he stood, and the majority of Americans supported that."

Towey was vague about what Bush could do in his second term to further expand the initiative. Although Bush was unable to pass the plan through Congress as a whole in his first term, he instituted many of the changes required to increase funding for churches and other faith-based groups piecemeal — via administrative rule changes in the various agencies that administer federal social-service grants.

"The president will continue to look at what are his tools as chief executive, what other executive actions he can take," Towey said.

A stripped-down version of the President's Faith-based Initiative is likely to pass early in the 109th Congress, a Senate leader told *The Washington Times*. Sen. Rick Santorum, R-Pa., told the newspaper, "we plan to move it as one of the first things." According to the *Times* report, some conservatives in Congress are calling for a return to the president's original faith-based proposal, which called for expanding controversial "charitable choice" provisions. These would allow pervasively religious organizations to receive government funding to subsidize their ministries.

Although Congress became slightly more Republican in the elections, some observers of the faith-based controversy said it was still unlikely that Bush can pass any sweeping faith-based plans through the Senate.

"I think we will not have enough votes to kill the president's initiatives in the House, but even in the new Senate, I think we still have enough votes to stop it," said Rep. Cnet Edwards, D-Texas, one of Congress' most outspoken supporters of church-state separation.

Towey said efforts to oppose faith-based initiatives in the federal courts will continue. Even though a broad challenge to the initiative as a whole was recently dismissed by a federal judge, several other federal lawsuits challenging social service programs funded under the faith-based plan have been resolved in favor of the plaintiffs or are pending.

"I think this will continue to be opposed," Towey said. "Quite frankly, I think you will continue to see great opposition, because I think that there will be a continued outcry from the secular extremists."

Edwards, who spoke after Towey, took umbrage with that description. "I'm a little bit bothered by his reference to 'secular extremists,'" said the congressman, who is active at Baptist churches near his district home of Waco, Texas, and his suburban Washington home. "This issue is too important for either side or any side to fall back into the temptation of name-calling."

— By Robert Marus, Associated Baptist Press and staff reports



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Southern Baptist
Historical Library & Archives
Nashville, TN

APR 26 2006

Oregon pupil allowed to pass out faith-based 'candy cane' card

The candy cane Christmas card case — in which an Oregon kindergartner's religious cards provoked federal litigation over the First Amendment — has ended in a settlement.

But the kindergartner's lawyers and the Gresham-Barlow School District still dispute what happened in the first place and what the settlement in U.S. District Court means.

Lawyers for the American Center for Law and Justice, which represents 7-year-old Justin Cortez, said the settlement spells out precisely how the Gresham-Barlow School District in suburban Portland will, in the future, avoid violating students' right to religious expression. Justin will be allowed to bring candy canes attached to a religious message into his first-grade classroom this year.

But Gresham-Barlow Superintendent Ken Noah said the settlement merely "describes exactly what we did in this case, and says we'll do that in the future."

"We settled for doing what we did," Noah said.

The case started last year, before a holiday party at the North Gresham Grade School where students were allowed to exchange cards and gifts. Justin had signed cards that included candy cane ornaments and a story called "The Meaning of the Candy Cane."

"Many years ago, a candy maker wanted to make a candy that symbolized the true meaning of Christmas — Jesus," the card said. "The hard candy was shaped like a 'J' to represent Jesus' name. The color white stands for the pureness of Jesus. The color red represents the blood Jesus sheds for us."

Julie Cortez said that after she left the bag of cards at school, she got a call from the teacher and principal saying that under the First Amendment, the school was prohibited from distributing cards that promote a religious viewpoint.

Cortez contends that the school was violating another part of the First Amendment, which says government cannot prevent students' free expression of religion. She called the ACLJ, a constitutional-law group in Washington, D.C., that was founded by the Christian evangelist Pat Robertson.

But Noah said that though school officials declined to distribute a "religious tract," they did offer to make the cards available to students in the classroom — the action required by the settlement.

"This was a lawsuit that never should have been filed, and was filed to get publicity for American Center for Law and Justice," Noah said. "Had they investigated this case thoroughly, they never would have brought this action."

Stuart Roth, ACLJ's senior counsel, and Julie Cortez say Noah is wrong. "That was never offered at the time; I would have been satisfied with that," Cortez said. Roth said his group does not seek cases based on their potential for publicity, and that the school district did not mention this version of events in discussions before the lawsuit was filed.

Under the settlement, students would not be able to hand the cards directly to their classmates, Roth said. But the teacher will let the class know they are on a table in the room, and the students can pick them up if they like.

Courts are often less willing to allow student-led religious expression among younger students, Roth said. Some judges have reasoned that young students "can't differentiate speech from other students and speech from the teacher. ... Cases have gone both ways," he said. "I think it's a fair compromise."

Julie Cortez said she is ecstatic about the settlement and her son is excited to pass out the same cards to his friends in first grade. —RNS

BJC elevates Jeff Huett to communications post

The Baptist Joint Committee for Religious Liberty has named 26-year-old Jeff Huett as its new director of communications.

Since May, Huett has been serving as acting communications director for the Washington-based agency, which advocates for religious freedom and church-state separation. He has been BJC's associate communications director since 2001.

Huett replaces longtime communications coordinator Larry Chesser, who left in May to return to his native Arkansas and pursue business interests.

"Jeff is simply the best person with the right stuff to replace Larry," said Brent Walker, BJC's executive director. Walker added that Huett is "uniquely qualified" and exhibits "judgment beyond his years."

For his part, Huett said he was "grateful for the opportuni-



Jeff Huett

ty I have been given to work in a communicator's role with an organization that has so much to say."

A native of Montgomery, Ala., Huett is a graduate of Baylor University, where he earned a bachelor's degree in journalism and business administration. He recently earned a master's degree in media and public affairs from George Washington University, where he was named a Larry King Scholar.

In college, Huett served as editor-in-chief of *The Baylor Lariat*, the university's daily student-run newspaper. He also completed internships with Associated Baptist Press and the communications office of

Buckner Baptist Benevolences in Dallas.

Huett, who resides in Washington, is a member of Columbia Baptist Church in Falls Church, Va. —ABP



J. Brent Walker
Executive Director

Bad things happen when church and state mix

Two recent columns in major national publications have reinforced truths that the Baptist Joint Committee has long articulated. We have often said that, when church and state get mixed up together, one of two things always happens — and both are bad. At worst, consciences are violated initially and persecution results ultimately. At best (if it can be called “best”), state-controlled religion — even in the hands of a benevolent government — waters down religion and strips it of its vitality.

In an Op-Ed piece titled, “A Theocracy Won’t Forgive Our Trespasses,” published on November 18 in the *Atlanta Journal-Constitution*, Jay Bookman highlights the first of these consequences. Bookman observes: “We used to understand that government and religion function best when they function independently, when the only link between them is the indirect link of human beings acting out their private faiths through public service. We used to understand that if religion takes a direct role in government, government must inevitably take a direct role in religion, and that the long-standing wall between them was built for the protection for both institutions.”

He then continues: “There is no case in recorded human history ... in which religion and government have been intertwined without eventually compromising basic human freedoms. Inevitably ... that relationship gets out of control and people get hurt.” Examples abound. A quick survey of history — the Crusades, the Spanish Inquisition, religious wars in 17th century Europe, the jailing of Baptist preachers in colonial Virginia — and contemporary events — the September 11 tragedy, the atrocities of the Taliban and repressive theocracies around the world — provide overwhelming evidence of what happens when religious zeal is combined with coercive power.

But that’s not the whole story. Something else sometimes happens. Even where persecution is held in check, religion *itself* can be the casualty. This is the focus of Eduardo Porter’s November 21 Op-Ed in the *New York Times*, titled “Give Them Some of That Free-Market Religion.” Porter observes that America is an anomaly among progressive 21st century industrialized democracies, such as in Western Europe. All of these countries have grown inexorably more secular. Although these nations may not engage in religious persecution, they have all experienced a marked diminution in religious devotion. If, in Porter’s words, religion and modernity

don’t mix, then how do you explain the fact that America — the wealthiest and perhaps most modern of them all — is, by in large, fervently religious?

The answer he offers is a variation on the theme of supply-side economics. America’s religious landscape is vibrant precisely because there are so many groups vying for the allegiance of Americans. That is to say, “Americans are more churchgoing and pious than Germans or Canadians because the United States has the most open religious market, with dozens of religious denominations competing vigorously to offer their flavor of salvation, becoming extremely responsive to the needs of their parishes.” And, quoting Baylor University scholar Rodney Stark, Porter writes, “Wherever you’ve got a state church, you have empty churches.” How true.

Porter rightly concludes that this free-market model depends for its effectiveness on a full-bodied understanding of the separation of church and state. To the degree that government participates in the creation of a religious monopoly, the competitive forces that have caused religion to thrive are undercut.

Yes, as soon as government starts to meddle in religion (for or against) or take sides in matters of religion (favoring one over others) religious liberty is threatened at that very point. And, in the end, even the religion that government seeks to help is actually hurt and its vitality is vitiated.

John Leland, the Baptist preacher in colonial Virginia, was prophetic when he exclaimed more than 200 years ago that, “the fondness of magistrates to foster Christianity has caused it more harm than all the persecutions ever did.”

Elder Leland had it right. The American experiment in religious liberty demonstrates that the best thing government can do for religion is simply to leave it alone.

Yes, as soon as government starts to meddle in religion (for or against) or take sides in matters of religion (favoring one over others) religious liberty is threatened at that very point. And, in the end, even the religion that government seeks to help is actually hurt and its vitality is vitiated.

Does accommodating religious practice violate the First Amendment?

by Charles C. Haynes

Executive Director, First Amendment Center senior scholar



When the U.S. Supreme Court rules on two church-state issues this term, the Ten Commandments will get the headlines.

But the outcome of a second conflict — a lawsuit brought by prison inmates in Ohio — may have far greater implications for the future of religious freedom in America.

Rousing public interest in the Ohio case, *Cutter vs. Wilkinson*, isn't easy. Mention "prisoners' rights" and public reaction ranges from indifference to outright hostility. This is especially true in this case because the plaintiffs belong to unconventional religions such as Asatru (a polytheistic religion) and highly unsavory groups like Satanists.

But once Americans get past the unpopular religious beliefs of the inmates, they'll see principles at stake that guard religious freedom for everyone.

First, a little background: The Ohio prisoners sued claiming they were denied access to religious literature and the opportunity to conduct worship services. They invoked the Religious Land Use and Institutionalized Persons Act (RLUIPA), passed by Congress in 2000.

Under RLUIPA, prison officials can't impose a substantial burden on the religious practice of inmates unless there is a compelling reason to do so (such as security or discipline) — and there is no less-restrictive way to protect the state's interest except by placing the burden.

The state of Ohio moved to dismiss the RLUIPA claims of the prisoners on the grounds that the law was unconstitutional. Last year, a three-judge panel of the 6th U.S. Circuit Court of Appeals agreed with the state, ruling that RLUIPA violates the Establishment Clause of the First Amendment because it sends a message of endorsement of religion and encourages

Religious Land Use and Institutionalized Persons Act of 2000

SEC. 3. PROTECTION OF RELIGIOUS EXERCISE OF INSTITUTIONALIZED PERSONS.

(a) **GENERAL RULE**—No government shall impose a substantial burden on the religious exercise of a person residing in or confined to an institution, as defined in section 2 of the Civil Rights of Institutionalized Persons Act (42 U.S.C. 1997), even if the burden results from a rule of general applicability, unless the government demonstrates that imposition of the burden on that person—

- (1) is in furtherance of a compelling governmental interest; and
- (2) is the least restrictive means of furthering that compelling governmental interest.

(b) **SCOPE OF APPLICATION**—This section applies in any case in which—

- (1) the substantial burden is imposed in a program or activity that receives Federal financial assistance; or
- (2) the substantial burden affects, or removal of that substantial burden would affect, commerce with foreign nations, among the several States, or with Indian tribes.

President Clinton signs RLUIPA into law.



"prisoners to become religious in order to enjoy greater rights."

Since other appellate courts have reached the opposite conclusion, the Supreme Court has agreed to decide if RLUIPA violates church-state separation.

The decision by the 6th Circuit is wrong and dangerous. Here's why:

RLUIPA has nothing to do with state establishment of religion, but everything to do with protecting the freedom to practice one's faith. Some of the most ardent defenders of the establishment clause agree. "This is a reasonable law," argues Barry Lynn of Americans United for Separation of Church and State, "that requires prisons to meet the religious needs of inmates while still respecting the security concerns of correctional institutions."

Notice that RLUIPA doesn't guarantee that prisoners easily win accommodations from prison officials. Only sincere religious practices that are substantially burdened are eligible for protection. And even then prisoners aren't automatically granted their requests. Security or other concerns may be grounds for denying even the most sincere religious claims.

RLUIPA merely gives prisoners the right to make a request for accommodation — and requires the state to take it seriously. But if the Supreme Court upholds the 6th Circuit, then prison officials will be able to deny the religious freedom of prisoners on a routine basis, even when there isn't a strong reason to do so.

That isn't church-state separation — this is state control over religion.

Consider the broader implications of the 6th Circuit ruling: If the Establishment Clause is interpreted to mean that govern-

ment can't accommodate our freedom to practice religion, then religious freedom doesn't mean very much in this country. Anthony Picarello, general counsel of the Becket Fund for Religious Liberty, puts it this way:

"The issue in *Cutler* is much bigger than RLUIPA — it's about whether government can pass any law that specially accommodates religious exercise. The Court's decision will affect what are literally thousands of accommodations for religion only ... The accommodations range from the U.S. military's allowing Jews in the armed services to wear yarmulkes, to Ohio's own exemption of minors from underage drinking laws for religious purposes."

Take an example from public schools. Many schools routinely exempt Jews, Muslims and Sikh students from "no head covering" policies. Of course, educators may have legitimate reasons such as gang activity for banning head coverings.

But the Establishment Clause should not be used to prohibit school administrators from accommodating students who must cover their heads for religious reasons. After all, a yarmulke isn't a baseball cap. Claims of conscience can and should be treated differently by government officials.

By striking down RLUIPA, the 6th Circuit turns the First Amendment on its head. Words intended to protect religious liberty are used to deny religious liberty.

The 6th Circuit court got it wrong. The U.S. Supreme Court can now set it right.

What is the purpose of RLUIPA?

The purpose of RLUIPA is to provide needed protection for religious liberty in two areas. First, it protects houses of worship and other religious assemblies and institutions from improper interference by land use authorities. Second, it protects religious liberty for institutionalized persons, such as those confined in homes for the disabled and chronically ill, as well as those confined in correctional facilities. It is this portion of the RLUIPA legislation that is before the U.S. Supreme Court in *Cutler vs. Wilkinson*. RLUIPA states that the government may not impose a substantial burden on the religious exercise of an institutionalized person unless the burden is justified by a compelling interest that is furthered by the least restrictive means.

Who supported passage of RLUIPA?

A diverse coalition of more than 50 religious and civil liberties groups supported the passage and signing of RLUIPA. Groups in the Coalition for the Free Exercise of Religion, led by the Baptist Joint Committee, included the American Civil Liberties Union, American Jewish Committee, the Ethics & Religious Liberty Commission of the Southern Baptist Convention and Family Research Council. In Congress, RLUIPA was co-sponsored originally by Sens. Orrin Hatch, R-Utah, and Edward Kennedy, D-Mass. and Reps. Charles Canady, R-Fla., and Jerrold Nadler, D-N.Y.

Why is RLUIPA necessary?

The U.S. Supreme Court's ruling in *Employment Division vs. Smith* (1990) was a disastrous decision for advocates of religious liberty. The *Smith* decision essentially held that religious liberty claims were no longer afforded the highest level of constitutional protection. Congress then enacted legislation preventing government from substantially burdening a person's free exercise rights. After a part of the law was ruled unconstitutional by the U.S. Supreme Court in *City of Boerne vs. Flores* (1997), advocates sought to introduce additional legislation to enhance religious liberty protections consistent with the *Boerne* decision. After the Senate failed to act on a more expansive measure, RLUIPA was signed into law by President Bill Clinton.



Hollyn Hollman
General Counsel

RLUIPA: A permissible accommodation of religion

Readers of this publication know that the separation of church and state, provided in the First Amendment, does not amount to hostility toward religion. The concept of separation protects religion, both in preventing an establishment of religion and in prohibiting unnecessary interference with free exercise. As the Supreme Court has recognized the religion clauses leave room for "a benevolent neutrality" toward religion.

RLUIPA has a secular purpose. It was passed to protect the free exercise of religion from unnecessary government interference in the limited contexts of land use and institutions. The Supreme Court has long held that limiting governmental interference with the exercise of religion is a proper purpose under the Establishment Clause.

To protect religious freedom, government must not interfere with religious exercise. Sometimes that means it must specifically act to lift a burden on religion. In other cases, government is permitted, but not required, to do so. The Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA) is an example of the kind of permissible government act that protects religious liberty without advancing religion.

In *Cutter v. Wilkinson*, the Supreme Court will review the constitutionality of RLUIPA's prisoner provisions, which require the lifting of substantial burdens on the rights of prisoners to practice their religion, unless the government has a compelling state interest, such as maintaining security, not to do so. In the case, prisoners assert that Ohio prison regulations deny them access to religious literature and the opportunity to conduct religious

services.

The Court will determine whether Congress had the requisite power under the Constitution (pursuant to the Spending and Commerce Clause) to require lifting government-imposed burdens on the free exercise rights of prisoners, and whether the law goes too far in protecting free exercise and thus violates the Establishment Clause.

The BJC leads a broad coalition that urged passage of RLUIPA and is defending its constitutionality in an amicus brief to be filed in *Cutter*. RLUIPA is the kind of free exercise legislation that properly accommodates religion, without endorsing or advancing it in violation of the Establishment Clause. In short, we argue that where government acts to lift a substantial government-imposed burden on religion, it allows individual free exercise to flourish,

but does not unconstitutionally aid religion.

RLUIPA should be upheld under any of the tests the Court uses to interpret the Establishment Clause. The statute meets all three requirements of the *Lemon* test and does not endorse religion.

First, RLUIPA has a secular purpose. It was passed to protect the free exercise of religion from unnecessary government interference in the limited contexts of land use and institutions. The Supreme Court has long held that limiting governmental interference with the exercise of religion is a proper purpose under the Establishment Clause.

Second, RLUIPA does not have the primary effect of advancing religion. Instead, it simply reduces government intrusion and oversight on how individuals practice their religion. As the Court noted in *Bishop vs. Amos*: "A law is not unconstitutional simply because it allows churches to advance religion, which is their very purpose. For a law to have forbidden 'effects' under *Lemon*, it must be fair to say that the government itself has advanced religion through its own activities and influence." Nor does the fact that government acted to lift a burden only on religion, make it unconstitutional. The Court in *Amos* stated that where "government acts with the proper purpose of lifting a regulation that burdens the exercise of religion, we see no reason to require that the exemption comes packaged with benefits to secular entities." After all, religion is treated differently in both the Ohio and federal Constitutions. The Establishment Clause theory advanced by the lower court that legislative accommodations of religious exercise are forbidden if they accommodate only religious exercise is not supported by prior case law. Adopting such a rule would invalidate many long-standing, non-controversial legislative accommodations.

Third, the statute does not foster excessive entanglement with religion. RLUIPA fits well within the concept of "benevolent neutrality," which the Court in *Amos* noted leaves room to allow "religious exercise to exist without sponsorship and without interference."

The case will be determined this Spring.

Bush signs California church-restoration bill

President George W. Bush has signed a bill that will fund restoration of 21 historic church buildings in California.

Bush received the "California Missions Preservation Act" (H.R. 1446) Nov. 20 after the House passed it in final form Nov. 17. The Senate had already passed it.

The bill provides grants to a foundation to conduct physical improvements to 21 historic Spanish colonial-era missions in California. Of the 21 churches, 19 are owned by the Roman Catholic Church and still house worshipping congregations.

Some supporters of church-state separation opposed the bill, despite the fact that it included a clause insisting that any grant provided to the missions under the bill be for a purpose that "is secular, does not promote religion, and seeks to protect qualities that are historically significant."

But in floor debate on the bill, Rep. Bobby Scott, D-Va., said that language was not sufficient to make it constitutional.

Scott noted three Supreme Court opinions that "make it clear that no government funds may be used to construct, maintain, restore or make capital improvements to physical structures that are used as houses of worship, even if religious services are infrequent."

But Rep. Sam Farr, D-Calif., noted the funding would be used only to restore the missions for secular, historical purposes. "This is a private foundation separate from the church and raises money separately from the church, so we are trying to assure here there is no benefit to the church from the restoration efforts," he said. "The missions are an important part of the state's cultural fabric and must be preserved as priceless historic monuments. They are a living link to our past."

— ABP

IRS says about 20 churches under review for improper politicking

The Internal Revenue Service is investigating about 20 churches on charges of improper partisan activity and said allegations that such probes are motivated by partisan politics are "repugnant and groundless."

IRS Commissioner Mark Everson said Oct. 29 that the agency is investigating more than 60 cases of nonprofit groups possibly engaged in illegal partisan activity. About one-third of the cases involve churches.

Everson's statement came after some conservative groups accused the IRS of telling churches they cannot pray for President Bush's re-election. The IRS said it has made no formal ruling or change of policy.

"Career civil servants, not political appointees, make these decisions in a fair, impartial manner," Everson said in a statement. "Any suggestion that the IRS has tilted its audit activities for political purposes is repugnant and groundless."

Everson said the agency reviewed about 100 cases and found 60 that "merited examination." Federal law prohibits the agency from commenting on the nature or circumstances of any case, he said.

Since April, the IRS has issued two reminders to religious groups and candidates, advising them that nonprofit groups are prohibited from working "on behalf of, or in opposition to, any candidate for public office."

A Presbyterian pastor from Virginia, the Rev. Patrick Mahoney, said an IRS official told his lawyers on the phone that he could jeopardize a church's tax-exempt status if he prayed that God "grant President Bush four more years" during a speaking tour in Ohio and Pennsylvania. The IRS said allegations from conservatives that it was telling churches how to pray were baseless.

— RNS

"There is a clear line of Supreme Court cases that address government funding of improvement of real property for the direct benefit of buildings used for religious purposes including worship, sectarian service, or instruction."

— Rep. Bobby Scott, D-Va., in floor debate on the missions preservation legislation

"The IRS has never issued a ruling telling people how to pray."

— Nancy Mathis, IRS spokeswoman, on charges leveled against the agency

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Franklin, Jefferson & Madison: On Religion and The State

By Gregory Schaaf, Center for Indigenous Arts & Cultures, 2004, 232 pp.

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- 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

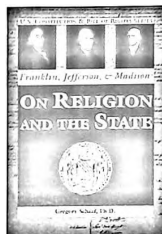
Books about church-state relations are constantly being written and myths about America's Christian origins continue to proliferate. More than ever, the need exists for books that address the formative views of the founding fathers. Edwin Gaustad's book, *Faith of Our Fathers: Religion and the New Nation*, is one excellent introduction to this important subject. Gregory Schaaf hopes to add another to our required reading list about religion and the early republic.

In his book, *Franklin, Jefferson, & Madison: On Religion and The State*, Schaaf attempts to demonstrate how the writings of Benjamin Franklin, Thomas Jefferson and James Madison shed light on the "original intent" of important historical documents such as the U.S. Constitution and the Bill of Rights. In particular, the personal writings reveal how the thoughts of these key founders concerning religion and the state helped to shape America's foundational documents.

Schaaf efficiently divides his work into three chapters, with each chapter devoted to a different founding father. All three chapters use a mini-biographical format. Unfortunately, good insights about the founders' views of religion and the state sometimes are obscured by this biographical format.

Throughout his book, Schaaf highlights six issues on which Franklin, Jefferson and Madison agree. Among them are the preservation of church-state separation, a respect for all religions and disapproval of any federal tax dollars being appropriated to favored religious groups or churches.

Franklin, Jefferson and Madison had a remarkably modern sounding tolerance and respect for non-



Christian faiths. According to Schaaf, these founders argued that true religious freedom cannot be achieved without complete acceptance of all religions.

Because of their relentless support for religious freedom, Franklin, Jefferson and Madison made it crystal clear that they opposed an official state sponsored religion. Likewise, these founding fathers argued that government should not meddle with the free exercise of religion.

The theme that Schaaf especially wants to highlight is that no federal tax dollars should be used to bolster the work of churches. Religious groups should be free, but also expected to finance their own work through personal voluntary contributions. Franklin vehemently argued that "When a religion is good, I conceive it will support itself."

Schaaf makes other worthwhile contributions. First, he offers a convincing look into the original intent of the founders whose views on religion and the state helped to shape documents such as the Constitution and Bill of Rights. Second, Schaaf can be read by lay people who have had no prior exposure to the religious ideas of the founding fathers. Too many Baptists (and others) have been sold the myth that the founders set up this country as a Christian nation. I grew up in a rural area where it was and still is common to find churches and schools violating the principles of church-state separation because of the myth. Baptist laity can find in Schaaf a good resource when they are bombarded with such distorted views of history that are supported by church and community leaders.

— By Aaron Weaver, BJCA Intern

REPORT with the Capital

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