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EQUIPPING BELIEVERS IN A NEW MILLENNIUM VOLUME 4 ISSUE 5 2003

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A FOR FAITH & FAMILY MINISTRY PARTNER
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Your concern for the critical moral and ethical issues of the 21st century encourages me in my work. I pray you will stay the course, boldly taking stands in your community for truth that honors our blessed Lord and Savior.

As you read of pending legislation on Capitol Hill that impacts your faith and family, I implore you to contact your legislators to express your viewpoint.

Dr. Richard Land, President, SBC Ethics & Religious Liberty Commission

Senate passes ban on partial birth abortion *In a lopsided 65-32 vote, the U.S. Senate passed S. 3, the Partial Birth Abortion Ban act.*

Hussein's 'evil' calls for use of force, Land says *The ERLC's Richard Land has been a leading advocate for a "just war" against Iraq as the likelihood of United States military action has increased.*

Pledge ruling affirmed; high court response awaited *The survival in the western United States of the Pledge of Allegiance as it has been known for half a century is dependent on the U.S. Supreme Court.*

Pro-lifers win free speech case in high court *The U.S. Supreme Court delivered a decisive victory Feb. 26 for not only the protest rights of pro-lifers but the First Amendment rights of Americans.*

House easily approves total cloning ban *The House of Representatives comfortably passed a comprehensive ban on human cloning Feb. 27.*

Assisted suicides almost double in Oregon *The number of people who legally committed suicide with a physician's assistance in Oregon increased by more than 80 percent last year.*

Indiana abortion counseling law goes into effect *The U.S. Supreme Court has paved the way for women in Indiana to be required to receive counseling in person before undergoing an abortion.*

California city, church reach settlement over land *A California church that was threatened by a city with the loss of its property gained a victory instead in a battle that received national attention.*

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MAR 24 2003

Senate passes ban on partial birth abortion

In a lopsided 64-33 vote, the U.S. Senate passed S. 3, the Partial Birth Abortion Ban act, March 13.

"The supporters and defenders of the sanctity of all human life should draw encouragement and inspiration from the Senate's strong support of a ban on partial-birth abortion," said Richard Land, president of the Ethics & Religious Liberty Commission. "Unlike previous bills, this one is awaited by a president who is eager to sign it into law instead of vetoing it."

Land said passage of the bill is another encouraging sign that the pro-life movement is winning the "long-term struggle for hearts and minds on the issue of life in the womb."

Passage of the legislation was made more likely when Republicans captured the Senate majority in the 2002 elections. The bill will now go to the House, where passage is almost a certainty.

[BACK TO TOP](#)

Hussein's 'evil' calls for use of force, Land says

Richard Land has been a leading advocate for a "just war" against Iraq as the likelihood of United States military action has increased.

In a "town meeting" on ABC's "Nightline" March 4, Land said the truly evil nature of Saddam Hussein's reign in Iraq calls for the use of force by the United States. It marked the fourth national broadcast within a week in which he has defended possible American action.

Force is sometimes required when you are "dealing with truly evil people," Land said during the 90-minute telecast from a church sanctuary in Washington, D.C. "What was it the Supreme Court justice said? He said, 'I can't define pornography, but I know it when I see it.' I know evil when I see it, and Saddam Hussein is evil.

"Martin Luther King Jr., when he was asked about [Christian leader Dietrich] Bonhoeffer's moving from pacifism to take part in the plot to assassinate Hitler, said, 'If your enemy has a conscience, then follow Gandhi and nonviolence. If your enemy has no conscience, like Hitler, then follow Bonhoeffer.' I think Saddam Hussein is a whole lot more like Hitler or Stalin, his personal hero, than anyone else in the 20th century," Land said.

Land and five other panelists debated the appropriateness of U.S. military action now against Iraq before an audience at St. John's Church, an Episcopal congregation whose building is across Lafayette Park from the White House. Sen. John McCain, R.-Ariz., and former Central Intelligence Agency director James Woolsey joined Land in defending the use of force now, while Sen. Carl Levin, D.-Mich.; former acting American ambassador to Iraq Joseph Wilson, and Chicago Theological Seminary President Susan Thistlethwaite opposed U.S. strikes.

When Thistlethwaite warned against the use of the label "evil," Land rejected her argument.

"There is no moral equivalence between the United States and Iraq," he said. "There was no moral equivalence between us and the Soviet Union. And there is no moral equivalence between Palestinian terrorists and an elected Israeli government. Are the Israelis perfect? No, but they're not terrorists, and they don't pay off terrorists."

In appearance on C-SPAN's "Washington Journal" program March 2, Land said when he hears people argue for more time for Hussein to comply, he is reminded of a woman with an unfaithful husband. "[T]he hundredth time that he breaks his marriage vows, he says, 'Honey, it will never happen again. I promise I'll do better.' And she takes him back again, and she believes him. There comes a time after 12 years when enough is enough, and naiveté becomes criminal irresponsibility," Land said.

The criteria normally cited for a "just war" are:

- ■ Just cause, as a defensive war;
- ■ Just intent, for liberation, not destruction or subjugation;
- ■ Last resort, when other means have been exhausted;
- ■ Legitimate authority, with the approval of Congress, in America's case;
- ■ Limited and achievable goals;
- ■ Noncombatant immunity, with every effort made to protect civilians;
- ■ Proportionality, in which the benefits outweigh the costs.

[BACK TO TOP](#)

Pledge ruling affirmed; high court response awaited

The survival in the western United States of the Pledge of Allegiance as it has been known for half a century is dependent on the U.S. Supreme Court.

The U.S. Ninth Circuit Court of Appeals announced Feb. 28 it would not reconsider a June decision in which it ruled the pledge's inclusion of "under God" is a violation of the First Amendment's ban on government establishment of religion. A three-member panel issued the earlier opinion, but the court had been asked to rehear the case as an 11-member panel.

While jettisoning that option in its latest announcement, the divided court issued an amended opinion that basically maintained the central holding in the case but tightened its scope. The revised decision did not strike down a 1954 federal law adding "under God" to the pledge, as its June ruling had. Instead, the amended opinion rejected a California school district's policy sponsoring recitations of the pledge.

Four days after its revised ruling, the court, which is located in San Francisco, delayed enforcement of the opinion for 90 days. The opinion was set to take effect March 17 in the Ninth Circuit, but the court granted the stay at the request of the Elk Grove Unified School District in Sacramento County, Calif. The district plans to ask the U.S. Supreme Court to review the ruling by the end of April.

If the ruling takes effect, it will impact public school classrooms in nine western states. In addition to California, the states affected by the decision are Alaska, Arizona, Hawaii, Idaho, Montana, Nevada, Oregon and Washington.

ERLC President Richard Land called the amended version a "distinction without a difference."

"That is the kind of distinction lawyers make that has no difference in reality," Land said. "The court is still denying the constitutional rights of children in nine states and going in the face of 200 years of American history."

The Ninth Circuit Court "underscored its well-earned reputation as the most liberal federal court in America, as well as the most hostile to religious expression in public venues," Land said.

[BACK TO TOP](#)

Pro-lifers win free speech case in high court

The U.S. Supreme Court delivered a decisive victory Feb. 26 for not only the protest rights of pro-lifers but the First Amendment rights of Americans.

The high court ruled in an 8-1 opinion a federal anti-racketeering law did not apply to protest activities at abortion clinics. The justices invalidated a 2001 federal appeals court decision that found a network of pro-life demonstrators was guilty of violating federal and state extortion laws. The lower court also had endorsed a federal judge's nationwide injunction barring pro-lifers from interfering with clinic business and with the rights of women seeking abortions.

Though the combined cases, *Scheidler v. NOW* and *Operation Rescue v. NOW*, involved anti-abortion actions, other social activists came to the aid of the pro-lifers. Organizations supporting the pro-life side in part or in whole through friend-of-the-court briefs included animal rights and disability rights activists, death penalty foes and anti-war protesters.

"This was really a serious constitutional issue of free speech and freedom of assembly," said ERLC President Richard Land. "It was outrageous that a racketeering statute aimed like a rifle at organized crime was ever applied to peaceful demonstrators. This decision is a tremendous victory for Americans' First Amendment freedom of speech and freedom of assembly protections and is underscored by the size of the majority."

The opinion brought to a close a case that began in 1986, when the National Organization for Women sued the Pro-life Action Network, led by Joseph Scheidler, and Operation Rescue, as well as leaders affiliated with the groups. NOW claimed the activists were part of a loose national group to which RICO, a law designed to thwart organized crime, applied because of the activists' cooperative work against abortion clinics. The use of RICO made the protesters subject to crippling fines.

The Supreme Court ruled the pro-lifers did not violate the anti-racketeering law because their activities did not qualify as extortion. The protesters had not obtained property from abortion clinics or abortion rights advocates, the court ruled. The Hobbs Act, a federal, anti-extortion law, requires "not only the deprivation but also the acquisition of property" in order to reach the definition of extortion, Chief Justice William Rehnquist wrote in the majority opinion.

The protesters may have been guilty of coercion, but that crime was not included in the Hobbs Act, the chief justice said.

Associate Justice John Paul Stevens was the lone dissenter.

[BACK TO TOP](#)

House easily approves total cloning ban

The House of Representatives comfortably passed a comprehensive ban on human cloning Feb. 27.

The House voted 241-155 in favor of the Human Cloning Prohibition Act, H.R. 534, which bars cloning for the purpose of reproducing a child, as well as cloning with the intention of creating an embryo on which to perform research. Before adopting the bill, the members rejected an attempt to amend the measure to allow the cloning of embryos for experimentation.

"The House of Representatives has taken the first step toward preventing terrible human tragedy in the form of human clones coming forth from laboratories with painful, tragic and often fatal deformities," ERLC President Richard Land said. "The hour is late, and it is imperative that the Senate follow the leadership of the House as quickly as possible and put on the President's desk, as he has asked, a bill that bans all human cloning for whatever reason."

President Bush had reiterated his call for a comprehensive cloning ban in his State of the Union speech in January, but that did not keep him from pushing again for its passage on the eve of the House vote. On Feb. 26, he issued a policy statement endorsing H.R. 534 and saying he opposed any measure that would "permit the creation of cloned embryos or development of human embryo farms for research, which would require the destruction of nascent human life."

Rep. Jim Greenwood, R.-Pa., offered an amendment that would have permitted the cloning of embryos for research, but the House turned it back, 231-174. Research on cloned embryos requires their destruction, a result called for under the Greenwood measure and a similar bill in the Senate.

In the last congressional session, the House approved a comprehensive ban with a 265-162 vote.

Easy House approval of the comprehensive ban had been expected. The battle over cloning will intensify in the Senate. In the last session, the Senate never voted on a cloning ban. This time, Sen. Sam Brownback, R.-Kan., who sponsored a comprehensive ban in the previous session, again is pushing such a prohibition. Sen. Orrin Hatch, R.-Utah, is sponsoring legislation that would ban reproductive cloning but permit research cloning. His bill would not allow an embryo to survive beyond 14 days.

[BACK TO TOP](#)

Assisted suicides almost double in Oregon

The number of people who legally committed suicide with a physician's assistance in Oregon increased by more than 80 percent last year.

Thirty-eight people used drugs prescribed by doctors to kill themselves in 2002, contrasted with 21 the year before, according to a March 5 report by the Oregon Department of Human Services. Oregon is the only state that has legalized assisted suicide.

The 81 percent increase in 2002 marked by far the highest number of assisted suicides since Oregon's Death With Dignity Act took effect in 1998. The number of such suicides in previous years was 16 in 1998 and 27 in both 1999 and 2000.

The report also found:

- ■ 84 percent of the 38 people who committed assisted suicide in 2002 feared "losing autonomy";
- ■ 37 percent were concerned about burdening their family, friends or caregivers;
- ■ 26 percent feared inadequate pain relief.

Opponents of assisted suicide said the increase in deaths, as well as some of the statistics, verified their concerns about legalizing the practice.

"These numbers are just further confirmation of what we have always known and what is demonstrated even more dramatically in the Dutch experience over the last decade and a half," said ERLC President Richard Land. "When you start allowing euthanasia, voluntary or

otherwise, you have begun a steep slide down an extremely slippery slope into a dark abyss littered with the victims of the culture of death.”

The Netherlands has been the leader in assisted dying for several years. It has been revealed, however, that physicians have abused the practice, and involuntary euthanasia has become common.

Physicians for Compassionate Care, an in-state organization opposed to assisted suicide, expressed concern the Oregon government is cutting back on support for life-sustaining medicine, including for disabled patients, while still funding assisted suicide under Medicaid. Effective March 1, ODHS informed “tens of thousands” of Oregonians the state would no longer pay for their medication, according to PCE.

The latest report came as the Bush administration seeks to win a court battle to end Oregon’s use of federally controlled drugs for assisted suicide. The U.S. Ninth Circuit Court of Appeals is scheduled to hear in May an appeal of a federal judge’s ruling upholding the assisted-suicide law.

[BACK TO TOP](#)

Indiana abortion counseling law goes into effect

The U.S. Supreme Court has paved the way for women in Indiana to be required to receive counseling in person before undergoing an abortion.

The high court declined to review a decision by a federal appeals court that upheld an Indiana law requiring pregnant women to get counseling from a health-care provider 18 hours before having an abortion. The justices announced Feb. 24 they would not accept the case.

The information to be provided during the counseling session includes a description of the abortion method, its risks and the gestational age of the unborn child, according to the *Indianapolis Star*. An exemption from counseling is allowed when a woman’s life or physical or mental health are in danger, the paper reported.

The only states with similar, in-person counseling requirements are Louisiana, Mississippi, Utah and Wisconsin, according to the newspaper.

[BACK TO TOP](#)

California city, church reach settlement over land

A California church that was threatened by a city with the loss of its property gained a victory instead in a battle that received national attention.

After a federal judge last year stymied its attempt to condemn Cottonwood Christian Center’s 18 acres of prized property, the Cypress (Calif.) City Council voted Feb. 24 to purchase the land for \$18.8 million. In the agreement, the church will pay \$17 million for 29 nearby acres on which to build its campus, the *Los Angeles Times* reported.

The battle over the church’s property gained the attention of churches, religious liberty advocates and municipal officials across the United States. Last May, the city of Cypress invoked eminent domain in order to obtain the church’s property in a redevelopment zone and requested it be condemned. The city hoped to sell the land to the discount chain Costco, which planned to build on the site.

Federal Judge David Carter, however, issued a preliminary injunction against enforcement of the city's action in August, ruling Cypress had discriminated against the church. The city substantially burdened the church's religious rights under both the free exercise clause of the First Amendment and a 2000 federal law, the Religious Land Use and Institutionalized Persons Act, Carter wrote in his opinion.

Cottonwood, a nondenominational church that has grown from about 50 members at its founding in 1983 to more than 4,000 adult members, holds its worship services in a building in Los Alamitos that seats 700 people.

[BACK TO TOP](#)

Bush right to look to God for strength and direction in Iraqi conflict

President George W. Bush is not shy about referring to his deep faith in God in public or private, and that has news commentators' tongues wagging.

The president concluded his State of the Union address in January by saying, "We Americans have faith in ourselves, but not in ourselves alone. We do not know—we do not claim to know all the ways of Providence, yet we can trust in them, placing our confidence in the loving God behind all of life, and all of history."

Increasing interest in the president's spiritual life seems to have been capped by the February 27 *Newsweek* cover story, "Bush and God," which called the Bush presidency the "most resolutely 'faith-based' in modern times."

MSNBC weekday anchor John Seigenthaler took time out from that network's nonstop coverage of developments at the United Nations and the U.S.'s preparations for war to focus on the president's faith, interviewing Ethics & Religious Liberty Commission President Richard Land live on-air March 11.

"Like all evangelical Christians and many others who are not evangelical Christians, he seeks God's guidance in his daily life," Land told Seigenthaler of Bush, adding the president "seeks to do God's will as he understands it."

Yet Land hastened to note the president recognizes the presidency is a secular job. "I have been around the president enough to see that he understands the difference between his personal faith and his performance in his job as President of the United States," said Land, who Bush appointed to the International Commission on Religious Freedom in September 2001.

When Seigenthaler asked Land if Bush felt God was giving him the go-ahead to pursue military action against the Iraqi government, Land said that was a question the newsman would have to direct to Bush for a definitive answer. "But I suspect like many other leaders, he seeks the guidance of God in moments of crisis and asks that God would give him direction," Land added.

"As Abraham Lincoln put it in one of the most critical moments of the Civil War when one of his cabinet ministers asked him, 'God is on our side, isn't he?' Lincoln responded, 'I am more concerned that we be on God's side,'" Land said.

"That's the whole posture I get from the president," Land explained. "He is seeking to determine how God would have him act and perform his duties as well as asking Him for wisdom, guidance, strength and compassion.

"I don't think the president or any evangelical Christian would say God is on our side," he continued. "We are far more concerned about doing what God would have us to do, which is a far different thing and a much more humble approach."

War is always the last resort, Land said. "Most Christians in most places at most times have felt that Just War theory is the way to guide them.

"Many evangelical Christians, and many Americans who aren't particularly religious, would agree that we are approaching that last resort," he said, noting the Iraqi leader has had 12 years to comply with the United Nations' directives following the end of the Gulf War.

"It is time now to disarm Saddam Hussein and take away his weapons of mass destruction," Land concluded.

[BACK TO TOP](#)

Two Fortune 500 companies among nation's worst porn-peddlers

General Motors, which owns Hughes Electronics, is the largest distributor of pornography via satellite in America with 10.9 million households reached through its DirecTV business. AT&T Comcast, the newly merged company between AT&T broadband cable system and Comcast, is now the largest distributor of pornography via cable, with over 21 million households.

"They are white-collar pornographers," states Jerry Kirk, president of the National Coalition for the Protection of Children & Families, which has been working with leaders of General Motors, AT&T, and AT&T Comcast during the last two and a half years to get them out of the pornography distribution business.

The NCPCF is asking Christians to join in the growing effort to stop this flow of pornography into Americans' homes. A special petition drive was launched earlier this year targeting GM.

Sign petitions that support the U.S. Justice Department's efforts to prosecute white-collar pornographers, including Fortune 500 companies like General Motors.

Write a personal letter to the General Motors dealer or dealers in your area. You can secure the addresses of your local GM dealers from your local Yellow Pages. A sample letter can be found on the National Coalition's Web site at www.nationalcoalition.org.

Send a copy of the letter to G. Richard Wagoner Jr.
CEO GM Corp.
300 Renaissance Center
Mail Code 482C39B50
Detroit, Michigan 48265

To help build support quickly, recruit at least two other persons each week for the next four weeks to sign the petition, and encourage them to take the same action steps.

Multiply yourself in this effort by sharing the petition with family, friends, Sunday School classes or pastors.

In communications with the company, Kirk urged individuals to remember the love of Christ and that this is a "campaign of compassion—not hate."

"We need to speak a clear and definite word about our conviction that they need to get out of the pornography business. But please—do not use these means of communication to communicate hostility or threats," he insisted.

[BACK TO TOP](#)

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<p><i>For information on Bible-based resources useful for educating your family on the moral and ethical issues of our day and for engaging the culture, such as our exciting new Culture Response Kit, contact the Ethics & Religious Liberty Commission at (800) 475-9127.</i></p>	<p>Interested in supporting the work of the Ethics & Religious Liberty Commission and Dr. Richard Land? We appreciate your prayers and financial support. To give to this ministry that serves your family on the frontline of the culture war, <u>please click here</u>.</p>

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