

For Faith & Family

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A *For Faith & Family* Ministry Partner

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The Schiavo case is as shameful a case as I can recall. Terri has been denied rehabilitation and the ordinary comforts of life—including her husband's refusal to permit medication for her parched lips—as he has relentlessly sought to kill her by denying her hydration and nutrition. I am outraged as an American, as a Christian, as a human being and as a Southern Baptist, because Judge Greer, the chief legal culprit in this case, is regrettably a member of a Southern Baptist church.

I believe it is incumbent upon all of us to lift up Terri Schiavo and her parents in prayer and to seek the Lord's intervention in this case. We also should do everything in our power legally to avert this terrible tragedy of a court in the United States of America allowing a woman to be legally starved to death.

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

Note: Judge Greer has since withdrawn his membership from the church where he was a member.

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Congress, Bush act, but Schiavo's life in balance

Congress passed and President Bush signed into law expedited legislation seeking to extend the life of Terri Schiavo, but a federal judge and appeals court have rejected efforts to have her feeding tube reconnected.

Federal judge James Whittemore of Tampa, Fla., refused March 22 to issue an order to reinsert the brain-damaged Florida woman's feeding tube that was removed March 18. His decision was appealed to the 11th Circuit Court of Appeals in Atlanta, Ga., but a three-judge panel of the court voted 2-1 the next day to uphold Whittemore's ruling.

The court actions followed highly unusual proceedings in Congress. After approving different bills March 16 and 17, the House of Representatives and Senate, respectively, returned to the Capitol March 20 to approve agreed-upon legislation and send it to the President. The bill enables a federal court to review the case and determine if Schiavo's due process rights have been violated by the state's actions.

The Senate passed the bill by voice vote March 20, and the House of Representatives voted 203-58 for it shortly after midnight. Bush signed it about 30 minutes later.

Schiavo, 41, suffered brain damage in 1990 after her heart stopped. For years, her parents, Bob and Mary Schindler, have been in a legal struggle with her husband, Michael, over whether she should live. Michael Schiavo says Terri told him in advance she would not want to live in an incapacitated condition, but no written request exists. Schiavo has received food and water through the tube but is not connected to a ventilator or other life-support machines.

Richard Land, president of the Ethics & Religious Liberty Commission, said he was "delighted that Congress took the extraordinary step to come back into session from their Easter recess" to pass the bill. He decried Whittemore's decision, however.

Whittemore "determined to see only trees and no forest," Land said. "He focused narrowly on the issue of whether the Schindlers were likely to win an appeal based on legal precedent, totally ignoring the substantive issues of whether Terri Schiavo has received equal protection of the law and due process. Perhaps more importantly, he completely ignored the elephant in the room, which is: Is it morally right to allow a non-

terminally ill woman to be starved to death in the United States of America? Terri Schiavo is tragically becoming the symbol of just how far the culture of death has permeated our legal system and American society, blinding our judicial system to the foundation of our entire civilization, namely that all men are created equal and endowed by their Creator with certain inalienable rights, including life. Healthy or unhealthy, mentally challenged and physically challenged or not, human life is divinely given and thus sacred."

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ERLC institute addresses 'same-sex marriage'

The ERLC Research Institute has issued a call for Christians to resist the campaign to legitimate "same-sex marriage" while also ministering compassionately to homosexuals.

The ERLC think tank released the "Nashville Declaration on 'Same-sex Marriage'" March 9 in response to ongoing efforts to legalize "homosexual marriage." Every statewide vote on the issue has resulted in a victory for the biblical and traditional definition of marriage, but courts still threaten to grant marriage rights to people of the same sex. The ERLC and other pro-family organizations have endorsed a federal amendment to the Constitution to protect marriage.

The statement's signers, all fellows of the ERLC Research Institute, said the "multiple efforts to legitimize 'same-sex marriage' are misplaced and unwise attempts to redefine the historical, social and moral foundation of human culture."

Among its recommendations, the document calls for:

- Stronger bonds within families so "children have a better chance to develop God-honoring, healthy, appropriate sexual orientation."
- More training by church leaders and understanding among Christians about the biblical view of homosexuality and marriage.
- Greater outreach to people "trapped in homosexuality to provide them the relationships that will help them abandon homosexual behavior."

ERLC President Richard Land was joined by four Southern Baptist seminary presidents and 14 other Research Institute fellows in endorsing the statement. The seminary presidents signing on were Daniel Akin of Southeastern Baptist Theological Seminary in Wake Forest, N.C.; R. Albert Mohler of Southern Seminary in Louisville, Ky.; Paige Patterson of Southwestern Seminary in Forth Worth, Texas, and Phil Roberts of Midwestern Seminary in Kansas City, Mo.

The declaration "is forceful in its presentation of the truth about homosexuality, but it is not heartless or arrogant," said Barrett Duke, director of the institute and the ERLC's vice president of public policy and research. "We do not condemn homosexuals in this document; we reject the lie that homosexuality is God-given. Because homosexuality is not part of God's design for humanity, we also express our confidence that God can—and in fact does—deliver homosexuals from this destructive life. [We] recognize that we must minister to homosexuals in a loving, compassionate way, and we commit ourselves, and call on all Christians, to befriend and minister to homosexuals."

The declaration may be accessed at the ERLC's Internet site, www.faithandfamily.com.

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Pro-life measures promoted in Congress

Efforts to enact pro-life legislation continue in Congress.

In recent developments:

- The RU 486 Suspension and Review Act, S. 511 and H.R. 1079, has been introduced. It would halt sale of the abortion drug while the U.S. comptroller general reviews the process by which the Food and Drug Administration approved it.
- A Pennsylvania mother told a congressional committee March 3 proposed legislation may have protected her teen-aged daughter from a coerced abortion. Testifying to the Constitution Subcommittee of the House Judiciary Committee, Marcia Carroll of Lancaster, Pa., said her daughter, who was pregnant at 14 years of age, decided to give birth to her baby when her boyfriend's parents intervened, Associated Press reported. They took the teen-ager to a New Jersey abortion clinic and refused to return her to her home until she had an abortion, Carroll testified. The trip to another state avoided Pennsylvania's parental notification law. "No one should be able to circumvent state laws by performing an abortion in another state on a minor daughter without parental consent," Carroll said, AP reported. The Child Interstate Abortion Notification Act, H.R. 748, would outlaw the transportation of a minor by a non-parental adult to

another state for an abortion when the girl's home state requires parental notification or consent. In the Senate, the bill is the Child Custody Protection Act, S. 403.

- The Human Cloning Prohibition Act, which would ban cloning for both reproductive and research purposes, has been reintroduced. In two previous Congresses, the House has approved the bill without the Senate acting on it. It is H.R. 1357 in the House.
- The Prenatally Diagnosed Conditions Awareness Act has been introduced. The bill would serve to increase the likelihood a woman whose unborn child tests positive for Down syndrome or another condition would receive the latest information on the development and treatment options for such a child. It is S. 609 in the Senate.

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ERLC endorses democracy promotion bill

The ERLC is promoting legislation designed to expand democracy globally, especially through the arms of the U.S. State Department.

The ERLC called for passage of the Advance Democratic Values, Address Non-democratic Countries and Enhance (ADVANCE) Democracy Act. The legislation is S. 516 in the Senate and H.R. 1133 in the House.

The bill would confirm an essential ingredient of America's foreign policy is the promotion of freedom and human rights, as well as support for democracy movements in totalitarian states. Among its other provisions, the ADVANCE Democracy Act would:

- Create an Office of Democracy Movements and Transitions in the State Department and an advisory board of external experts to provide counsel and to study the effectiveness of U.S. democratic assistance.
- Establish the position of under secretary for Global Affairs with the assignment of advancing liberty and add democracy promotion to the responsibilities of the assistant secretary for Democracy, Human Rights and Labor.

The ERLC's Barrett Duke called the ADVANCE Democracy Act an "exciting piece of legislation that will change the world."

Duke said he is grateful for the bill's "peaceful promotion" of democracy movements. "It will bring the great energy and non-military resources of the United States to the aid of those who long for democracy in their own nations," he said.

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U.N. General Assembly OKs nonbinding cloning ban

The United Nations General Assembly approved a nonbinding resolution March 8 calling on its members to enact comprehensive bans on human cloning.

The 191-member assembly voted 84-34 for the declaration, with 37 abstentions. The measure calls on countries to "prohibit all forms of human cloning inasmuch as they are incompatible with human dignity and the protection of human life," thereby impacting cloning for both reproductive and research purposes.

The U.N. legal committee had voted 71-35, with 43 abstentions, for the declaration in February.

The declaration fell short of the convention supported by the United States and more than 60 allies that would have mandated a ban on both reproductive and research cloning.

Though U.N. members agree on barring the birth of a clone, some countries oppose a ban on research cloning. Proponents of research cloning defend its legalization primarily for the purpose of performing stem cell research. Extracting embryonic stem cells for such research destroys the embryo, however.

While the declaration fell short of their goals, President Bush and pro-life leaders still applauded the U.N. action.

"Human life must not be created for the purpose of destroying it," Bush said in a written statement. "The United States and the international community have now spoken clearly that human cloning is an affront to human dignity and that we must work together to protect human life.

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High court weighs Ten Commandments displays

The Supreme Court heard oral arguments March 2 in two cases involving Ten Commandments displays on government property, and defenders of the exhibits expressed hope they would be upheld by the justices.

Pat Trueman, senior legal counsel for the Family Research Council, said in a written statement after observing the arguments a "clear Supreme Court majority appeared very reluctant to suggest that the Ten Commandments violate the establishment clause of the First Amendment."

The justices heard oral arguments for two consecutive hours in separate cases, one involving a stand-alone monument on the Texas state capitol grounds in Austin and the other framed displays of the Decalogue in two Kentucky courthouses as part of exhibits of historical documents that include the Declaration of Independence, Bill of Rights and Magna Carta.

The justices are expected to rule on both cases in either a consolidated opinion or separate decisions before they adjourn this summer.

Jay Sekulow, chief counsel of the American Center for Law and Justice, expressed confidence the court would uphold the display in Texas but thought its ruling on the Kentucky exhibits would be closer.

Although the ERLC was not a party to briefs in the cases, Richard Land affirmed the agency supports Ten Commandments displays. "It is clear to any reasonable mind that the posting of the Ten Commandments along with other documents foundational to the constitutional and legal system of the United States either by government or private citizens is not a violation of the establishment clause," Land said. "Our founding fathers would find the argument that it was a violation to be incomprehensible."

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Senate protects pro-lifers in bankruptcy reform

The Senate defeated March 8 a measure to prevent pro-life protesters from filing for bankruptcy when they are fined by courts.

The pro-life victory came on an amendment offered by Sen. Charles Schumer, D.-N.Y., whose proposal had held up approval of bankruptcy reform legislation in the past. The Senate defeated Schumer's amendment by a 53-46 vote. Sens. Robert Byrd, D.-W.Va., and Ben Nelson, D.-Neb., were the only Democrats to oppose the amendment. Four Republicans voted for the amendment: Sens. Lincoln Chafee of Rhode Island; Susan Collins and Olympia Snow, both of Maine, and Arlen Specter of Pennsylvania.

Senate opposition to the measure was based not only on its treatment of peaceful pro-life demonstrators but on the likelihood it would again result in the House of Representatives rejecting the bankruptcy bill to which it was attached.

In 2002, the Senate approved the bankruptcy legislation with Schumer's amendment attached. Pro-lifers in the House, however, led a charge that killed the bill.

Schumer's amendment, in essence, applies the principles of the Freedom of Access to Clinic Entrances Act to bankruptcy law. The FACE Act, which was enacted in 1994, criminalized nonviolent protests at abortion clinics and empowered clinics to file civil suits for hefty sums against protesters who had been convicted of a crime.

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