

For Faith & Family

[Print](#) | [Back](#)

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Bringing you IMPORTANT news from our nation's capitol

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A *For Faith & Family* Ministry Partner

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While affirming the promise that research has for good, we object strongly to the notion that pursuing cures for some ever justifies intentionally destroying other human lives to achieve those cures. Thus, while we embrace the experimental research and therapeutic use of adult stem cells, we reject embryo-destructive research or therapy.

Stem cells are the unspecialized "master cells" of the body. They are able to produce all of the other types of cells (skin, brain, muscle, etc.). Human embryos have been promoted by some as an excellent source of stem cells. Nevertheless, a human embryo is a human life, no matter his or her age, manner of conception (natural conception, *in vitro* fertilization, or cloning), or location (uterus, test tube, or Petri dish). Embryonic stem cells can be obtained only at the cost of ending these innocent human lives. We cannot accept the destruction of these young and defenseless humans. It is incumbent on a just society to protect the lives of these little ones and to search for alternative sources of stem cells.

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

[Land: Schiavo's death 'sad day for America'](#) Terri Schiavo, 41, died March 31 in a Florida hospice nearly two weeks after being disconnected from a feeding tube.

[House vote expected on stem-cell policy](#) The Republican leadership of the House of Representatives has promised a vote on legislation designed to liberalize President Bush's policy on federal funding of embryonic stem cell research.

[Supreme Court weighs religious freedom law](#) The Bush administration argued a federal law protecting the religious freedom of prisoners

does not violate the First Amendment ban on government establishment of religion in an appearance before the U.S. Supreme Court March 21.

[High court refuses parental consent case](#) The U.S. Supreme Court turned back an effort to uphold an Idaho law that required parental consent before an under-age girl could have an abortion.

[Bush names Bolton ambassador to United Nations](#) President Bush has nominated John Bolton to be the new ambassador to the United Nations.

[Senate rejects 'morning-after' measure](#) The Senate defeated March 17 an amendment calling for \$100 million in the federal budget to be used for family planning programs that would include insurance coverage of contraception and promotion of the use of the "morning-after pill," also know as emergency contraception.

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Land: Schiavo's death 'sad day for America'

Terri Schiavo, 41, died March 31 in a Florida hospice nearly two weeks after being disconnected from a feeding tube.

Her death marked the end of a life-and-death struggle that involved all three branches of government. On the day before Schiavo died, the U.S. 11th Circuit Court of Appeals and the U.S. Supreme Court rejected requests to intervene from her parents, Bob and Mary Schindler. Those decisions ended what turned out to be the final hopes for reconnecting Schiavo's feeding tube.

"This is a sad day for America," said Richard Land, president of the Ethics & Religious Liberty Commission. "It's a particularly sad day for anyone who is physically or mentally handicapped, or seriously and debilitatingly ill, and those who love them. The judiciary at the state and federal level condemned Terri Schiavo to death by dehydration and malnutrition on the hearsay evidence of a husband who is cohabiting with another woman whom he introduces as his fiancée and with whom he has produced two children. This was done in spite of the heart-wrenching pleas of Terri's parents, who have loved and nurtured her throughout her life and have repeatedly volunteered to take over responsibility for her care. It's really hard for millions of American parents to accept the fact that the judicial system in the United States of America has told a mom and a dad they cannot feed their child.

"I pray that this terrible tragedy will be a wakeup call for the American people to stand up and insist on the reassertion of the sanctity-of-life ethic upon which this nation was based in the Declaration of Independence, which holds that all human beings have the inalienable right to life because they are human beings—born, unborn, healthy, unhealthy, young, old, handicapped or incurably ill," Land said. "When we reject the sanctity ethic for the so-called quality-of-life ethic, in which we begin to assert some human beings have what the Nazis called 'lives unworthy of life,' we have taken a giant step down a steep and slippery slope to a dark and dangerous place for anyone who is not born, wanted, young, powerful, productive and healthy. I urge everyone to pray for Terri's family, particularly her heart-broken parents, and to pray that God will send a spiritual awakening to America, which is the only real antidote to the toxic poison of the culture of death."

Schiavo, who had been severely brain damaged since 1990, received no food or water after her feeding tube was disconnected under state

court order March 18. She had not been connected to a respirator or any other life-sustaining equipment.

Schiavo's parents were in a legal battle for several years with her husband, Michael, over whether she should live. Michael Schiavo said his wife told him in advance she would not want to live in an incapacitated condition, but no written request existed.

Schiavo's starvation and dehydration, backed by a string of state and federal court decisions, elicited protests from pro-life, disability rights and civil rights advocates. Jesse Jackson and Ralph Nader were among the liberals who called for reinserting her feeding tube.

Congress passed and President Bush signed into law March 21 expedited legislation seeking to extend the life of Schiavo, but a state judge, a federal judge, the 11th Circuit and the Supreme Court rejected efforts to have her tube reconnected.

[Back to Top](#)

House vote expected on stem-cell policy

The Republican leadership of the House of Representatives has promised a vote on legislation designed to liberalize President Bush's policy on federal funding of embryonic stem cell research.

The news encouraged those seeking to expand federally funded embryonic research. Rep. Michael Castle, R.-Del., said he hopes the House will take up legislation similar to his bill, which would permit funds for research on stem cells extracted from leftover embryos stored at fertility clinics, *Congressional Quarterly* reported March 25.

Castle is lead sponsor of the Stem Cell Research Enhancement Act, H.R. 810. Sen. Arlen Specter, R.-Pa., is sponsoring a companion bill, S. 471, in the Senate.

With 181 cosponsors, the House measure could pass, Castle said. "We are at a majority or close to it," he told CQ.

The development presents a challenge for foes of funding embryonic research. The Ethics & Religious Liberty Commission and other pro-life organizations oppose embryonic stem cell research because procuring such cells destroys embryos. If the legislation is not defeated in Congress, President Bush may veto it.

The President, who instituted his policy in 2001, ordered a ban on federal funding of stem cell research that destroys embryos. He permitted funds for research on embryonic stem cell lines already in existence at the time he announced the policy.

"President Bush implemented a policy that allows for the first time federal funding of embryonic stem cell research, and it does so in a way that does not cross an important moral line," White House spokeswoman Christie Parel said, according to CQ. "His views remain the same."

The House leadership has not committed itself to a specific bill or a time for debate and vote on the controversial issue, an aide told CQ.

Stem cells are the body's master cells that can develop into other cells and tissues, building hope for the treatment of numerous afflictions. In addition to being extracted from embryos, the cells may be found in such non-embryonic sources as bone marrow, umbilical cord blood, fat and placentas.

While embryonic stem cell research has failed to produce any successful therapies in human beings, research on stem cells from non-embryonic sources has produced treatments for more than 40 ailments, including spinal cord injuries, rheumatoid arthritis, lupus, multiple sclerosis and Crohn's disease.

You may express your opinion to your senators and representative by calling the Capitol switchboard at (202) 224-3121 and asking for their offices or by emailing them through the ERLC's Web site, www.faithandfamily.com.

[Back to Top](#)

Supreme Court weighs religious freedom law

The Bush administration argued a federal law protecting the religious freedom of prisoners does not violate the First Amendment ban on government establishment of religion in an appearance before the U.S. Supreme Court March 21.

In oral arguments at the high court, the federal government squared off against the state of Ohio in a debate over the Religious Land Use and Institutionalized Persons Act (RLUIPA). Lawyers for the Bush administration and inmates in Ohio prisons urged the high court to overturn a lower court decision that ruled the law was an establishment of religion. The lawyer representing Ohio, meanwhile, argued for the justices to

uphold the ruling, contending RLUIPA goes beyond the First Amendment's protection of religious expression and promotes religion.

The justices are expected to issue a decision before they adjourn in late June or early July.

RLUIPA, which was signed into law by President Clinton in 2000, prohibits government policies that substantially burden free exercise of religion by inmates and, in land-use cases, by a person or institution. The government, however, can gain an exemption from the law if it can show it has a compelling interest and is using the least restrictive means to further that interest.

The case, which is on appeal from the Sixth Circuit Court of Appeals in Cincinnati, Ohio, involves some Ohio prisoners who hold unconventional beliefs. They assert that state corrections rules denying them access to religious material and the opportunity to perform religious services violate RLUIPA.

The Ethics & Religious Liberty Commission signed onto a friend-of-the-court brief with nearly 60 other organizations in support of RLUIPA. The brief says the coalition does not take a position on the specific facts in the case but is defending the constitutionality of RLUIPA.

The Sixth Circuit Court of Appeals is the only one of five federal appeals courts to invalidate RLUIPA. The Fourth, Seventh, Ninth and 11th circuits have upheld the prisoner provision in the law.

The case is *Cutter v. Wilkinson*.

[Back to Top](#)

High court refuses parental consent case

The U.S. Supreme Court turned back an effort to uphold an Idaho law that required parental consent before an under-age girl could have an abortion.

The high court announced without comment March 28 it would not review a ruling by the Ninth Circuit Court of Appeals that Idaho's parental-consent law was unconstitutional. The appeals court, which is based in San Francisco, decided in July a "medical emergency" provision in the law permitting abortion without a parent's consent was too narrow.

There are 33 other states that have enacted laws that are truly effective in requiring parental consent or notification before a minor's abortion, according to the National Right to Life Committee. The appeals court ruling in the Idaho case should not impact the parental involvement laws of other states, unless they also are in the Ninth Circuit and have medical exceptions that are as strict as that of Idaho.

The Idaho law, which affects females under 18 years of age, defines "medical emergency" as a "sudden and unexpected physical condition." Because this definition is narrower than that permitted under Supreme Court rulings, the provision, as well as the law itself, must be invalidated, a three-judge panel of the Ninth Circuit said.

The case was *Wasden v. Planned Parenthood of Idaho*.

The Ninth Circuit consists of federal district courts in these states: Alaska, Arizona, California, Hawaii, Montana, Nevada, Oregon and Washington, as well as Idaho.

[Back to Top](#)

Bush names Bolton ambassador to United Nations

President Bush has nominated John Bolton to be the new ambassador to the United Nations.

Bush's selection of the outspoken Bolton has drawn criticism and opposition, but many who support a strong stance for the spread of democracy and reform of the United Nations have welcomed the move. Bolton's nomination requires confirmation by the U.S. Senate.

Bolton has served nearly four years as under secretary of arms control and international security at the State Department. He also has served as assistant secretary for international organization affairs at the State Department and assistant attorney general at the Justice Department.

In 1991, Bolton helped with the successful bid to rescind the U.N.'s resolution condemning Zionism as equivalent to racism, thereby aiding Israel. He has called North Korea's Kim Jong Il a "tyrannical dictator" and recently criticized China publicly for permitting its firms to sell missile technology to the repressive Islamic state of Iran.

[Back to Top](#)

Senate rejects 'morning-after' measure

The Senate defeated March 17 an amendment calling for \$100 million in the federal budget to be used for family planning programs that would include insurance coverage of contraception and promotion of the use of the "morning-after pill," also know as emergency contraception.

Senators voted 53-47 against the amendment, which was introduced by Sen. Hillary Clinton, D.-N.Y. Before the vote, Clinton said from the Senate floor the "prevention first amendment" is an effort to prevent unintended pregnancies and abortions.

Sen. Judd Gregg, R.-N.H., chairman of the Budget Committee, opposed the measure, pointing out it would have eliminated abstinence-only programs from receiving funds under the bill and would have increased corporate taxes by \$200 million.

Most pro-lifers oppose the "morning-after" pill because of its abortifacient quality. It acts after conception, preventing implantation of the tiny embryo in the uterine wall.

[Back to Top](#)

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