REPORT from the Capital

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INSIDE:

Supreme Court hears arguments on inmate religious rights

The U.S. Supreme Court is weighing the question of whether a federal law designed to protect prisoners' religious freedom goes too far.

At stake is whether Congress can pass laws creating special protections for religious practices for institutionalized persons. But the high court's decision, expected later this year, could extend far beyond prison walls to any laws making it easier for individuals or organizations to practice their faith.

The justices heard arguments March 21 in the case of several current and former inmates of Ohio prisons who sued the state to gain accommodations for their various non-mainstream religious practices. In this first test of the law to be heard by the high court, several of the justices seemed skeptical about the constitutionality of the law, which was passed in 2000.

Though the cases originally were filed in the 1990s as constitutional challenges to restrictions on the prisoners' free exercise rights, the prisoners amended the cases after Congress passed the Religious Land Use and Institutionalized Persons Act, often referred to as "RLUIPA."

One of the law's provisions requires states to accommodate religious practices by inmates in their prisons—such as providing a special diet or allowing the wearing of a particular kind of religious dress —unless prison officials can show a compelling reason why they should not grant such requests. If they do not provide the accommodations, then officials must also show that they have "burdened" the inmate's religious exercise in the least restrictive manner possible.

General Counsel Hollyn Hollman speaks to reporters outside the Supreme Court.

The 2000 law passed with support from a broad spectrum of political and religious leaders. Its two main Senate co-sponsors were Orrin Hatch, R-Utah, and Ted Kennedy, D-Mass.

But in late 2003, the 6th U.S. Circuit Court of Appeals used the lawsuit—whose plaintiffs include practitioners of Satanism, the Wicca religion and an adherent of a white-supremacist form of Christianity—to overturn RLUIPA.

A three-judge panel of the appeals court said the law violates the First Amendment's Establishment Clause. By specifically accommodating religious rights, the court said, RLUIPA advances religion and prefers religion over non-religion.

"[T]he primary effect of RLUIPA is not simply to accommodate the exercise of religion by individual prisoners but to advance religion generally by giving religious prisoners rights superior to those of nonreligious prisoners," wrote Judge Ronald Gilman in the court's opinion.

But other federal appeals courts have upheld the law's constitutionality. The prisoners appealed the decision to the Supreme Court, which accepted the case in October.

Ohio Solicitor General Douglas Cole, who argued the state's case, contended the law creates too much entanglement between the government and religious practice, because it requires prison officials to judge what is and is not a true religion. "Congress is, in a sense, asking federal judges to sit as overseers of religious life in prisons throughout the 50 states," he said.

But Justice Antonin Scalia shot back: "Why is it worse for judges to be overseers of religious life in prisons than it is for wardens?"

The court had difficult questions for the other side as well. Several justices posited hypothetical religious accommodations that prisoners may ask for or temptations inmates may face to claim religious rights in order to gain privileges.

Addressing Paul Clement, the federal government's acting solicitor general who argued in support of the prisoners' case, Justice Sandra Day O'Connor said RLUIPA "provides an unusual framework or context, and if you could find some religion that required drinking beer every day ... there's a real incentive here to 'get religion.'" The courtroom responded with laughter. Clement replied: "First of all, this is not an absolute entitlement to get a religious beer at 5 p.m. every day." ➪

⇨Both Clement and Ohio attorney David Goldberger, who also argued for the prisoners, told the justices that prison officials could do away with problems caused by religious accommodations under the "compelling state interest" test. "To the extent that there's a compelling governmental interest, the prison officials can simply say, 'No,'" Goldberger said.

Those arguing for the inmates' case also said invalidating RLUIPA as a broad violation of the Establishment Clause would jeopardize numerous other state accommodations of religious exercise that have existed for centuries, such as tax exemptions for churches.

Goldberger

Cole

In a friend-of-the-court brief filed by the Baptist Joint Committee and the Becket Fund on behalf of a coalition of religious and civil rights groups, attorneys argued that the 6th Circuit's ruling does just that. "[I]f allowed to stand, the rationale of the court below would potentially invalidate numerous other federal and state acts whose sole purpose and effect is to accommodate religious exercise," they wrote.

Clement said that is one of the reasons why the federal government believes RLUIPA is constitutional and necessary. "Every state in the Union provides some accommodation to religion," he told the justices. "At least RLUIPA has the advantage of making sure all religions are accommodated neutrally."

The case is *Cutter vs. Wilkinson*, No. 03-9877. The justices will likely hand down a decision before their 2004-2005 session ends in June.

—By Robert Marus, Associated Baptist Press

Sens. Kerry, Santorum reintroduce Workplace Religious Freedom Act

Congressional supporters of religious freedom will try once again with an employees' religious rights bill they have been trying to get passed for more than eight years.

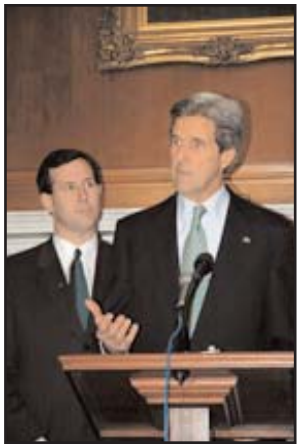
At a Capitol press conference March 17, Sens. John Kerry, D-Mass., and Rick Santorum, R-Pa., announced they had reintroduced the Workplace Religious Freedom Act. Kerry has introduced a version of the bill in every Congress since 1996.

"No American should have to choose between practicing their faith and working at their job," Kerry told reporters.

"This is an attempt to balance the scales," Santorum said of the legislation. "This is not a bill that attempts to elevate religion over all other rights; it simply is an accommodation."

In an April 7 speech at the annual religious liberty banquet of the Seventh-day Adventist Church, Sen. Hillary Clinton, D-N.Y., a co-sponsor of the bill, spoke passionately about the need to protect employees' religious rights in the United States.

"From my perspective, religious liberty is one of the most important issues on the world stage today," Clinton said. "Our nation has been, I would argue, the exemplar of religious freedom and tolerance amongst a diverse people."



Sens. John Kerry, D-Mass., and Rick Santorum, R-Pa., have introduced the Workplace Religious Freedom Act.

Clinton said maintaining that tradition is what has inspired her to support the Workplace Religious Freedom Act, as she has in every session of Congress since she joined the Senate in 2001.

WRFA would place a greater legal burden on employers to prove they have good reasons when infringing on an employee's expression of religious faith—such as refusing to work on the Sabbath or wearing religious garb or jewelry in the workplace.

Supporters of WRFA believe that federal civil rights laws, as written, were intended to provide such a legal standard of protection for employees, but that court decisions have eroded it. Now, employers only have to prove that the business would incur minimal inconvenience or financial burdens by accommodating an employee's religious expression in order to deny such an accommodation.

The bill is supported by a wide array of religious and civil rights organizations, including the Baptist Joint Committee, the Southern Baptist Convention's Ethics & Religious Liberty Commission, the American Jewish Committee and the Union of Orthodox Jewish Congregations.

Kerry, when asked by a reporter if his sponsorship of the bill was part of the campaign to make Democrats look more faith-friendly, laughed. "Look, I started this years ago," he said. "I believe in this because I have constituents—two Catholic ladies who lost their jobs because they wouldn't work on Christmas—and I said, you know, 'What's going on?'"

Bill supporter Rep. Mark Souder, R-Ind., backed Kerry up, saying the support for WRFA was a "rare kind of bipartisan moment."

Souder noted that when the bill was originally introduced in the House, there were more Democrats who co-sponsored it than Republicans. He also said WRFA may face more opposition on his side of the aisle than the Democrats' because of his ideological cohorts' employer-friendliness.

"We have to work on the Republican side as well, if not a little harder," Souder said. "There, we may face some business opposition."

The Senate version of the bill is S. 677. The House version is H.R. 1445.

—ABP and staff reports

REFLECTIONS

J. Brent Walker
Executive Director

Independent judiciary under attack

"It is emphatically the province and duty of the judicial department to say what the law is." Chief Justice John Marshall, *Marbury vs. Madison* (1803)

Many people today—including many politicians—are ignoring Marshall's settled principle of our constitutional heritage. Along with the Bill of Rights, the separation of powers between the executive, legislative and judicial branches and the checks and balances among them is fundamental to the preservation of freedom.

The legislative branch passes laws, the executive branch enforces the laws and the judicial branch interprets them. Although the first two branches are thoroughly and properly political, our Founders sought to ensure an independent federal judiciary that would be free from direct political influences.

These long-settled principles are under a withering attack today. Hateful, inflammatory and irresponsible words are leveled at the judiciary—even from the highest offices in the political branches.

In 2004 the House of Representatives passed two bills to strip the federal courts of jurisdiction to hear certain constitutional issues simply because the House disagreed with how it thought the Court would decide them. These measures present enormous separation of powers issues and threaten judicial independence. The House passed the "Pledge Protection Act" to block federal lawsuits involving the Pledge of Allegiance, even cases involving actual coercion. It also passed the "Marriage Protection Act" to strip the federal courts of power to hear challenges to the federal Defense of Marriage Act. Other bills—to deprive the federal courts of jurisdiction to hear Establishment Clause cases involving the Ten Commandments and other government endorsements of religion—were also filed. We have every reason to think these efforts will intensify, particularly if the Supreme Court strikes down the government-sponsored Ten Commandment displays in the two cases that are pending this term.

The recent acts of violence against judges and their families in Chicago and Atlanta and the tragic Terri Schiavo case have provided an opportunity for demagogues to up the ante to a frightening level. Rep. Tom DeLay, R-Texas, House majority leader, sought to bully the judges involved in the Schiavo case, declaring, "the time will come for the men responsible for this to answer for their behavior." He also leveled a not-so-veiled threat of reprisals when he said, "Congress for many years has shirked its responsibility to hold the judiciary accountable. No longer." Moreover, Sen. John Cornyn, R-Texas, suggested on the floor of the Senate there may be a link between recent acts of violence against judges and "raw political and ideological decisions" that judges have issued. As a former justice of the Texas Supreme Court, Sen. Cornyn should know better.

Finally, on April 7 and 8 a group called the Judeo-Christian Council for Constitutional Restoration sponsored in Washington, D.C., a conference titled "Confronting the Judicial War on Faith." The promotional brochure shows a judge's gavel demolishing the second tablet of the Ten Commandments. It goes on to complain about "activist judges who are undermining democracy, devastating families and assaulting … morality."

Oh really? A war on faith? Undermining democracy? Devastating families? I don't think so. Judges are human beings who are trying to do their level best to uphold the Constitution, interpret the law and mediate competing claims that come before them. Remember, courts don't go fishing for cases to decide. They can act only when someone asks them to. The raucous rhetoric surrounding this conference is simply outrageous.

The decisions courts make may be unpopular. In fact, the best they can ever hope to do is please about half the people. And, since federal judges are often interpreting a "counter-majoritarian" Bill of Rights, they often raise the ire of a strong majority.

The decisions courts issue are sometimes wrong. They do not always get it right. I often disagree with the results in Supreme Court cases. I am not doing my job if I fail to critique Supreme Court decisions on the *issues*. But I do not dispute their right to make those decisions or the good faith of judges and justices 99 percent of the time.

Someone has to make these hard decisions. And they are best made in a non-threatening, relatively apolitical environment. The panoply of freedoms that we as Americans have come to enjoy, religious and otherwise, depend entirely on our understanding that judges, not politicians, have the final say in interpreting the laws—as Chief Justice Marshall rightly pointed out more than two centuries ago.

The panoply of freedoms that we as Americans have come to enjoy, religious and otherwise, depend entirely on our understanding that judges, not politicians, have the final say in interpreting the laws.

State faith-based initiatives draw mixed reactions

By Anne Farris, Washington Correspondent for the Roundtable on Religion & Social Welfare Policy

At a time when President George W. Bush is urging governors to expand their partnerships with faith-based social service providers, several states are finding mixed receptions and, in some cases, legislative and legal roadblocks to such initiatives.

In Michigan, Governor Jennifer Granholm joined the growing list of states that have created faith-based offices or liaisons on March 14. Some religious leaders applauded the move, saying it will help expand government welfare service dollars to the faith community. But the announcement also sparked objections from advocates of separation of church and state, who claimed the initiative could promote religion and violate the federal and state constitutions.

And a week before Granholm's announcement, Minnesota Governor Tim Pawlenty recommended that the state legislature spend $300,000 to set up a Faith-Based and Community Initiative Council to help religious groups seek social service grants. But some lawmakers said the state's tight budget would not accommodate the new council without taking money from other state programs. In addition, the Wisconsin-based Freedom from Religion Foundation threatened it was considering a lawsuit, citing constitutional questions about showing preference to religious groups.

Meanwhile, New Mexico Governor Bill Richardson has proposed legislation that would allow faith-based preschools to apply for state funds, as long as no religion was taught during school sessions financed with taxpayer money. The controversial bill would split $5 million in state preschool money, giving $2.5 million to private service providers, including religious organizations, and $2.5 million to public schools. The measure was passed by the New Mexico House on March 16, but its future is uncertain in the state Senate.

In February, Georgia Governor Sonny Perdue tried unsuccessfully for a second time to amend the Georgia Constitution to give the state new power to contract with faith-based organizations. Opponents said the proposal was an attempt to allow public funding of religious and private schools, while supporters argued that religious organizations can provide better services for children, the elderly and the homeless than the government.

"There's more resistance at the state level to these programs because strict state constitutions have prohibitions on tax money going to religious groups," said Barry Lynn, president of Americans United for Separation of Church and State.

"Thirty seven states have provisions with no aid to religious groups—like the one the Georgia governor tried to delete from

the constitution."

Lynn also said there is more objection to faith-based initiatives at the state level because, unlike at the federal level, it is easier for people to see where limited state resources are going, and which groups are getting the money.

But shrinking state budgets are the very reason why some governors are endorsing faith-based initiatives. With severe budgetary constraints, states are looking to leverage the work of faith-based and community organizations in areas of substance abuse, foster care, senior citizen care, homelessness, mentoring and prison inmate retraining.

In announcing her initiative, Governor Granholm said that government's role is to care for the poor, and that directing government service funds to religious groups could result in more effective use of state money, because faith-based programs can be more successful than those run by the government.

Governor Pawlenty also said the initiative can help streamline social service efforts.

"Often times that service is not coordinated or aligned very well with the state's public policy goals, even though faith-based organizations, in many cases, are legally qualified to participate in these grants," Pawlenty said.

Dana Badgerow, Commissioner of the Minnesota Department of Administration, said the Pawlenty administration is looking for creative ways to supplement state funding. With the state facing a projected deficit of $466 million in the next two-year budget cycle, Pawlenty has proposed cutting health and human services, and cutting back the overall size of the state government.

But the initiatives continue to draw concerns about the separation of church of state, and whether federal laws can apply in state jurisdictions.

Kary Moss, executive director of the ACLU of Michigan, called Granholm's faith-based office a "potential minefield" because it could violate federal and state constitutions. In particular, she pointed to the debate over the right of religious organizations to consider a person's faith when employing staff with government money. Federal and state laws vary on whether such hiring rights are allowed. The Bush administration has sought to clarify federal rules on the practice, but there is considerable uncertainty about how they apply at the state level if they conflict with state laws.

"This is not about a particular faith," Governor Granholm said in response to concerns about the hiring provisions. "This is about serving the citizens in the most effective way."

Rabbi E.B. Freedman and Bishop Nathaniel Wells were among clergy in Michigan who were publicly supporting Granholm's initiative. Freedman said religious groups of many denominations have received federal money for social programs for years, but need greater access.

"This is about access, not discrimination," Freedman said.

Wells, a pastor of a Church of God congregation, said the initiative will help many faith-based organizations get coordinated state and federal support, and provide more services to those in need.

"This allows the governor to touch individuals that government never touches," he said. "People have a fear of government."

Officials in the Pawlenty administration said the state is acting on solid legal ground because federal welfare reform legislation passed in 1996 gave religious organizations greater leeway in competing for government grants and greater leverage in how the funds are used.

"That allowed state governments to direct federal money to religious groups. And so once that broke down those initial barriers, I think that opened the doors for a lot more things to happen," Badgerow said.

In Georgia, Governor Perdue said his proposal was needed to correct "historic bigotry" in the state constitution which prohibits direct government funding of religious organizations. Despite the restriction, faith-based service providers in Georgia currently do receive state funds for charitable programs. But Perdue and other state officials are concerned that such spending might be found unconstitutional.

"Thanks to those who opposed this measure, these faith-based groups will remain subject to the threat of legal action that could halt their valuable programs," Perdue said after the Senate failed to pass his measure.

Maggie Garrett, legislative counsel for the American Civil Liberties Union of Georgia, said the ACLU believes a constitutional amendment is unnecessary.

"When government money goes to the church, government strings get attached and it's not good for religion," Garrett said.

Georgia has already found itself in the cross-hairs of litigation on such issues. In November 2003, the Georgia Department of Health and Human Services changed its rules to prohibit religious organizations from employing staff based on their faith after the state and a Georgia United Methodist Children's Home were sued by Lambda Legal, a New York-based civil rights group. The children's home, which received state money, was charged with turning away a job applicant because he was Jewish, and for firing a worker who was a lesbian.

The changes implemented by the state and the children's home resulted in the suit being settled before it went to trial.

Formed in January 2002 with a grant from The Pew Charitable Trusts to the Research Foundation of the State University of New York, the Roundtable on Religion & Social Welfare Policy was created to engage and inform government, religious and civic leaders about the role of faith-based organizations in our social welfare system by means of nonpartisan, evidence-based discussions on the potential and pitfalls of such involvement.

K. Hollyn Hollman
General Counsel

Protecting religious liberty for future generations through education, legislation and litigation

During election cycles many of us tire of opinion polls. The news media's dependence on them tends to be numbing. I'm sure there's a poll somewhere that says so.

A recent survey of high school students, however, should alarm us and make us keenly aware of the challenges and opportunities for the BJC in three aspects of our ministry. We sometimes describe the work of the BJC as involving education, legislation and litigation. Promoting religious liberty for all, as our mission statement describes, requires that we do battle on at least those three fronts.

It just seems fair for government to avoid taking sides in religious matters, to protect the freedom to practice religion, and to treat non-believers as equal citizens under the law.

Our challenge in education becomes crystal clear when we see results of surveys like the recent Knight Foundation poll of 100,000 high school students that suggests a majority of them assign little or no value to the rights guaranteed by the First Amendment.

Among the BJC's various education efforts, speaking to student groups is one of our best ways to promote religious liberty for the long-term. Since most kids are growing up with peer groups that are far more diverse than those of their parents, I often find them quick to see the inherent fairness in our perspective, even if they have not heard it before. It just seems fair for government to avoid taking sides in religious matters, to protect the freedom to practice religion, and to treat non-believers as equal citizens under the law.

Still, we know the challenge is growing. Beyond simply taking freedom for granted, young people are targets of misinformation. The BJC has seen a disturbing surge in stories about those who promote a misreading and mischaracterization of our nation's history in order to attack the constitutional tradition of religious liberty.

What can you do? If you know some high school students, ask them what they know about the protections in the First Amendment. See if they understand that the same constitutional provisions that keep their public schools from promoting religion, also promote their freedom. Engage them on issues that illustrate how our country's legal tradition allows for a vibrant expression of religion and protects against government dominance of religion. Let us know if we can assist education efforts on religious liberty in your church or community.

Our education efforts extend into the legislative arena. Our ability to protect religious liberty depends on members of Congress understanding our perspective and knowing that people in their district care about the issue. It is not surprising that matters dealing with the relationship between church and state are difficult for many members. Any issue that touches on religion in politics can potentially divide constituents or lead to an unfair label.

In the current political environment, we know there is real pressure to go along with any proposal that sounds like it is "pro-religion." This is certainly the case in the area of faith-based initiatives. Members need to hear from the many whose religious beliefs lead them to be strong supporters of religious freedom and wary of government funding of religion. They need to hear that cooperation between government and religious entities does not require, and should not allow, government-funded discrimination in employment or unnecessary risks of government-funded religion.

In recent weeks we met with two new members of Congress—one Republican, one Democrat. The goal was to welcome them to Washington, inform them about our perspective and current church-state issues and to listen for ways we can help them. In both cases, supporters of the BJC were crucial in setting up the meeting with the member and making sure they heard that religious liberty is an issue of great concern for individuals and houses of worship in their district. The members welcome hearing from church leaders and church members in their district. We should always let them know that we are paying attention, encourage them to stand strong for religious freedom, and thank them when they make the right choice on a tough vote.

The BJC's litigation work primarily consists of analyzing and reporting on church-state cases and filing friend-of-the court briefs in significant cases. The Supreme Court's docket this term provided an obvious opportunity to advocate our balanced approach to the First Amendment. The Court recently heard arguments about the prohibitions of government endorsement of religion in the Ten Commandments cases and the accommodation of free exercise in the review of a free exercise statute. For religious liberty to remain the vital force it has been in our country, both religion clauses must be fully enforced.

While the substance of the cases provided an opportunity for us to advocate positions consistent with our Baptist commitment to religious liberty for all, the atmosphere warned of the difficulties ahead. In recent years, most church-state decisions have been decided by slim majorities. In the next few years, we will likely have new members on the court whose positions are unknown.

Much is at stake these days. For religious liberty to be preserved, it must be protected.

Colorado court bars death sentence because jurors consulted Bible

A convicted rapist and murderer should not receive the death penalty because some of the jurors who sentenced him consulted biblical law in making their decision, according to the Colorado Supreme Court.

A closely divided panel of that state's highest court ruled March 28 that jurors should not have taken biblical law into account when reaching the decision.

"The judicial system works very hard to emphasize the rarified, solemn and sequestered nature of jury deliberations," the majority opinion in the 3-2 decision read. "Jurors must deliberate in that atmosphere without the aid or distraction of extraneous texts."

But the minority justices disagreed. "The biblical passages the jurors discussed constituted either a part of the jurors' moral and religious precepts or their general knowledge, and thus were relevant to their court-sanctioned moral assessment," they wrote.

Colorado criminal law is unusual in that it requires judges in capital cases to instruct jurors to take into account their own moral convictions in dealing with such sentencing decisions.

According to court papers, one juror testified that she consulted the famous passage in Leviticus 24, in which Hebrew law requires "an eye for an eye."

The decision means that Robert Harlan's sentence will be changed to life without parole. In 1995, he was convicted of raping and murdering a woman near Denver, as well as shooting and paralyzing a woman who was trying to help the victim escape.

—ABP

Dell reinstates 31 Muslim employees who want to pray at work

Thirty-one Muslim contract employees at a Dell Inc. plant in Nashville, Tenn., have been reinstated a month after they left work alleging that the company discriminated against them because of their need to pray at work.

The company, together with advocacy groups, announced March 17 that a settlement between the workers and the world's largest computer systems company had been reached. The settlement includes back pay for the employees and full reinstatement of their jobs, as well as provisions for religious accommodation.

Muslims are religiously required to pray five times a day, a practice that American Muslim workers must carry into the workplace with them.

But on Feb. 4, the group of Muslim assembly line workers says they were told by their manager that if they wanted to continue to work at the plant, they would not be able to pray during work hours.

"This settlement can be used as a model by other production facilities that employ large numbers of Muslim workers."

— Arsalan Iftikhar, legal director for the Council on American-Islamic Relations

In protest, the group left their jobs. A Dell spokesman said they never were fired, but left "voluntarily as a result of a miscommunication about Dell's religious accommodation practices." Before the settlement, some employees had already returned to work, the company said.

In addition to reinstating the workers, the settlement provides that employees be granted paid time away from their work areas to pray, "as long as those requests are reasonable," said a statement released by Dell, the contract employer Spherion Corp. and the Nashville Metro Human Rights Commission, which helped mediate the dispute.

The Council on American-Islamic Relations, a Washington-based advocacy group, helped to broker the settlement.

"This settlement can be used as a model by other production facilities that employ large numbers of Muslim workers," said Arsalan Iftikhar, the council's legal director, who participated in the negotiations.

—RNS

DeLay does not back down on judges, though others call judiciary 'fair'

House Majority Leader Tom DeLay continued his rhetorical assault on the federal judiciary April 7, despite more temperate comments from his allies in the Senate.

In a videotaped message to a group of conservative religious activists, DeLay, R-Texas, denounced "a judiciary run amok" and called on his colleagues to "to reassert Congress' constitutional authority over the courts."

DeLay's comments were made for a Washington conference sponsored by the Judeo-Christian Council for Constitutional Restoration, a religious right group headed by former Southern Baptist pastor Rick Scarborough.

Religious conservatives are increasingly denouncing what they term "judicial activism"—when judges rely more on their own opinions about political and social issues than the letter of the law when making rulings.

DeLay's comments came only a week after he denounced "an arrogant, out-of-control, unaccountable judiciary" in the wake of Terri Schiavo's death. The incapacitated Florida woman was at the center of a legal and political dispute over sustaining her life through a feeding tube.

"I believe the judiciary branch of our government has overstepped its authority on countless occasions," he said.

"This era of constitutional cowardice must end," he continued. "Judicial accountability is not a political issue; [judicial activism] is a threat to self-government."

Some of DeLay's fellow Republicans seemed to back away from his sentiments. On April 5, news agencies quoted Senate Majority Leader Bill Frist, R-Tenn., who worked closely with DeLay on the Schiavo legislation, as saying he believed the federal judiciary was "fair and independent." Likewise, the *New York Post* reported April 1 that Vice President Dick Cheney disagreed with the idea of punishing judges for their rulings.

Brent Walker, executive director of the Washington-based Baptist Joint Committee, said much of the furor over "judicial activism" is misplaced.

"Nobody ever complains about judicial activism when they agree with the opinion," said Walker, whose organization advocates for religious freedom and church-state separation. "People try to make a sharp distinction between interpreting the law and legislating from the bench. But which one that is is often in the eye of the beholder."

—ABP

REPORT from the Capital

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Rev. Charlie Johnson

to address annual

Religious Liberty Council luncheon at CBF General Assembly

11:45 a.m. to 1:45 p.m.
Friday, July 1, 2005
Gaylord Texan Resort, Ballrooms C & D
Grapevine, Texas

Tickets: $25 by mail or at the BJC exhibit in the Cooperative Baptist Fellowship Resource Fair

Charlie Johnson, senior pastor of Trinity Baptist Church, San Antonio, will be the featured speaker. Named one of the "Baptists of the Year" for 2005 by the Baptist Center for Ethics, Johnson has spent nearly 30 years ministering to Baptists across the country. He will speak on current topics at the intersection of church and state.

2005

Please send ____ tickets ($25 each) for the 2005 Religious Liberty Council luncheon.
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