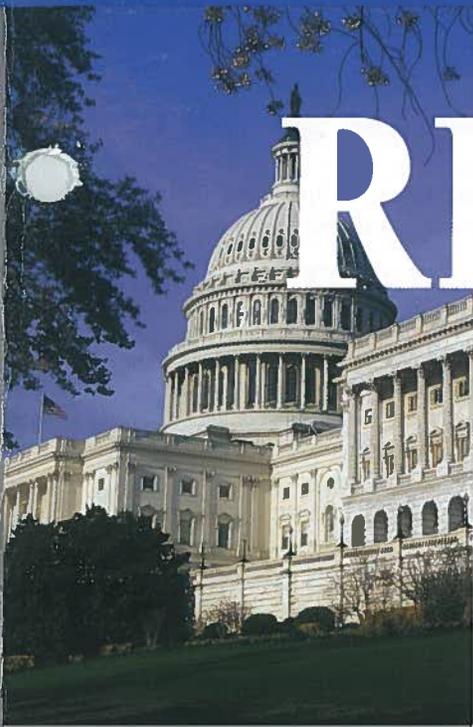


REPORT

from the Capital



Supreme Court unanimously sides with prisoners' religious rights

A five-year-old federal statute focusing on the religious freedom of prisoners is constitutional, the U.S. Supreme Court ruled May 31.

The high court unanimously held that the section of the Religious Land Use and Institutionalized Persons Act (RLUIPA) dealing with prisoners does not violate the First Amendment's Establishment Clause. The statute bars government from limiting the religious liberty of prisoners in federally funded institutions without a compelling reason.

"RLUIPA ... protects institutionalized persons who are unable freely to attend to their religious needs and are therefore dependent on the government's permission and accommodation for exercise of their religion," wrote Justice Ruth Bader Ginsburg for the court.

The case reached the Supreme Court after members of Satanist, Wicca and other non-mainstream religions sued Ohio's corrections department, claiming its officials denied them opportunities to gather for worship or use particular religious ceremonial items.

In overturning an appellate ruling, the justices took their latest action in the continuing round of court decisions about the intersection of church and state that deal with the clauses of the First Amendment addressing establishment and free exercise of religion.

"In accord with the majority of Courts of Appeals that have ruled on the question ... we hold that (section) 3 of RLUIPA fits within the corridor between the Religion Clauses," wrote Ginsburg. "On its face, the act qualifies as a permissible legislative accommodation of religion that is not barred by the Establishment Clause."

Ohio officials had argued that the law inappropriately forces prison administrators to balance issues of faith and security, but the justices rejected that argument.

"We do not read RLUIPA to elevate accommodation of religious observances over an institution's need to maintain order and safety," Ginsburg wrote.

In arguments in March before the Supreme Court, Ohio State Solicitor Douglas Cole had argued that requests made under RLUIPA are treated "differently and better" simply because they relate to religion.

But the high court did not agree with that argument.

"It confers no privileged status on any particular religious sect, and singles out no bona fide faith for disadvantageous treatment," Ginsburg wrote.

Justice Clarence Thomas, in a concurring opinion, said Ohio "overreads" the Establishment Clause.

"History, at least that presented by Ohio, does not show that the clause hermetically seals the federal government out of the field of religion," he wrote.

Lawyers for the Ohio Department of Rehabilitation and Correction said they did not have an immediate comment.

"We have to review it and see what steps we need to take," said spokeswoman Andrea Dean.

Advocacy groups that sometimes are on opposite sides of cases dealing with church-state separation welcomed the ruling.

"This is a sensible decision that affirms the value of religious freedom while giving correctional institutions the ability to meet their security needs," said the Rev. Barry W. Lynn, executive director of Americans United for Separation of Church and State, in a statement.

Nathan Diamant of the Union of Orthodox Jewish Congregations of America said the ruling will set a precedent that "will serve to advance the cause of religious liberty in America."



The Supreme Court's decision protects the rights of prisoners, such as Al Samson and the Voices of Thunder gospel choir, to practice their religion freely. (RNS Photo by Michael DeMocker)

Newsletter of the
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White House enlists black pastors to back faith-based initiative

As Congress gears up for another go at expanding the Bush administration's faith-based initiative, the *Los Angeles Times* has reported that, at a meeting with State Department officials, several black ministers signed on to a statement endorsing the White House-supported plan on religious hiring.

Staffers from the White House Office of Faith-Based and Community Initiatives circulated a letter for signatures in advance of and during a private May 23 meeting between the black ministers and Secretary of State Condoleezza Rice. The meeting's topic was ways the faith-based initiative could be expanded to aid Africans victimized by the spread of HIV.

The letter endorses a domestic provision allowing American charities to discriminate based on a job applicant's religious beliefs.

"We're hopeful that this can lead to a resolution of an issue that's kind of stymied Congress since the president took office," said James Towey, assistant to the president and director of the office of faith-based initiatives. He said the stalled bill could be up for reconsideration as early as June.

The State Department meeting with Rice illustrated the Bush administration's increasing efforts to reach out to a constituency, black pastors, that Republicans have traditionally neglected.

But according to the *Los Angeles Times*, the Rev. William Shaw, who is pastor of White Rock Baptist Church in Philadelphia, Pa., president of that National Baptist



The White House is enlisting the support of black pastors for a bill that would allow federally-funded religious discrimination.

Convention, USA, Inc. and a member of the Baptist Joint Committee board of directors, called the letter a "political move" and refused to sign.

"I don't think [the Africa effort] ought to become simply another exercise of political operations," Shaw said. "I am not closed to it. ... I need to see what fruitful comes from it and how nonpolitical it is."

The Rev. Timothy McDonald, chair of the Washington-based African American Ministers in Action and minister at First Iconium Baptist Church in Atlanta, said the administration had been dishonest about the real reason for the meeting with Rice, and the fine print of the letter.

"What angers me is the whole way they called the meeting talking about Africa and HIV and then they just sprung the letter on them," McDonald said. "The way it's being promoted is that you'll be able to get more money for your

church to help with their programs, but they're not being told that they're signing something that condones discrimination."

Many civil rights groups and minority pastors have voiced concern about "charitable choice," saying it poses a threat to civil rights and violates the division of church and state. Critics include American Baptist Churches USA, the American Civil Liberties Union, the Baptist Joint Committee for Religious Liberty, the NAACP, the Interfaith Alliance and African American Ministers in Action.

—RNS and staff reports

Christian emphasis on evangelism at heart of Air Force Academy dispute

There is "a heck of a battle" going on at the Air Force Academy, says legendary football coach Bobby Bowden. The problem is deciding who started it.

Bowden and other evangelicals rallying around the Colorado-based Academy contend opponents are trying to limit their freedom to talk about God. "If you knew the cure for cancer, would you tell somebody or would you keep it a secret?" asked the Florida State coach at a May banquet in Colorado Springs sponsored by the nonprofit group, Fellowship of Christian Athletes.

"The problem with us Christians is we won't speak out."

But others say evangelicals in and out of uniform speak too aggressively at the Academy, creating an environment that Americans United for Separation of Church and State described as "systematic and pervasive religious bias and intolerance at the highest levels of the Academy command structure."

It is a classic battle between evangelical Christians, who say they are commanded to share their beliefs, and people of other faiths or no faith, who say they should not have to tolerate constant proselytizing or harassment. And the battle lines extend far beyond Colorado Springs, an evangelical epicenter, to simi-

lar religious freedom battles around the country, as well as other world hot spots where America's global aspirations seem to be cloaked in Christian rhetoric.

For now, both sides are waiting for an Air Force task force report expected later this summer that will address issues of religion at the Academy.

Brent Walker, executive director of the Baptist Joint Committee, said "we must always aim for a win-win situation—paying attention to everyone's rights."

"Students should be permitted to freely exercise their religion but without harassing their classmates," Walker said. "Academy officials should be allowed to express their personal beliefs but without pressuring students to accept them. Chaplains should minister with utmost sensitivity and evangelize only in purely voluntary encounters, such as a freely attended worship service."

On June 2, the Washington-based Religious Action Center of Reform Judaism joined the chorus of concern, sending a letter to Michael Dominguez, acting secretary of the Air Force.

(See *Air Force Academy*, page 8)



J. Brent Walker
Executive Director

Become a First Freedoms church

The First Freedoms Project—an initiative of Associated Baptist Press, *Baptists Today* and the Baptist Joint Committee to highlight the importance of First Amendment freedoms—is up and running. You read about our fabulous kickoff conference in Washington, D.C. in the May issue of *Report from the Capital*. We now need a concerted effort to bring it to fruition.

The First Freedoms Project was born of a conviction that our fundamental freedoms are under attack today. We are convinced that the best way to protect them is to elevate their importance, and threats to them, in the local church. Thus, the First Freedoms Project is also a partnership between our three national ministries and local congregations working to preserve those treasured freedoms.

How does your church become a First Freedoms church? You do it by committing to celebrate America's freedoms of religious liberty and free press at least once a year and to support the ongoing efforts of Associated Baptist Press, *Baptists Today* and the Baptist Joint Committee through annual gifts to the First Freedoms Project or to each of us separately.

We are absolutely committed to helping your church with the first part—providing substantive and plentiful resources to assist in your churches' worship and education efforts. These resources have been collected on a CD and have been sent, through the generosity of the Cooperative Baptist Fellowship, to some 1,600 churches. If your church did not get one, give me a call (202-544-4226) or email me at bwalker@BJCOnline.org, and I'll be glad to send you one. The resources also can be downloaded from the First Freedoms web site (www.firstfreedom.com).

Included on the CD and on the First Freedom's web site are materials for worship, Sunday school, music and promotion, all designed to help you express patriotism by celebrating our freedom. Specifically, you will find:

- Litanies, readings and original hymn texts, including one written by David Burroughs of Passport Inc. for this year's celebration.

- A special recording by Ken Medema of his song "I See America Through the Eyes of Love," performed especially for the First Freedoms Project.

- Sunday school lessons for adults, youth and children.

- Sermon illustrations, historical vignettes and a sermon by George Mason, senior pastor at Wilshire Baptist Church, titled "The Persuasive Church: True Freedom

and the Freedom of Truth."

- A stirring message by Baptist historian Walter Shurden, titled "What has Happened to Baptists Regarding the First Amendment?"

- A bulletin cover, bulletin insert and background information on the First Freedoms Project.

We hope that these resources will be helpful to you as you conduct a First Freedoms emphasis. Your church knows best how to fashion this emphasis, but here are some ideas:

- Designate a day of worship each year, perhaps near the Fourth of July or Memorial Day, to emphasize first freedoms.

- Use the theme "Free to Worship, Free to Know."

- Emphasize the role of early Baptists in ensuring Americans have the right to worship freely.

- Encourage Sunday school teachers to focus one lesson on historic freedoms.

- Invite a local journalist to speak on the importance of freedom of the press and its relationship to other freedoms.

- Have a dramatic presentation about religious liberty and its early Baptist proponents.

In exchange (remember, this is a partnership) we hope that your church will support the three ministries involved in the First Freedoms Project. This can be done by including us in your annual missions budget; using your day of freedom emphasis to receive a special offering; or designating the proceeds of an annual event, such as the Fourth of July barbeque, to support the First Freedoms Project.

Finally, share your ideas with us. Let us know how your church plans to celebrate and support our historic freedoms as a First Freedoms church. We and other churches can learn a lot from you.

Our freedoms are too important and severely threatened to do anything less than ban together to ensure that they are preserved for our children and grandchildren. Won't you do what you can to make your church a First Freedoms church?

The First Freedoms Project was born of a conviction that our fundamental freedoms are under attack today. We are convinced that the best way to protect them is to elevate their importance, and threats to them, in the local church.

Freedom's Holy Light

A SERMON BY DR. J. DANIEL DAY
PASTOR, FIRST BAPTIST CHURCH OF RALEIGH, N.C.
MAY 22, 2005

There was a time when Waynesville, North Carolina, was known to outsiders—if at all—as a nice, little mountain town in western North Carolina. However, three weeks ago Waynesville became the latest poster-child site in America's ongoing religious-political melodrama. And, God bless us, we Baptists were right in the big, sticky middle of it!

As tempting as it is to let this one go with just a shudder of disbelief, the fact is this event with the East Waynesville Baptist Church only illustrates the anguish our entire nation is experiencing at the interface of religion and politics. A "culture war" is being waged with heavy religious artillery. You know the battlefronts: prayer in public schools, the public display of the Ten Commandments, "under God" within our pledge of allegiance, public tax dollars for private schools and faith-based ministries, etc. The list goes on, but in virtually every case the contest concerns our understandings of what Baptists call "soul freedom" and the political corollary of this freedom, the separation of church and state.

My friend Walter Shurden says that not too many years ago these terms could roll off a Baptist preacher's lips and it was a given the crowd would nod agreement and awaken only at the invitation hymn. The

subject was just that boring. Not so today. Our cultural waters have become so murky that even in this church with its historic commitment to Baptist principles, some probably question the tradition. So today I revisit this embattled core conviction.

I begin with the foundational understanding that freedom is God's gift to humankind. Adam and Eve were given a command by God, but they were also given the freedom to disobey the command. The ability to heed or to defy God was theirs. Freedom was theirs. Later in the biblical story the mournful voices of Israel's prophets and psalmists speak for God: "O that my people would listen to me, that Israel would walk in my ways" (Ps. 81:13). But they would not. Nonetheless God preserved in them this freedom to stay or go. Even later in the biblical story we learn of Jesus who comes to set us free from sin and death and to grant us the liberty of the children of God, the liberty to serve God with glad and thankful hearts. But once again, God doesn't push this down our throats.

From this foundational understanding comes a simple yet far-reaching conclusion. **True religious faith cannot be compelled.** In order for faith to be faith, it must be freely chosen faith. It must be a voluntarily given faith or your own; otherwise it is a meaningless sham. This idea is not that hard to grasp. For a frivolous analogy consider the fact that you can make an N.C. State grad learn the words and tune of the Tarheel alma mater (and yes, Wolfpack grads do have that intellectual ability!), and you might even make a Wolfpacker sing it. But you'll never make them believe it! Nor will you ever make them love it, or make them contribute to the Rams Club or send their kids, willingly, to Chapel Hill. And if you're silly enough to try, all you'll accomplish is rebellion.

Now you must know that within the Christian family tree we Baptists sit on the rebellious limb. From our birth in the early 1600s in England our battle cry was "Give us Freedom!" Especially "soul freedom." Baptists said to the established church and government of England, "Don't tell us what we must believe! Don't tell us we must recite your creeds or say your prayers! Don't tell us we haven't the right and the responsibility to come to our own religious convictions and practices!" For saying such rebellious



words British Baptists like John Bunyan spent years in jail. When Baptists came to America they said the same thing to the established churches in the colonies and for doing so they were whipped and fined and run out of town. Soul freedom was that important.

Baptists endured this persecution not just to gain their own freedom but the freedom of all—even those whose religious convictions were most distasteful to them. Ours wasn't just a self-serving campaign for toleration of the weird Baptists, but a radical call for the full and free practice of soul liberty for everyone.

The First Amendment to our Constitution, an amendment Madison introduced and championed, says "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof." That's a Baptist-inspired contribution to these United States of America.

So, if one begins as I do, with a belief that only voluntary faith is valid faith, it leads you to some unexpected political places. You

wind up, as Baptists who know their history should wind up, appearing to some people to be anti-prayer and even anti-God.

For instance, history-conscious Baptists see today's debate over school prayer quite differently than some others do. Because soul freedom is the only soil from which true personal faith can stem, we see the removal of mandated prayers as being actually a gain for faith. Instead of being provided a government-endorsed prayer to pray, children have the freedom to pray or not to pray whatever prayers they choose. Contrary to the charge that "children can't even pray in school anymore," children may pray in school every day, and many do so. What is prohibited is the school's imposition of a prescribed prayer upon its students. Soul freedom is honored. Nobody is told what they ought or must believe about God or religion or prayer. It's in the hands of pastors like me and church people like you to make the case for faith and to nurture it.

It is past time for Baptists to revisit the historical rock from whence we are hewn and to have the courage to reclaim an audacious faith in freedom and in the power of our own gospel.

I say this because the choir grows daily of those who insist America once was and must again become an avowedly "Christian" nation. Many leaders of this choir even offer revisionist histories of our founders' died avoidance of any governmental entanglement with religion. Not surprisingly, these advocates of a "Christian" America fail to specify whose version of Christianity would be chosen as the standard for this "Christian" nation. The Protestant Fundamentalist version? The "enlightened" Liberal version? The Mormon version? The Roman or Orthodox Church's version? If you think the U.S. Supreme Court has its critics now, what awaits us when that Court is called upon to be America's College of Cardinals?

Believe me, I do understand the concerns voiced today by millions of alarmed Americans. I even share those concerns. These are unnerving times. But before we start to join the chorus of those who want to mandate that our particular religious opinions, practices and slogans must dominate the culture, let history offer insight.

In 1787, as soon as the Constitution of the United States was presented to the states for their ratification, people of faith were alarmed by how shorn of religion it was. Why, there was not one mention of God within it, and it even explicitly rejected any religious qualification whatsoever for office holders! Moreover, there was this First Amendment proposing to outlaw the possibility of any assistance to any religion! Many religious communities went into a tizzy of lobbying against this madness. Some state legislatures immediately reacted by protecting their states from this godless constitution by piling

religious requirements into their state constitutions. But in the next 35 years, one by one those statutes were repealed, because year by year the policy of soul freedom proved its wisdom.

Witness the case of Lyman Beecher, a Congregationalist pastor in Connecticut who vigorously opposed the movement in Connecticut to disestablish the Congregational Church in that state. In his memoirs he admits that it was "as dark a day as ever I saw" when he lost this battle. But in retrospect this loss was "the best thing that ever happened to the state of Connecticut" because "it cut the churches loose from dependence on state support. It threw them wholly on their own resources and on God."¹ Losing the crutch of government helped the church to walk. Freedom worked!

Today we are called upon to display a similar faith in freedom. Admittedly, our nation now includes people of all religions and no religion at all, and that appears to pose greater risks than we think our forebears faced. But wouldn't it be ironic if, in the very period

when we Americans are offering our children in battle and emptying our national treasury to advance the banner of political freedom around the world, that we ourselves would diminish religious freedom?

We are called upon today not only to display faith in this freedom, but also to display faith in this gospel we profess. Do we really believe that when Jesus is lifted up he will draw all men unto himself (John 12:31)? Or is it more true that when Jesus is lifted up he actually needs the assistance of Caesar to accomplish his work? So much of today's push for a "Christian" America strikes me as a replay of those in Jesus' day who would have made him king right then and there. He fled them then and he will not be so foisted upon the world today. He will draw the world, he will woo the lost, he will win the battle. But not by fiat, not by force, but by love.

We have redeeming, glad, good news to share with a lost world. Freedom's holy light draws those

who will be warmed, who will see. Let us dare to trust the light.

¹Cited in Edwin S. Gaustad, *Proclaim Liberty Throughout the Land: A History of Church and State in America* (New York: Oxford University Press, 2003), pp. 38-39.



Dr. J. Daniel Day is a native of Oklahoma and has been pastor of First Baptist Church of Raleigh, N.C., since 1996. He graduated from Oklahoma Baptist University in Shawnee, Okla. and Southwestern Baptist Theological Seminary in Fort Worth, Texas.

A Song of Soul Freedom
(LANCASHIRE: "Lead on, O King Eternal")
By Dr. J. Daniel Day

O God of Eden's garden, who grants thy creatures choice,
Whose way is not coercion, who gives dissenters voice,
Remind thy fearful people, concerned for unity:
We find our deepest union when each one's soul is free.

O God of Red Sea waters, whose will is liberty,
Who moves against oppression and strikes down tyranny,
Remind thy startled people, by world events made numb:
There is no final kingdom until thy kingdom come.

O Christ of Calv-ry's mountain, who died to set us free,
Who sought no earthly gavel, but rules from on a tree,
Remind thy challenged people, by many faiths o'errun:
The truth of thy great gospel shall stand when hist-ry's done.

O Pentecostal Spirit, whose winds no creed can tame,
Best teacher of our scripture, whose errand is our aim,
Remind thy faithful people of vows we cannot bend:
Soul freedom that we cherish we will to all extend.



Supreme Court's decision affirms reasonable legislative accommodations

K. Hollyn Hollman
General Counsel

Cutter is a very positive milestone. It affirms religious freedom as a fundamental value, legitimately protected by laws that promote free exercise for all.

Like many lawyers, I wake up on Mondays in May and June with a bit of nervous excitement. On those days, the Supreme Court announces the remaining decisions of its term. With the drafting of advocacy briefs and the drama of oral arguments well in the past, each new week is a step closer to judgment day.

At stake in *Cutter vs. Wilkinson*, the Court's most recent religious liberty decision, was the constitutionality of a law in which the BJC is heavily invested: the Religious Land Use and Institutionalized Persons Act (RLUIPA). In 2000, the BJC led the broad coalition of religious and civil liberties groups that supported the law's passage in Congress. The law provides protections for religious freedom in two specific contexts, namely prisons and land use.

In *Cutter*, the State of Ohio claimed that the prisoner provisions unconstitutionally favored religion by failing to give similar rights to nonreligious prisoners. Surprisingly, the U.S. Circuit Court for the Sixth Circuit agreed. Just after Memorial Day, the Supreme Court released its decision. The immediate news was quite good: the Court upheld RLUIPA in a unanimous decision by Justice Ruth Bader Ginsburg. While the ruling leaves open some questions, such as how the Court would rule on specific applications of RLUIPA, several aspects of *Cutter* are noteworthy because they reinforce basic premises of the First Amendment, and in doing so, bolster the BJC's efforts to protect religious liberty for all.

First, the decision recognizes religious practice sometimes calls for accommodation. While our laws tend to accommodate the religious majority, adherents of minority faiths often need special treatment to obtain authentic religious freedom. The Court noted that the "exercise of religion" involves not just beliefs but physical acts. At times, the physical acts of religious practitioners rely on accommodation from government.

RLUIPA operates in the context of prisons, where the government's burden on religion (and indeed all areas of a prisoner's life) is palpable. The Court had no trouble endorsing the purpose of the statute as valid, finding that RLUIPA "protects institutionalized persons who are unable freely to attend to their religious needs and are therefore dependent on the government's permission and accommodation for exercise of their religion."

Second, legislative accommodations of religion to promote free exercise do not necessarily run afoul of the

Establishment Clause. In several cases, the Court has referred to an acceptable area of legislative action that fits in the space between what free exercise requires and no establishment prohibits. RLUIPA, the Court found, fits comfortably in the "the corridor between the Religion Clauses," where there is "play in the joints."

Ohio had challenged the law on its face, claiming it was necessarily unconstitutional because it offered special treatment to religious prisoners, with no equivalent accommodation to others. The Court rejected that restrictive view of accommodations, noting that it was contrary to a long tradition of legitimate accommodations of religion.

As the Court explained, Ohio's position was incompatible with a basic reading of the First Amendment: "The first of the two Clauses, commonly called the Establishment Clause, commands a separation of church and state. The second, the Free Exercise Clause, requires government respect for, and noninterference with, the religious beliefs and practices of our Nation's people. While the two Clauses express complementary values, they often exert conflicting pressures."

This interpretation of the religion clauses affirms the BJC's sensibly centrist approach to vigorous advocacy both for no establishment and for free exercise.

Third, valid concerns about government promotion of religion or favoritism toward certain religions limit the extent of government accommodation. *Cutter* did not uphold any specific religious practice for prisoners. Indeed, the Court's decision noted the challenges prisoners must overcome. In the case of RLUIPA, many of the concerns about measuring the rights of prisoners against the needs of prisons were actually written into the statute, demonstrating that the goal of Congress was to provide religious accommodation, not to interfere with legitimate security concerns.

The Court found that RLUIPA was compatible with the Constitution "because it alleviates exceptional government-created burdens on private religious exercise." Beyond the specific context of prisons, the Court noted that when evaluating similar laws courts must take notice of the burdens a requested accommodation would impose on non-beneficiaries and must ensure that accommodations are administered neutrally among different faiths.

No doubt, challenges to RLUIPA's prison provisions will recur. Religious accommodation cases will remain hard fought. Still, *Cutter* is a very positive milestone. It affirms religious freedom as a fundamental value, legitimately protected by laws that ensure free exercise for all.

Kathleen Lansing joins BJC as administrator

Kathleen Lansing has joined the staff of the BJC as the new administrator. She comes from the National Peace Foundation (NPF) in Washington, D.C., where she was on staff since 1985. During that time she served as membership coordinator, communications director and deputy director. As principal deputy to the executive director, she was responsible for NPF's finances and office management.



Kathleen Lansing

Previously Lansing was an intelligence research analyst for five years at the National Security Agency and worked part-time for the Arlington County, Va., Public School System for three years. While in graduate school she worked as subscription manager of the *Middle East Journal* at the Middle East Institute in Washington.

Lansing earned a Master's Degree in international relations from the American University in Washington, D.C. and a Bachelor's Degree in International Relations from Macalester College in St. Paul, Minn. She is a member of Calvary Baptist Church in Washington and currently serves as an usher and a trustee.

Lansing replaces Wanda Henry, who left the BJC to join the U.S. Agency for International Development.

Poll: Americans give most support to idea of faith shaping politics

Results of a recent 10-country survey show Americans were the most likely to believe religion should have a role in politics.

Thirty-seven percent of American respondents said religious leaders should "try to influence government decisions," according to a survey for The Associated Press by Ipsos, a Washington-based independent market research company.

The poll included residents of Australia, Britain, Canada, France, Germany, Italy, Mexico, South Korea, Spain and the United States.

Higher percentages of respondents in countries outside the U.S. were opposed to the influence of religious leaders on government actions.

Eighty-five percent of French respondents opposed such influence. At least 75 percent of respondents from the United Kingdom, Mexico, Spain, Germany and Australia also opposed the role of religious leaders in government affairs.

In both the United States and Mexico, 86 percent of respondents said religion plays a role in their life. In addition, 80 percent of Mexicans said they have no doubts about God's existence, compared to 70 percent of Americans.

Respondents who were most likely to say they did not believe in God were residents of France (19 percent), South Korea (19 percent) and the United Kingdom (16 percent).

Nearly 1,000 people in each of the 10 countries were questioned between May 12 and 26. The polls had a margin of error of plus or minus 3.1 percentage points.

—RNS

ACLU sues over federal funding of Pa. abstinence program

A civil liberties group is challenging the constitutionality of government support for an abstinence-only sex-ed program that bills

itself as an "evangelistic ministry" and gives teenagers silver rings inscribed with a Bible passage.

The Massachusetts branch of the American Civil Liberties Union sued the federal Department of Health and Human Services May 16 to stop funding of the Silver Ring Thing program.

ACLU lawyers said the program violates the Constitution's ban on government establishment of religion.

According to court papers, the program has received more than \$1 million in federal funding in the past three years. Also known as the John Guest Evangelistic Team, the group's newsletter said the program's mission is to "call our world to Christ," and that one way to do that is "to saturate the United States with a generation of young people who have taken a vow of sexual abstinence until marriage and put on the silver ring. This mission can only be achieved by offering a personal relationship with Jesus Christ. ..."

At the end of the group's presentations, students are encouraged to wear a silver ring inscribed with I Thess. 4:3-4. The passage, from the apostle Paul's first letter to the ancient church at Thessalonica, encourages Christians to avoid sexual sin.

The suit also says participants in the ring programs are encouraged to accept Jesus Christ as their savior.

"Both because the federal funding of the Silver Ring Thing constitutes a direct government grant to a pervasively sectarian institution and because the federal dollars are demonstrably underwriting religious activities and religious content, the funding violates the establishment clause of the First Amendment to the United States Constitution," the lawsuit says.

Denny Pattyn, Silver Ring Thing's president, released a statement saying he had not seen the lawsuit but "is aware of the proper designation of the federal funds received and asserts that these monies have been properly directed."

The case is *ACLU of Massachusetts vs. Leavitt*.

—ABP

U.S. Justice Department sides with churches meeting in public schools

The U.S. Department of Justice is urging a federal court to uphold the right of religious organizations to conduct worship services in public school buildings.

The Department of Justice made its position clear in a friend of the court brief filed in May with the U.S. District Court for the Southern District of New York. In the brief, the Justice Department sided with the Bronx Household of Faith in its suit against the New York City Board of Education, which has a ban on religious worship in public schools.

The case asks whether the board may ban religious worship from a public school building as long as it allows religious clubs with outside sponsors to hold meetings at other times. That policy proposal, according to the Department of Justice, falls short of the equal access for all groups intended in a U.S. Supreme Court ruling from June 2001.

In prior rulings in other cases, courts have held that religious organizations are entitled to the same access to public school buildings as other groups, and to forbid religious usage is to practice unlawful discrimination.

Such rulings have opened the way for more than 10,000 congregations, often newly formed ones, to worship in public school buildings across the country.

—RNS

Baptist Joint Committee
Supporting Bodies

- Alliance of Baptists
- American Baptist Churches USA
- 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

REPORT from the Capital

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Air Force Academy

(Continued from page 2)

"We find these allegations profoundly troubling not only as concerned American citizens, but also as members of a religious minority that has historically faced innumerable instances of religious intolerance and hatred," said Rabbi David Saperstein, the center's director, adding that he speaks for more than 900 Reform congregations across the country.

Similar problems were cited in a 2004 report by a pastoral care consultant from the Yale University Divinity School who was asked to assess the Academy's chaplaincy programs.

That report found "stridently evangelical themes" in the chaplains' programs. And in an interview, report author Kristen Leslie said similar themes are found throughout the Academy.

"There's one religious voice, the conservative evangelical Christian voice, that has decided that it has the right to lay claim to the environment," she says, "and it is able to do that by working with the Academy power structure."

An executive with Focus on the Family, a conservative Christian organization based in Colorado Springs, described the investigation of evangelicals at the Academy as "a witch hunt." Focus on the Family is not registered to conduct religious activities on Academy grounds, but other evangelical groups are, including the Navigators, one of many international evangelical organizations with active military ministries.

"I don't think there's a pervasive or major problem at the Academy," says Jerry White, president emeritus of the Navigators and a former Academy instructor. "If anything, it's a bit of intolerance among the cadets, who are young kids and sometimes say stupid

things."

The Navigators got its start working with military members more than 70 years ago. The mission of its U.S. Military Ministry is "to help reach the nations of the world by multiplying disciples of Jesus Christ in the military."



The Air Force Academy Band marches in front of the Cadet Chapel. (U.S. Air Force photo by 2nd Lt. Greg Hignite)

White, who retired as a major general in the Air Force Reserve, says the Christian tone of many Academy events reflects the beliefs of the majority of its population. And while acknowledging possible episodes of "inappropriate" zeal by some, he says it is evangelicals who have been on the receiving end of most of the religious abuse. "In my 40 years experience with the Academy, it's been people calling evangelicals 'Bible thumpers.'"

Academy critics say they are not asking evangelicals to give up their beliefs. They are only asking them to express them in ways that acknowledge increasing pluralism of

American life.

"Sharing your faith with another is not a problem," says Lynn of Americans United for Separation of Church and State. "But in a hierarchy, when highly placed individuals manipulate a chain-of-command structure to pressure others to adopt their faith, that is a problem."

In a piece by Maj. Gen. Charles Baldwin printed in the Bolling Air Force Base publication *The Bolling Beam*, the Air Force chief of chaplains stated that the Air Force Chaplain Service is "devoted to serving the religious needs of all Airmen and their families."

"We are committed to serving the one who is different with the same passion as the one from our own faith group," wrote Baldwin, a Cooperative Baptist Fellowship-endorsed chaplain and member of Columbia Baptist Church in Falls Church, Va.

—RNS and staff reports

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