

Year-end honorific, memorial gifts to BJC

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

As you know, the Baptist Joint Committee is celebrating the completion of 70 years and the start of the next 70 with a capital campaign to fund the BJC endowment and to create a Center for Religious Liberty on Capitol Hill. We thank those of you who have already given or pledged support to the campaign.



But now, at this time of year, we ask for you to help us end the year strongly and start off 2007 on a good financial footing. You can help us by making a generous year-end gift by check or credit card. Or, you could give in honor or memory of a friend or loved one. We will acknowledge your gift in an upcoming issue of *Report from the Capital*.

In memory of Richard Waddington
Lois H. Waddington

In memory of Johnny Heflin
Hal and Mitzi Bass
Brad and Dana Heifner
Brent and Nancy Walker

In memory of Frances Meredith
Jeff Huett

In memory of Calvin M. Ravenscroft
The Rev. Clifford and Rosemary Gilson

In honor of Bob and Jean Breneman
In honor of Tom and Tina Burress
In honor of Janet Calvert
In honor of Joyce and Nelson Collins
In honor of Bill and Missy Cubine
In honor of Frank and Heidi Hillard
In honor of Susan Hodapp
In honor of Bob and Denise Hook
In honor of Mrs. June Hook
In honor of Rick and Sarah Newell
Reba Cobb

***New!* Partners in Giving**

We invite you to become a **Partner in Giving** by establishing an automatic monthly gift to the BJC on your credit card. Partners provide income that the BJC can count on for ongoing budget needs and are given the opportunity to help sustain the BJC as we work to secure religious liberty. Simply call or email us or go online to www.BJConline.org to make a credit card gift. If you wish to set up an automatic monthly credit card gift, simply tell us so on the online form.

REPORT from the Capital

J. Brent Walker
Executive Director

Jeff Huett
Editor

Rhett Mason
Communications Intern

Report from the Capital (ISSN-0346-0661) is published 10 times each year by the Baptist Joint Committee. For subscription information, please contact the Baptist Joint Committee.

Our Challenge—Their Future

Securing religious liberty for our children and grandchildren



200 Maryland Ave., N.E.
Washington, D.C. 20002-5797

Return Service Requested

Phone: 202.544.4226
Fax: 202.544.2094
E-mail: bjc@BJConline.org
Website: www.BJConline.org

Non-profit
Organization
U.S. Postage
PAID
Riverdale, MD
Permit No. 5061



REPORT

from the Capital

Former secretary of state says faith integral to foreign policy

WASHINGTON — America’s first female secretary of state said Nov. 20 the United States must begin educating its current and future diplomats on faith issues to have success in the foreign policy arena.

Echoing the thesis of her new book, *The Mighty and the Almighty: Reflections on America, God and World Affairs*, Madeleine Albright told the nation’s largest gathering of religion professors that the ignorance of policymakers toward religion is dangerous for the United States.



Albright

“If Jerusalem were just an issue of real estate, we would have settled it a long time ago. But since all the parties believe God gave them that land, there’s another presence in the [negotiating] room,” said Albright, speaking to the annual gathering of the American Academy of Religion in Washington.

Albright — who was raised Catholic in Czechoslovakia and Colorado, became an Episcopalian and later discovered she had Jewish roots — served as secretary of state under President Bill Clinton and worked for President Jimmy Carter. Prior to becoming secretary of state in 1996, she served as the U.S. representative to the United Nations, dealing with the resolution of the decades-long conflict between Protestants and Catholics in Northern Ireland.

When she first began to consider the Ireland issue, Albright said, she was amazed that religion remained such a bone of contention in an otherwise modern nation. “I thought to myself, ‘Why are we having a religious war at the end of the 20th century?’”

But she soon became convinced that diplomats were overlooking or misunderstanding faith-related issues and were doing so to America’s great peril.

“I continue to believe in the separation of church and state for the United States,” Albright said, “[But] I really think in order to resolve some of the foreign policy programs, we have to bring God and religion into it.”

For instance, she asserted, the State Department should have well-trained religious experts. She noted that, during her tenure in Foggy Bottom, she had arms-control advisers with her when negotiating nuclear treaties and economic advisers with her when discussing trade agreements.

“I therefore think that it’s not [outside] the realm of possibility that the secretary of state should have religious advisers,” she said.

While noting that sectarian views should not form the basis of policy decisions for a religiously pluralistic nation, she said religious leaders can help fill advisory roles. “I don’t think they should be at the table as negotiators, but I do think they should be there as resource people,” Albright said.

She also said the State Department’s entire foreign service corps should have better training in faith-related matters. “I think our diplomats need to be trained to know the religions of the countries to where they’re going,” she said, to loud applause from the audience. “Our diplomats are very knowledgeable in languages, history, culture but not necessarily religion.”

That idea has “taken some people aback” at her old agency, the former secretary said.

In promoting her book — published earlier this year — Albright noted she has experienced various levels of receptivity to her ideas.

Continued on page 2

Newsletter of the Baptist Joint Committee

Vol. 61 No. 10

November-December 2006

INSIDE:

- Reflections 3
- Jon Meacham 4
- Hollman Report 6
- News 7

Vietnam dropped from list of religious violators

WASHINGTON — The State Department's latest list of nations that are the most severe violators of religious freedom no longer includes Vietnam — a first since the department began issuing the list.

But an independent government watchdog group is not happy about it.

Department officials recently announced the 2006 list of "countries of particular concern," or CPCs, under the terms of the 1998 International Religious Freedom Act.

The law requires the department to investigate religious freedom conditions around the world and report on them, imposing sanctions against nations with particularly egregious violations of religious freedom.

This year's list was identical to last year's, with two exceptions: Vietnam was dropped and Uzbekistan was added.

In addition to Uzbekistan, the department re-designated Burma, China, Eritrea, Iran, North Korea, Saudi Arabia and Sudan as countries of particular concern.

Vietnam had been on the list since 2004. In announcing the removal, John Hanford, the United States' ambassador-at-large for international religious freedom, told reporters Vietnam "has made significant improvements towards advancing religious freedom."

"Though important work remains to be done, Vietnam can no longer be identified as a severe violator of religious freedom," he said. "This marks the first time that a country has made sufficient progress as a result of diplomatic engagement to be removed from the country list, and we



view this as a very important milestone."

But Vietnam has not come far enough, according to an independent, non-partisan government agency that also tracks religious freedom around the globe. The U.S. Commission on International Religious Freedom condemned the State Department's decision to, in effect, elevate Vietnam's rating.

"Abuses and restrictions [of religious freedom in Vietnam] occur less frequently than in the past, however, there remain severe concerns for all of Vietnam's diverse religious communities," a statement from the agency said.

According to the commission's sources inside Vietnam, the statement noted, "religious prisoners remain confined, only a fraction of the churches closed since 2001 have been re-opened, forced renunciations of faith continue in many different provinces, and Vietnam's new laws on religion are being used to detain or intimidate religious leaders who refuse affiliation with the government-approved religious organizations."

The commission has long criticized Vietnam for systematic repression of some Christian and Buddhist sects and leaders, as well as using inadequate measures to rein in provincial authorities who have further persecuted religious groups.

But Hanford said negotiations between United States and Vietnamese officials since the initial "concern" designation in 2004 have had a positive effect, leading to new legislation protecting religious groups.

"Four years ago, when I was appointed ambassador-at-large, tens of thousands of people, entire villages in some cases, were being rounded up and pressured to renounce their faith. Today there are laws against forced renunciations and reports of this disturbing practice are now very isolated," he said.

— ABP

ALBRIGHT continued from page 1

In most secular or progressive audiences, she said,

she tended to find "a little bit more skepticism — a lot more skepticism, frankly. The further left the audience, the greater the skepticism. And the hardest time I had was in Seattle."

But Albright did not let conservatives off the hook. She said President Bush's foreign policy has been characterized by a certitude about the stark dichotomy between "evildoers" and allies — an attitude that bordered on the religious.

That attitude toward foreign policy is very different from those of the two presidents for whom Albright worked, who were also "very religious," she said. And Bush's attitude has contributed, in Albright's view, to disastrous results. "I'm afraid that Iraq is going to go down in history as the greatest disaster in American foreign policy," she said.

Albright also cautioned religious leaders who have the ability to influence world events — such as Pope Benedict XVI, whose recent comments in a speech were interpreted by millions of Muslims as an insult to Mohammed, the founder of Islam.

"The assumption that a religious leader, if involved [in

Albright says faith integral to foreign policy

foreign policy], is automatically helpful is not the right

assumption," she said. "I think that religious leaders have to understand diplomacy to some extent."

The diplomatic technique of negotiation is an ethos in which religious leaders — trained in defending truths they believe to be absolute — may not naturally excel, Albright said.

But colleges, universities and divinity schools can begin offering programs combining studies in international relations and religion to help diplomats and religious leaders, she said. "If we begin to think about having an interdisciplinary approach to this, I think we could do some good."

It's not only government officials and religious leaders who affect the way the United States relates to large portions of the world, Albright noted. Those in the private sector need to be trained in religious diplomacy as well.

"It wouldn't hurt, also, just to broaden this: Business people need to learn about religion," she said. "American businesses and NGOs [non-governmental organizations] have very large footprints abroad and often play as big a role as any conventional diplomat in how the United States is perceived."

— Rob Marus, ABP

REFLECTIONS

Remeasuring religion and politics

We have been debating the proper relationship between religion and politics in earnest for the past 30 years.

I point to Jimmy Carter's 1976 presidential campaign as the genesis of our modern conversation about how we Americans, a very religious people, can express our faith in a political culture dedicated to church-state separation and under a constitution that outlaws any religious test for public office. When Carter talked in public about being "born again" and "lusting in my heart," this Baptist Sunday school teacher-turned-presidential candidate befuddled pundits and amused voters. Many had no idea what he meant and such talk in a political campaign was an oddity to say the least.

Well, we have been on a tear every since – from the rhetoric of the "moral majority" and the rise of political evangelicalism supporting Ronald Reagan, to the camp meeting, hymn singing piety of Bill Clinton, to the transformation of Jesus the Christ to Jesus the political philosopher by George W. Bush. During that time period, two Baptist preachers have run for president (Pat Robertson and Jesse Jackson) and an unabashedly religious Orthodox Jew has stood as a candidate for vice president (Joe Lieberman).

However, the publication of David Kuo's book, *Tempting Faith: An Inside Story of Political Seduction* (2006), may mark another watershed. An evangelical Christian and former White House staffer, Kuo recounts how religion was routinely exploited for political purposes and religious leaders often ridiculed by high government official in the Bush administration. This No. 2 man in the White House Office of Faith-Based and Community Initiatives calls for a "fast" from politics – if not from voting, at least from active, in-it-up-to-the-elbows involvement.

Kuo confirms what many of us have been saying for a long time – religion is relevant to public policy, but we must maintain a healthy distance lest religion forgo its prophetic witness and become co-opted by partisan forces. But I don't think people of faith should quit politics. It would be a big mistake. Maybe we could declare a short breather now that the mid-term elections are over to allow us to reflect more maturely and leisurely on some of these issues.

I have previously issued three words of caution when one allows religion to inform policy positions: the first is *theological* (a healthy dose of humility is needed), another is *ethical* (avoid shabby civil religion used for partisan advantage) and the third is *constitutional* (insist on secular purpose behind public policy outcomes despite

religious motivation). I want to advance another idea: The confluence of religion and politics should be a mile wide and a foot deep, rather than the way it has been for most of the past three decades – a foot wide and a mile deep.

Let me explain.

Those who have spoken the loudest, indeed sometimes shouted, with their religious voices – mostly from the right wing of the Republican Party – have singled out two or three issues and made them matters of life and death. Abortion, homosexuality, and medical ethics such as the stem cell research have become litmus tests issues of almost apocalyptic significance. Recently, the newly appointed leader of the Christian Coalition of America reportedly was forced to step down because he wanted to broaden the range of issues for the coalition's attention. And, Southern Baptist and other religious leaders demanded that Rick Warren bar Sen. Barack Obama, D-Ill., from his two-day summit on the global AIDS crisis because of Sen. Obama's stance on abortion. Yes, a foot wide in breadth, but a mile deep in significance.

I think the opposite should be the case. Religious voices should address many issues. In addition to abortion (actually, people of faith are on both sides), and homosexuality (again, both sides), religious ethics has something to say about war and peace, poverty and hunger, genocide and ethnic cleansing, environmental degradation and global warming, and how we spend our tax dollars, to mention just a few. So, our religion should address issues that taken together are a mile wide. My suggestion that it should be only a foot deep is not meant to depreciate the importance of religion. It is, rather, to emphasize the need for considerable attention to nuance, dedication to civility and, yes, the exercise of humility.

Not every issue is black and white. Religious people can disagree and argue both sides of an issue. Not every social, moral or personal problem has a political solution. People of faith have much to say to our culture in a political context; but we rarely have the only or final word. Maybe acknowledging these facts will help us during the next 30 years to better understand how, while separating the institutions of church and state, to permit religious values to leaven politics with more measured aspirations and a lot more integrity.



J. Brent Walker
Executive Director

"The confluence of religion and politics should be a mile wide and a foot deep, rather than the way it has been for most of the last three decades – a foot wide and a mile deep."

The Consummate

By Jon Meacham

Abraham Lincoln knew he was in tricky territory. It was the first week of October 1863, and the president was issuing a proclamation declaring Thanksgiving a national holiday. The culmination of a campaign led by the editor of Godey's Lady's Book, Lincoln's words were calibrated to appeal to Americans of any religious inclination — and of none at all. Despite "the waste that has been made in the camp, the siege and the battle-field," Lincoln wrote, the fields had been so fruitful and the mines so rich that they produced blessings of a scope that "cannot fail to penetrate and soften even the heart which is habitually insensible to the ever-watchful providence of Almighty God. . . . No human counsel hath devised nor hath any mortal hand worked out these great things. They are the gracious gifts of the Most High God, who, while dealing with us in anger for our sins, hath nevertheless remembered mercy."

Lincoln wanted the country to render thanks "with one heart and one voice," but in acknowledging that many hearts and voices were "habitually insensible" to religious feeling, he signaled his grasp of the elusive nature of what Benjamin Franklin had called America's "public religion" — the broad belief in a God who created the world, who was attentive to history and to prayers, who intervened in the affairs of humankind through providence, and who would ultimately reward or punish men for their conduct. This was the "Creator" and the "Nature's God" of the Declaration of Independence and the God whom George Washington, John Adams and Thomas Jefferson spoke of in their public remarks. In America such talk was (and is) complicated, for the nation was founded on the principle of religious liberty — that, at the federal level, no one's civil or political rights could be affected by his faith or lack thereof. As Washington said in a letter to the Hebrew Congregation at Newport, R.I., in 1790, America "gives to bigotry no sanction, to persecution no assistance." And Jefferson approvingly wrote of "a wall of separation between Church & State" in an 1802 letter to the Danbury Baptist Association in Connecticut.

How, then, do we reconcile matters when that same government, one pledged to defend the rights of nonbelievers, engages in essentially religious activity — the offering of prayers in legislative sessions; the employment, at public expense, of military chaplains; or, to bring things back to Lincoln's proclamation, the appointment of days of Thanksgiving on explicitly religious grounds?

Chiefly by noting that Jefferson's wall metaphor — one that the Supreme Court picked up again in the middle of the 20th century — is between church and state, not between religion and politics. Because politics is about people, religion will forever be a force in public life, for religion, like economics, is a factor in shaping ambitions, appetites, hopes and fears. History teaches us that the reli-

gious impulse is intrinsic. "All men have need of the gods," said Homer, and John Adams remarked: "Religion always has and always will govern mankind. Man is constitutionally, essentially and unchangeably a religious animal. Neither philosophers nor politicians can ever govern him in any other way."

The most fervent secularist, however, could justifiably argue that just because religion is prevalent does not mean that governments, particularly governments founded on liberty of conscience, should cater to the religious to the exclusion of the nonreligious. Why not have governments stay out of religious affairs altogether? The secular argument for this is obvious, and there is a strong theological argument for such a view. "Put not thy trust in princes," advised the Psalmist, and Jesus told Pilate, "My kingdom

“Thanksgiving and its religious roots are acceptable precisely because the religious roots have proved benign, or at least so broadly inclusive that no single religious denomination can claim the day solely as its own.”

is not of this world." The dissenter Roger Williams believed that "the garden of Christ's church" should not be contaminated by "the wilderness of the world."

But neither view has ever prevailed. The American habit, formed from the very beginning, when delegates to the Continental Congress prayed as a body for deliverance from the British, has been to choose to follow the forms of Franklin's "public religion," avoiding as much as possible sectarian references to the God of Abraham or God the Father and keeping things as vague as possible. The ambiguity of exactly whom or what we are referring to when we say "God bless America" or, as Lincoln called on us to do, when we thank "the Most High God," makes the strictly religious uncomfortable, for to pray to an indistinct deity can feel idolatrous. Believers, however, must, as G.K. Chesterton said, "permit the twilight," and most Americans have chosen to permit the twilight of public religion.

And so Americans have permitted Thanksgiving as well. The roots of the feast stretch back to 1619, to Berkeley Plantation in Virginia, and, more notably, to 1621 at Plymouth Colony in Massachusetts. By the time of the Civil War, Lincoln was convinced that a national day would promote unity — given the war, it certainly could not hurt — and he made the proclamation. To legal scholars, customs such as Thanksgiving fall under what is (infelicitously) known as "ceremonial deism" — long-standing, innocuous rituals. "It is an argument from history," says John Witte Jr., director of the Center for the Study of Law and Religion at Emory University. "The passage of time will show if this is a step along the way to establishment

American Holiday



of religion or if it's a ritual show of public spirit or patriotism."

It is, admittedly, an odd argument to advance: Thanksgiving and its religious roots are acceptable precisely because the religious roots have proved benign, or at least so broadly inclusive that no single religious denomination can claim the day solely as its own. In its way, then, Thanksgiving is the ultimate American holiday: religious without being sectarian, with room for the non-religious to simply pause and celebrate our common humanity. The origins of the day are inescapably theological, but there is much secular tradition on which to draw as well. Robert Ingersoll, the great 19th-century advocate of free thought, called secularism "the religion of humanity. . . . It does not believe in praying and receiving, but in earning and deserving. It regards work as worship, labor as prayer, and wisdom as the savior of mankind. It says to every human being, Take care of yourself so that you may be able to help others; adorn your life with the gems called good deeds; illumine your path with the sunlight called friendship and love."

The American experiment in religious liberty goes on. Perhaps no one ever put the matter better than John Leland, a Baptist evangelist who worked with Jefferson and James Madison on religious freedom in Virginia: "Let every man speak freely without fear, maintain the principles that he believes, worship according to his own faith, either one God, three Gods, no God, or 20 Gods; and let government protect him in so doing." Madison took such

sentiments to heart, and, late in his long life, at Montpelier, he continued to ponder the mysteries of religion and politics.

"The Constitution of the U.S. forbids everything like an establishment of a national religion," Madison wrote; he was debating whether the appointment of congressional chaplains was compatible with the First Amendment and with the ideal of religious liberty. "In strictness the answer on both points must be in the negative," Madison acknowledged. Both pragmatic and wise, though, Madison concluded that "as the precedent is not likely to be rescinded, the best that can now be done may be to apply to the Constitution the maxim of the law, *de minimis non curat*" — Latin for "the law does not concern itself with trifles."

Is, then, Thanksgiving a trifle, or the most solemn tribute a people can render to a God? The genius of America is that we are free to believe either — or something in between. Such freedom is something we should all give thanks for, today and always.



Jon Meacham is editor of Newsweek and the author of "American Gospel: God, the Founding Fathers, and the Making of a Nation."

This piece is used by permission of the author.



K. Hollyn Hollman
General Counsel

Former Bush administration official sheds light on 'real' faith-based agenda

“The biggest lesson for Kuo is that an unquestioning mix of religion and politics harms religion.”

The story of the Bush administration’s “faith-based initiative” is multifaceted. Some of its facets, particularly the political ones, are on stark display in David Kuo’s new book: *Tempting Faith: An Inside Story of Political Seduction*. While most of the revelations were not surprising to those of us who work to protect church-state separation, the author’s candor, in light of his vantage point, is remarkable. Kuo has collaborated with many top political leaders to develop a message of “compassion” for Republicans. He worked for former Sen. John Ashcroft during the birth of charitable choice in the 1996 welfare reform law. Later, Kuo served for four years as second in command in the White House Office of Faith-Based and Community Initiatives.

Kuo offers an informative account of the development of the faith-based initiative, amidst a very personal memoir. His self-revelatory description of his spiritual life, health and ambition is striking. His knowledge of the faith-based initiative is unquestionable. Among the most important revelations in the book are the following:

- ◆ The faith-based initiative served political purposes, with White House conferences planned according to a partisan electoral map.
- ◆ While the president cared deeply about the initiative, the White House cared most about how the program was perceived.
- ◆ The initiative has done little to help those in need while exploiting the goodwill of religious individuals and organizations to create a false impression of aiding the poor.
- ◆ The White House never offered any empirical evidence that faith-based groups address social ills better than secular organizations, or that there had been substantial discrimination against religious entities applying for government grants under prior rules.
- ◆ Some in the White House spoke with disdain about the religious community they courted.
- ◆ Constitutional concerns about preserving the separation of church and state were dismissed.

The book is a valuable contribution to the growing collection of works on religion and politics. The biggest lesson for Kuo is that an unquestioning mix of religion and politics harms religion. Kuo calls for evangelicals to rethink that relationship. (See Brent Walker on p.3) Still missing from Kuo’s account, how-

ever, is an appreciation for the tension between promoting good works by people of faith and protecting the religious liberty of all. Put bluntly, for all he learned, he didn’t learn that church-state separation protects religious freedom and religion itself.

At some points in the book, Kuo (like the administration he served) pays lip service to constitutional protections for religious liberty. He acknowledges that government cannot fund efforts to proselytize. Yet the initiative was pursued in ways that removed constitutional safeguards that protect religious organizations and those whom they serve. Lines were blurred, making misuse of government funds for religious activity likely.

I first met Kuo during a meeting in the faith-based office, an office decorated with poster-size prints of the president praying. The BJC was among a small number of groups that consistently sounded the church-state alarm and pushed back against the politically motivated fight in the House of Representatives to allow religious discrimination in government-funded positions. During the meeting, I expressed concern about the way the initiative puts religious liberty at risk. (The book never mentions resistance from Baptists guarding their hard-won religious freedom. Worse, Kuo says it was in his Washington-area *Baptist* church that he learned to merge religion and politics.)

Yet for Kuo, the church-state story is significant only as a side note. At least until he became thoroughly disillusioned, Kuo seemed grateful that the initiative’s deficiencies in his mind (a lack of priority and funding) were hidden by media attention to church-state concerns. From his perspective, the constitutional threat was not important, and *could not* be important, because not much was happening. He misses the fundamental lesson that the initiative was flawed in its fundamentals. As the BJC has long said, it is the wrong way to do right.

While our coalition efforts were successful in preventing a legislative expansion of charitable choice, we could not persuade or block the White House. Our concerns did not fit their political narrative, in which the compassionate battled “secular extremists.” The administration published material, issued executive orders, held conferences and bragged about taking things into their own hands when Congress would not act. As Kuo recounts, these things did not significantly advance a compassionate agenda for the needy. While various initiatives were announced, little money followed.

Tempting Faith is the story of an effort aimed to appeal to religious voters that failed on two fronts. Few were helped and religious liberty was harmed.

Court refuses to hear appeal of Maine voucher decision

WASHINGTON — The Supreme Court declined Nov. 27 to consider overturning a Maine state court's decision against the use of tuition vouchers at religious schools.

The justices' refusal to hear the appeal underscores their unwillingness — despite the court's conservative make-up — to force states to fund religious schools in the name of religious freedom.

The justices declined, without comment or recorded dissent, to hear an appeal of an April ruling by the Maine Supreme Judicial Court. That court said that state legislators acted constitutionally in 1983 when they excluded religious schools from a long-standing statewide voucher program. The program allows districts too small to have their own high schools to provide parents with vouchers to cover tuition at private schools.

A group of Maine parents, represented by the pro-voucher group Institute for Justice, sued for the right to include religious schools in the program. The plaintiffs argued that the legislature's decision to exclude religious schools from the program violated the First Amendment by discriminating against religion. But the state high court said legislators had a constitutionally permissible motivation for their action: to protect the separation of church and state.

In a landmark 2002 decision, *Zelman v. Simmons-Harris*, the U.S. Supreme Court upheld an Ohio voucher program that included religious schools. A narrow majority of justices said such programs do not violate the First Amendment's ban on state support for religion as long as parents' choice to use the scholarships at religious schools is independent and is made amidst a wide array of options.

But, in 2004's *Locke v. Davey* decision, the court said that its previous ruling does not mean that states that offer voucher programs must include religious or private schools. In that ruling, the court upheld a Washington state policy excluding Bible colleges for ministerial training from a state scholarship program.

The Maine case is *Anderson v. Durham School Department*, No. 06-132. —ABP

Church says limitations violate religious freedom

MONTCLAIR, N.J. — A New Jersey megachurch said restrictions imposed by town officials — including a required two-hour lapse between Sunday services — violate state and federal religious discrimination laws.

The restrictions, imposed as part of the approval for the church's expansion program, prohibit Christ Church from holding Friday and Sunday evening events, require that Bible study be held on Wednesdays and cut the number of parking spaces the church can build.

The church formally opposed the restrictions in a recent letter to the planning board in Rockaway Township, N.J.

"They placed conditions that are just not possible for the church to fully conduct its activities," church spokesman Marc Weinstein said.

But Mayor Louis Sceusi said the township's conditions were lawful, and came directly from testimony provided by the church's pastor, the Rev. David Ireland, and others.

"As long as we do it based on the evidence that was presented, we are within our legal rights, and actually, we're following our obligation just as we followed our obligation to approve the application," Sceusi said.

Christ Church has been a controversial project that involved nearly three years of hearings before township boards. Many residents were upset about the project's size, the additional traffic it would cause, its environmental impact and the fact that the church is a tax-exempt organization.

In October, the planning board approved the church's plans for a sanctuary for some 2,500 people, a K-5 school and other amenities.

But the approval came with dozens of conditions, some of which are contrary to the U.S. Constitution and a federal law that prohibits land use decisions that discriminate against religious organizations, church leaders said.

Ireland, the pastor, said, "When the planning board asked me about midweek functions, I mentioned that we have Wednesday night Bible study." That's not the same, he added, as letting the town dictate when the church can hold Bible study. "What happens if we decide to change the day of our study? Or if we decide not to have a weekly Bible study, how is that an issue with local government?" —RNS

Survey: Half of evangelicals oppose federal funding of religious groups

WASHINGTON — Half of the nation's evangelical Christians do not support government funding of faith-based organizations, a survey shows.

New data released Oct. 25 from the Baylor Religion Survey show that 50 percent of evangelicals, and 65 percent of the total population, think federal funding of religious organizations is inappropriate. Twenty-six percent of the total respondents surveyed said they agree with such funding.

Byron Johnson, a sociology professor at Baylor University, said the finding about evangelicals may be the product of misinformation and rumors about the work of faith-based initiatives.

"For example, a lot of groups will not even entertain the idea of applying for public funds because they feel like if they do that the cross or the menorah or the Star of David has to come down," he said. "I think it reflects a horrible miscommunication about the initiative."

Researchers from Baylor University released the initial findings of their study in September. They define evangelical denominations or state a belief in the authority of the Bible, salvation through a personal relationship with Jesus and the need to evangelize. —RNS