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- Seventh Day Baptist General Conference

REPORT from the Capital

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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.

◆ Capital Campaign Update ◆

Double your money & finish the campaign

In June, at the annual Religious Liberty Council luncheon in Memphis, BJC supporter Patsy Ayres, issued a capital campaign matching challenge.

She will match, dollar-for-dollar, gifts and pledges made to the campaign through October 31, 2008. **With your help we could raise the campaign goal of \$5 million by the end of this year!**

Fundraising for the Center has been steady over the life of the campaign, with more than half of the needed \$5 million pledged or given by the start of the summer.

The BJC has been fighting for religious liberty and church-state separation since 1936. It is poised for its greatest challenges and greatest successes. The new Center will allow the BJC to be more effective as it secures religious liberty for our children and grandchildren.

It will provide a state-of-the-art training facility, serve as a nerve center for religious liberty advocates, provide a visible presence near the Capitol and Supreme

Court and facilitate expanded partnerships with like-minded organizations, churches, colleges and seminaries.

The time is now to **double your money** and help us **finish the campaign!**

Record your pledge now by contacting Kristin Clifton (contact information below). You may also go online to www.BJConline.org for more information.

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.

For more information contact Kristin Clifton, development officer, at 202-544-4226 or kclifton@BJConline.org.



Patsy Ayres announces her matching challenge after being named as a recipient of the J.M. Dawson Religious Liberty Award.



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REPORT from the Capital

Defending minorities very Baptist, Wright-Riggins tells BJC luncheon

MEMPHIS, Tenn. — Baptists, of all people, should defend the rights of minorities against the majority, an American Baptist leader told supporters of the Baptist Joint Committee for Religious Liberty June 20. The BJC’s annual Religious Liberty Council luncheon was held during the Cooperative Baptist Fellowship General Assembly in Memphis, Tenn.

“To live with the minority experience is to live with the fear of being forgotten and excluded. It is the feeling of foreignness, of not belonging. It is to live in the reality of what Ralph Ellison called the ‘Invisible Man’ — to be present, but not counted; speaking, but not being heard,” said Aidsand Wright-Riggins, executive director of the American Baptist Churches USA’s National Ministries.

Wright-Riggins said identification with the minority experience should be at the center of Baptist and Christian identity. “The road to somebody-ness is always about resolve and resistance. And Baptists, my brothers and sisters, have always pulled alongside those who were dedicated to resolve and resistance on the road to somebody-ness,” he noted.

“Baptists fight for the rights of others to speak their own mind and live their own truths. ... We believe in a free state — but we also believe in a free church, where the god of the majority is never forced upon the consciences of the minority.”

Wright-Riggins, who is African-American, said the question of race had reared its familiar head in this presidential election for all Americans — but it was hitting home for him especially.

He noted that his organization runs Judson Press, American Baptists’ publishing arm. Judson has published several books by Jeremiah Wright, the controversial former pastor to Democratic presidential candidate Barack Obama, and Wright-Riggins said he has gotten letters he described as “vicious” and “vitriolic.”



Brent Walker (left) presents the Rev. Dr. Aidsand Wright-Riggins the J.M. Dawson Religious Liberty Award June 20.

They asked him to denounce Wright. But Wright-Riggins responded, “Let the church be Baptist and affirm the right of all of us to speak.”

In other business, BJC supporters heard an update on the group’s capital campaign to build its Center for Religious Liberty on Capitol Hill. Reginald McDonough, the campaign chairman, said BJC has received commitments for about half of the \$5 million goal.

Religious Liberty Council supporters also re-elected their officers and approved four new board members to serve three-year terms.

Hal Bass, a professor at Ouachita Baptist University in Arkadelphia, Ark., and a member of First Baptist Church there, was re-elected co-chair, along with Cynthia Holmes, a St. Louis attorney and member of Overland Baptist Church. Henry Green, pastor of Heritage Baptist Church in Annapolis, Md., was re-elected the group’s secretary.

Supporters affirmed the board nominations of Terri Phelps, a member of Highland Baptist Church in Louisville, Ky.; Joey Kennedy, a member of Southside Baptist Church in Birmingham, Ala.; Mitch Randall, a member of NorthHaven Church in Norman, Okla.; and Beverly McNally, a member of Christ Congregation in Princeton, N.J.

— ABP

Newsletter of the Baptist Joint Committee

Vol. 63 No. 7

July-August 2008

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'I BELIEVE' TAGS THREATEN RELIGIOUS FREEDOM OF ALL, CHRISTIANS INCLUDED

Having been a Presbyterian now for more than a decade, it is also out of my Baptist roots that I continue a lifelong commitment to religious liberty and its corollary, the separation of church and state. It was that itinerant Baptist preacher John Leland who was most instrumental in solidifying the views of Thomas Jefferson and James Madison in assuring our well-being and posterity for what Jefferson later described as "the wall of separation" between church and state.

When the [South Carolina] General Assembly passed the religious license plate bill and the governor allowed it to become law without his signature, some proponents acknowledged it would be challenged in court. And I commend the clergymen who are the plaintiffs — United Methodist Tom Summers, Unitarian Neal Jones, Jewish Rabbi Sanford Marcus and First Christian Church pastor Robert Knight.

For government to issue religious license plates is clearly unconstitutional. It is contrary to the First Amendment's establishment clause that prohibits government from advancing or endorsing any religion, be it Christianity, Hinduism, Buddhism, Islam or any other. There is no majoritarian exception.

Religious liberty means that each person can become an adherent to the faith of his or her choosing, or can choose not to be a believer. It means that the religious experience is between God and the human heart and mind. It means that faith never can be coerced, as well-meaning as gov-

FLYNN HARRELL

ernment, the church, the synagogue, the temple or the mosque may be.

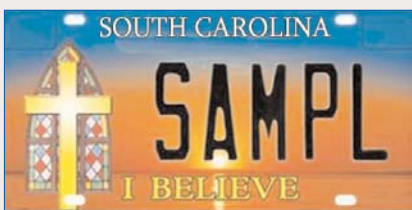
We don't look to government for permission to believe, nor is it government's prerogative to approve or disapprove our practice. Government is without competence in religious matters.

We are free to put personal religious decals on our vehicles. We are free to put religious symbols in our yards or our businesses. We are free to witness to our faith in the public square as long as we are not disruptive (e.g., a student cannot disrupt the teaching process in a public school classroom).

There are some who seek unconstitutionally to draw government into the most sacred precincts of our being. Some would see this as a means to

curry favor with certain voters.

But as South Carolinians with deep individual faith or with no religious faith, let us never trample the freedoms that have made us unique, especially the freedom to worship. I will continue to "render" to both God and Caesar. May government and religion remain ever separate. This is best for both.



Flynn Harrell is a former president of the South Carolina Baptist Convention and is now an elder in the Presbyterian Church (U.S.A.).

EEOC issues new workplace manual on religion

WASHINGTON — Citing changing demographics and a steady increase in complaints from people of faith, a federal agency on July 22 released an updated compliance manual on religious discrimination in the workplace.

The U.S. Equal Employment Opportunity Commission issued the guidance after consultation with religious groups, employers and labor organizations. The number of religious discrimination charges reported to the agency has more than doubled over the past 15 years.

"The goal here is to promote voluntary compliance, to get everyone on the same page, to let them know what the law is," said David Grinberg, a spokesman for the agency. "We want to stop discrimination before it starts."

The new manual provides safeguards for workers who request time off for religious observances, and protects workers whose faith requires they wear specific religious garments, such as a hijab, a head covering worn by some Muslim women.

Muslims have faced the sharpest increase in workplace dis-

crimination of any major religion in recent years. Between 1997 and 2007, the number of discrimination charges filed by Muslims more than doubled, from 398 to 907.

Although religious discrimination charges increased 13 percent nationally in 2007, Jews and Seventh-Day Adventists have both seen their total number of complaints decline in the past decade, while Catholics and Protestants have reported only a gradual increase.

The manual, which applies to any business with 15 or more employees, consolidated the results of recent litigation and policy pronouncements by the agency.

The Union of Orthodox Jewish Congregations, which consulted with the agency prior to the report's release, praised the manual, but said more work still needed to be done.

"Religious Americans can spend a majority of their day in their workplaces, and the need to accommodate their religious needs is essential to each person's freedom," said Nathan J. Diamant, the group's director of public policy.

— RNS

REFLECTIONS

An imperfect union: religion and politics

I suppose the discussion will go on until the fall election — and probably thereafter. The question of the proper relationship between religion and politics continues to be debated — unabated. Here is the conundrum to be solved: How do we uphold an institutional separation of church and state, while affirming the relevance of a candidate's religion to politics, without imposing a legal or practical religious test for public office?

Megachurch pastor and renowned author, the Rev. Rick Warren, is going to give it a try. On August 16, his California Saddleback Church will host a "Civil Forum on Leadership and Compassion." Both presumptive presidential nominees, John McCain and Barack Obama, have agreed to participate. Moderated by Warren himself, and co-sponsored by the progressive advocacy group Faith in Public Life, the candidates will be given a chance to share their religious experience and describe how their faith and values influence their positions on important issues like poverty, HIV/AIDS, climate change and human rights (see ABP article on page 8 for more details).

Warren already has drawn some fire ahead of time. Some — primarily from the far right — worry about his being "unequally yoked" with the co-sponsoring group Faith in Public Life and lament the apparent absence of their hot button issues — abortion and gay rights. Others — from elsewhere on the political spectrum — fret that the program will devolve into a fit of theological voyeurism that we got a glimmer of during the Compassion Forum involving Sens. Clinton and Obama at Messiah College in Pennsylvania and aired on CNN in April.

Despite these criticisms, I think the program, if properly done, will prove beneficial and inform our collective understanding of the character, worldview and policy positions of the two presidential frontrunners.

When candidates talk about their faith it helps us know who they are, see what makes them tick, and examine their moral core. The public square need not be stripped of talk about religion and faith; those topics reflect part of what it means to be a citizen of the United States — one of the most religious and religiously diverse nations on the planet. The free and fluid discussion has the promise of improving the electorate's ability to make an informed decision in the voting booth.

That said, we must always keep two words of caution in mind. First, Article VI of the Constitution bans a religious test for public office. Although that provision technically addresses only legal disabilities for qualifications for office, we should make every effort, as good citizens, to live up to the spirit as well as the letter of Article VI. Discussing candidates' religion should be permissible but

never mandatory. We should respect candidates' right not to bear their religious convictions in public, if they are uncomfortable doing so, as long as they are fully forthcoming in explaining their position policy issues and how they arrived at them.

Second, it is essential always to inquire about how candidates' religious views will impact public policy positions and leadership competence. This linkage must always be made. It is not only not very helpful but also terribly invasive to have a theological discussion isolated from policy and matters of governance. As mentioned above, this happened to some extent in the CNN Compassion Forum. For example, Sen. Clinton was asked about her views on the trinity and the workings of the Holy Spirit. She was also asked to identify and expound upon her favorite Bible story. Sen. Obama was asked if he took the first two chapters of Genesis literally and whether he believed God created the world in six literal days. Along with any discussion of a candidate's faith we must always ask the follow up, "so what?" question: what difference will a theological position make on the candidate's ability to be president? If there is no connection, leave it alone.

I hope this issue of *Report from the Capital* will arrive in your home before August 16th and that you will watch the forum. (It will be the first time the two candidates will share a stage.) I thought that Don Byrd, who writes for the BJC's "Blog from the Capital" (www.BJConline.org/blog) summed it up nicely in a July 21 post when he wrote:

It is certainly OK to ask candidates their policy views on a range of issues, and to discuss the role their personal faith may have in shaping their governing philosophies. But it would be a mistake to: (a) hone in on a narrow set of issues falsely believed to encompass the concerns of religious voters, (b) presume that certain religious beliefs necessitate certain political views, or (c) investigate the specific personal religious views of the candidates.

Good advice as we try to honor church-state separation, encourage the discussion of faith in the public square, but resist any religious test for office — in law or spirit.



J. Brent Walker
Executive Director

"The public square need not be stripped of talk about religion and faith; those topics reflect part of what it means to be a citizen of the United States — one of the most religious and religiously diverse nations on the planet."

Court says church-state watchdog cannot sue over funding to Christian home for teens

A lawsuit challenging state funding of a Christian home for troubled teens has been thrown out of court, after a federal judge ruled the taxpayers who brought the case had no right to sue over the violations of church-state separation that they alleged.

Freedom From Religion Foundation, a Wisconsin-based church-state separationist group, filed the lawsuit a year ago, charging that the Dakota Boys and Girls Ranch operated inherently religious programs with public dollars. The lawsuit named as defendants North Dakota state and county agencies responsible for referring teens to the home, saying agency officials violated First Amendment prohibitions against government endorsement of religion.

But FFRF's case against the state's funding of the Lutheran home will not be heard, at least not in the near future. U.S. District Court Judge Daniel L. Hovland determined that the taxpayer plaintiffs had no right to sue over funds allegedly misspent by the North Dakota child welfare system because the expenditures were not specific appropriations of the state legislature — which would have been subject to such a legal challenge — but rather discretionary, executive branch expenditures — which are not.

Judge Hovland's order comes a year after the decision handed down in *Hein v. FFRF*, in which the U.S. Supreme Court ruled that taxpayers may not mount legal challenges against the government over funding to religious organizations unless Congress has specifically authorized the programs that provide the money. Citizens may not sue over purely discretionary actions of the executive branch paid for out of general administrative funds, the court determined.

FFRF officials said they are considering further options, including a possible appeal, or reinstatement of the lawsuit on behalf of parents of resident children, rather than taxpayers. In a statement issued after the ruling, they urged parents of

children at the three homes run by the Dakota Boys and Girls Ranch to contact them with any concerns over religious indoctrination there.

"The government should not be sentencing juveniles to a religious treatment program, and taxpayers should not be footing the bill to indoctrinate children or punish children who object to such indoctrination," said Annie Laurie Gaylor, Co-President of FFRF, a group of more than 10,000 atheist and agnostic members.

The Dakota Boys and Girls Ranch had been a recipient of North Dakota Department of Human Services' funding — to the tune of \$7 million over the past two years, according to a newspaper report that became part of court filings. FFRF claims that the homes have "monopolized juvenile detention services in the state for many decades."

A Christian legal organization spoke out recently in favor of Judge Hovland's decision.

"A group of extremist atheists cannot simply demand that a Christian group be discriminated against because of its beliefs," said Joel Oster, senior legal counsel for the Alliance Defense Fund.

George Washington University Law Professor Ira C. Lupu, who co-directs legal research for the Roundtable on Religion and Social Welfare Policy, likened the North Dakota district court decision to a March ruling in Kentucky that also relied on *Hein*. That case, *Pedreira v. Kentucky Baptist Homes for Children*, also challenged state funding of a Christian children's home, and was also thrown out for the taxpayer plaintiffs' lack of "standing" (as lawyers refer to the right to sue). But in both cases, Lupu said, an argument could be made in favor of taxpayers' right to challenge the expenditures, because state legislatures authorized the spending for the programs, even if lawmakers did not designate that funds go to a specific institution.

If allowed to go forward, the North Dakota and Kentucky cases likely would have presented com-



plex constitutional questions, Lupu said, and perhaps have produced politically unpopular decisions against the state or counties.

“District court judges may be relieved to get rid of these cases without having to decide them on the merits, and this is a legally plausible way to do it,” Lupu said.

Courts outside of North Dakota and Kentucky are not bound by the district court decisions in either state, Lupu said. But decisions by federal appeals courts in either case could have far-reaching impact, because such rulings would cover all of the states in the respective appeals court circuit and because courts throughout the nation would likely refer to them. Americans United for Separation of Church and State and the American Civil Liberties Union, which brought the Kentucky case, has asked the 6th U.S. Circuit Court of Appeals to overturn the *Pedreira* decision.

In addition to the possibility of an appeal, FFRF officials said they are contemplating bringing a new lawsuit targeting the Dakota Boys and Girls Ranch, with the parent of a teen resident as plaintiff. That type of challenge, however, could not focus on state spending, but on the narrower issue of religious coercion, Lupu said. The remedy in such a hypothetical case might be for the home to cease any activity that forced someone into an unwanted religious experience — not for the state to cease public funding of the home, Lupu said.

The significance of the *Hein* case is in the distinction now made between legislatively authorized expenditures and discretionary spending by the executive branch. Generally, taxpayers do not have the right to sue the federal government over its expenditures. Plaintiffs in lawsuits usually must show a more direct injury than a disagreeable expenditure of their tax dollars. Forty years ago, however, the Supreme Court made an exception to that rule with respect to lawsuits alleging tax money was spent in violation of the First Amendment’s Establishment Clause (“Congress shall make no law respecting an establishment of religion”). But before the *Hein* decision, when deciding whether citizens could mount a legal challenge against government expenditures based on church-state separation grounds, courts did not make a distinction between legislatively authorized spending for religious entities or causes, and discretionary executive spending for the same recipients.

In addition to taking aim at North Dakota state officials in its lawsuit, FFRF named county officials as well, claiming on behalf of its member

plaintiffs to have municipal taxpayer standing to do so. Judge Hovland ruled that in order for those plaintiffs to have municipal taxpayer standing, they had to prove that the county not only collected their tax dollars but also had significant control over how the dollars were spent. The organization’s complaint, the judge wrote, was really over a program established and administered at the state level. Moreover, FFRF did not adequately demonstrate that county taxpayers were injured by the expenditure of county funds on the program. The state required the county to pay for treatment facilities for troubled teens, whether or not the Dakota Boys and Girls Ranch was among the recipients of those public dollars, he reasoned.

“(T)he Plaintiffs have not established that Pierce County has instituted a separate tax or paid for services from any specific appropriation designed to support the Dakota Boys and Girls Ranch, nor have the Plaintiffs shown that the referral of children to the Dakota Boys and Girls Ranch adds to the cost of referring children to treatment facilities,” the judge wrote.

Perhaps ironically, it was FFRF’s own lawsuit challenging the federal Faith-Based and Community Initiative — which became *Hein v. FFRF* — that ultimately increased the likelihood that judges thereafter would dismiss its trademark court challenges involving publicly funded social services. That lawsuit originally took aim at a series of regional conferences on federal aid to religious groups sponsored by the White House. Portions of the lawsuit, involving government grants to specific religious organizations, were allowed to move forward under different case names. As what remained of the original case moved upward through the federal courts, the issue for the Supreme Court to decide was whether the taxpayer plaintiffs had standing to sue over White House outreach to religious groups. In June 2007, the high court said they did not.

“The Freedom From Religion Foundation closed down a big part of its business by bringing that *Hein* case,” Lupu said.

FFRF has repeatedly said it intends to continue to bring court challenges against alleged violations of church-state separation.

— *Clarie Hughes is a correspondent for the Roundtable on Religion and Social Welfare Policy.*



K. Hollyn Hollman
General Counsel

Next chapter of faith-based initiatives debate approaches

The next president, like each before him, will have a crucial role in preserving and promoting our nation's commitment to religious freedom. The president sets executive branch policy, nominates Supreme Court justices, influences Congress as the head of his party, and represents America's values and priorities to the world. Among the most significant religious liberty policy decisions facing the next president will be what to do with the inheritance of the Bush administration's bureaucracy of "faith-based" offices and executive orders. How will the next president lead in the area of cooperation between government and religious entities that provide social services?

The BJC has been a watchdog and critic of much of the Bush administration's faith-based policy, as we were when related policies were proposed during the Clinton administration. We remain skeptical about much of what has been pursued under the description of "faith-based initiatives" and the utility of a separate bureaucracy to enhance the relationship between religious institutions and government. While no major presidential candidate expressed a willingness to completely reverse course, there will no doubt be changes in the next administration. It is an opportune time to review the history, clarify our concerns, and ask the candidates to consider our perspective on protecting religious liberty as they formulate the policies for their potential administrations.

Background

The BJC was an early leader in monitoring the changes in policy regarding the cooperation between religious institutions and government, sounding the alarm when "charitable choice" was first introduced. "Charitable choice" is part of what has come to be known as the faith-based initiative. It is specific legislative language inserted in a handful of 1990s-era social services legislation, such as the 1996 Welfare Reform Act and the Substance Abuse and Mental Health Services Administration (SAMHSA) Act. Indeed, BJC Executive Director J. Brent Walker wrote an op-ed published in *The New York Times* in September 1995 warning that welfare reform legislation risked adding new flaws to the system by allowing government funding of churches to provide social services, noting that "Churches would receive money directly and could require people to listen to a sermon, as they wait in line for a sandwich."

Still, charitable choice provisions were inserted with little debate or scrutiny, a fact made plain in the ways those early statutes vary, often resulting in conflicting provisions within the same statute. The damage was

mitigated as President Clinton issued signing statements that cited constitutional constraints and expressly prohibited funds from flowing directly to pervasively sectarian institutions (religious organizations that do not or cannot separate religious activities from the government-funded programs).

In 2001, President Bush made his faith-based initiative a top domestic priority, and the BJC's job as watchdog and critic became even more important. The administration opened its White House Office of Faith-based and Community Initiatives (to be followed by numerous offices in the agencies) and proposed legislation to expand "charitable choice" to all federal social service programs. The BJC's monitoring of the faith-based initiative and efforts to influence the debate increased and were greatly strengthened by our work in coordination with the Coalition Against Religious Discrimination (CARD), a network of more than 70 religious, civil rights, labor, health, and advocacy organizations that oppose efforts to allow federal tax dollars to fund religious discrimination. CARD was formed in response to "charitable choice." This legislation stalled in Congress, in large part, because of the concerns CARD raised. Thereafter, CARD continued to advocate in response to executive orders that systematically altered federal regulations affecting nearly all federal social service programs, making it easier for faith-based organizations to participate in federal grant programs without the traditional safeguards that protect religious liberty.

Current Policy Perspective

To help the next president pursue a better policy course, CARD wrote the candidates and party platform committees, summarizing this history and outlining ways to restore religious liberty and civil rights in policies regarding the role of community and religious organizations in providing government-funded social services. A copy of the letter to the candidates is available at www.BJConline.org. Here are the major points:

RECOGNIZE THE HISTORIC ROLE OF RELIGIOUS GROUPS IN PROVIDING SOCIAL SERVICES

Religious organizations have a longstanding and proud tradition of providing social services, including in some cases, with the use of government funds. Such participation long predates "charitable choice." Traditionally, religious organizations that have accepted government funds to provide such services have played by the same rules as other providers. Despite the rhetoric surrounding the debate, a "faith-based initiative" is not necessary for government collaboration with religious groups.

NO DISCRIMINATION IN GOVERNMENT-FUNDED POSITIONS

Title VII of the Civil Rights Act of 1964, prohibits dis-

"Policies that encourage cooperation between religious entities and the government should not be used to override hard-won civil rights protections at the state and local level."

crimination in employment on the basis of race, national origin, color, religion, or sex, but grants an exemption to religious organizations, allowing them to adopt hiring practices that favor fellow adherents of their particular faith. While it has been generally accepted that this exemption applies when the religious organization is using its own funds, the religious organizations that have traditionally partnered with the government did not engage in religion-based hiring for positions that were funded with taxpayer money. We should not allow religious organizations to take government funds and use those funds to discriminate in hiring a qualified individual based on nothing more than his or her religious beliefs.

RESPECT STATE AND LOCAL ANTI-DISCRIMINATION LAWS

As implemented, faith-based initiatives can seriously threaten the enforceability of state and local civil rights laws that provide more extensive coverage against employment discrimination than federal law. Policies that encourage cooperation between religious entities and the government should not be used to override hard-won civil rights protections at the state and local level.

PROTECT THE AUTONOMY OF HOUSES OF WORSHIP

As a policy, “charitable choice” fundamentally alters how the federal government contracts with faith-based organizations for the provision of social services. Before “charitable choice,” religious organizations had already been among the main providers of social services. “Charitable choice,” however, permits public funds to flow directly to houses of worship without establishing a separate, religiously affiliated 501(c)(3) organization. Direct government funding of houses of worship represents a radical erosion of First Amendment principles, endangering the autonomy of religious bodies by allowing government intrusion directly into the activities of houses of worship. Rather than singling out religious institutions for an additional “burden,” requiring funding to go to separately incorporated religious institutions serves to protect the integrity of the religious institutions while providing accountability for government funds.

PROTECT THE RELIGIOUS LIBERTY OF BENEFICIARIES

While current federal regulations provide that government cannot directly fund “inherently religious activities, such as worship, religious instruction, or proselytization as part of the program,” they fail to adequately protect the religious liberty of beneficiaries. Recognizing that some religious social service providers integrate religion into their services and cannot be funded by the government constitutionally, current regulations require only that “inherently” religious activities should be separated in time or place from government-funded services. They fail to require adequate notice to beneficiaries about their rights or provide oversight to ensure that religious liberty rights of beneficiaries are respected. Neither beneficiaries nor our religious institutions are served by rules that do clearly and adequately delineate the rights and responsibilities for each party.

All of these concerns are important and the CARD letter concludes by noting that much that has been pursued under the label “faith-based initiative” has been counterproductive, undermining fundamental civil rights and religious liberty protections and impeding the ability of state and local governments to enforce their own laws. We urge the candidates to recognize that past experience with government and religiously affiliated organizations working as partners has demonstrat-

ed well that the necessary constitutional and anti-discrimination safeguards do not interfere with these organizations’ ability to provide excellent service to our country’s most needy citizens. It is entirely possible to encourage charitable works and provide services to communities in need without rolling back religious liberty and civil rights protections — indeed, this state of affairs used to be the norm. There is no reason for needy communities to be faced with the stark choice between services they desperately need and the constitutional and civil rights protections to which they are entitled.

While Sens. McCain and Obama have begun to speak about plans for their potential administration, we are watching what they say and what they do. We plan to critique their views as they are made specific in their platforms before the election. The BJC will continue to look for government to do right, but do it the right way — ensuring safeguards that protect religious liberty and the integrity of religious institutions.

CARD letter signatories

African American Ministers in Action
American Association of University Women
American Civil Liberties Union
American Humanist Association
American Jewish Committee
Americans for Religious Liberty
Americans United for Separation of Church and State
Anti-Defamation League
Asian American Justice Center
Baptist Joint Committee for Religious Liberty
Bazon Center for Mental Health Law
B'nai Brith International
Center for Inquiry
Central Conference of American Rabbis
Disciples Justice Action Network
Equal Partners In Faith
Friends Committee on National Legislation
Human Rights Campaign
Interfaith Alliance
Jewish Council for Public Affairs
Jewish Women International
Legal Momentum
Mexican American Legal Defense and Educational Fund
National Association for the Advancement of Colored People (NAACP)
National Community Action Foundation
National Council of Jewish Women
National Council of La Raza
National Council of Women’s Organizations
National Education Association
National Employment Lawyers Association
National Gay and Lesbian Task Force Action Fund
OMB Watch
People For the American Way
Protestant Justice Action
Religious Coalition for Reproductive Choice
Secular Coalition for America
Sexuality Information and Education Council of the United States (SIECUS)
Texas Faith Network
Texas Freedom Network
Union for Reform Judaism
Unitarian Universalist Association of Congregations
United Church of Christ Justice and Witness Ministries
United Methodist Church, General Board of Church and Society

Obama, McCain's first joint appearance as candidates set for Saddleback Church

LAKE FOREST, Calif. — Barack Obama and John McCain will make their first joint 2008 campaign appearance to an audience of Christian activists at a Southern Baptist church.

The two have agreed to participate in a "compassion forum" at Saddleback Church in Lake Forest, Calif. on August 16. Saddleback Pastor Rick Warren, author of *The Purpose Driven Life*, extended the invitation.

"I just got to thinking, you know what? These guys have never been together on the same stage, it would be a neat way to cap the primary season before they both go to the conventions and things go dark for a couple of weeks," he told

The New York Times. "I've known both the guys for a long time, they're both friends of mine, and I knew them before they ran for office, so I just called them up."

Warren will moderate the forum, which will focus on moral-values issues — such as poverty, the environment and global AIDS relief — in which many centrist and younger Evangelical have taken an increasing interest.

It will be in a nondebate format and Warren will interview the candidates separately for about an hour each. Warren will pose the questions. There will be no panel or questions from members of the audience. Obama will go first, as determined by a coin toss.

"The primaries proved that Americans care deeply about the faith, values, character and leadership convictions of candidates as much as they do about the issues," Warren said in a press release. "While I know both men as friends and they recognize I will be frank, but fair, they also know I will be raising questions in these four

areas beyond what political reporters typically ask."

The four areas include: poverty, HIV/AIDS, climate and human rights.

This forum will be the presumptive nominees' only joint campaign event prior to each party's national convention, according to the press release.



The event is part of a series Saddleback calls the "Saddleback Civil Forum on Leadership and Compassion." According to a press release, the series "was established to promote civil discourse and the common good of all." A past event, held during Passover, featured

Holocaust survivors sharing their stories. Another forum, set for September, features former British prime minister Tony Blair, who recently converted from Anglicanism to Catholicism.

The church has invited the moderate-to-progressive group Faith in Public Life to co-sponsor the event. In April, the group hosted a similar Compassion Forum for presidential candidates at Messiah College in Pennsylvania.

Some religious right groups have reacted skeptically to the announcement. Tony Perkins, president of the Washington-based Family Research Council said he hopes Warren will also ask the candidates about issues — such as abortion and gay rights — that have been of paramount importance to conservative Christian voters in the past.

— ABP



Hagee vows never to endorse another candidate

WASHINGTON — Speaking to more than 3,000 followers gathered here, Texas megachurch pastor John Hagee said the “vicious national media firestorm” over his inflammatory remarks about Jews and Catholics has not weakened his vocal support for Israel.

“We’re stronger than we’ve ever been,” he said July 22 at the annual convention of Christians United for Israel, a group started by Hagee in 2006. “We’re here to stay, and we’re not going away.”

Sen. John McCain rejected Hagee’s earlier endorsement after comments surfaced where the Christian-Zionist pastor denigrated the Catholic Church and suggested the Holocaust was God’s plan to push Jews back to Israel.

Hagee has said those comments were taken out of context, and at his group’s Night to Honor Israel banquet, said the political slight from McCain’s campaign has not gone unnoticed.

“What will I say the next time I am asked to endorse a presidential candidate?” he asked the crowd. “Never again!”

Sen. Joseph Lieberman, who spoke at the event

despite his support for McCain and criticism from Jewish groups, got a standing ovation before declaring: “I am your brother, Joseph.”

“As you know, there has been an organized and aggressive campaign to convince me to cancel my speech this evening,” he said. “But the bond I feel with Pastor John Hagee and each of you is much stronger than that, and so I am proud to stand with you here tonight.”

Lieberman acknowledged Hagee’s “hurtful and offensive” comments and made clear that he does not “agree with everything Pastor Hagee has ever done or said.” But he defended Hagee’s behavior by likening the pastor to Moses.

“Even Moses fell short of God’s expectations,” he said.

— RNS



Iowa GOP: Grassley probe did not impact delegate spot

WASHINGTON — The Christian activist who will lead the Iowa delegation to the Republican convention said Sen. Charles Grassley’s probe into televangelists’ finances was not the reason he was denied a delegate’s seat.

Steve Scheffler, president of the politically powerful Iowa Christian Alliance, dismissed reports that linked Grassley’s investigation and his lack of a delegate seat as “rumor-mongering and falsehoods.”

“His not being a delegate has nothing to do with his investigation of these ministries,” Scheffler said.

Iowa Republicans elected their slate of delegates at a July 12 convention, when Scheffler was elected as the state’s national committeeman, unseating a 20-year GOP veteran. Delegates also elected Kim Lehman, president of Iowa Right to Life, as GOP committeewoman.

Grassley has been investigating alleged lavish

spending and tax exemptions of six high-profile evangelical ministries, including several well-known televangelists.

A few Washington insiders and columnists painted Grassley’s failure to gain a delegate’s seat as payback for his probe, which has been unpopular in some evangelical circles.

But Scheffler said Iowans “revere and honor” the 28-year senate veteran, who is still expected attend and influence the GOP nomination convention in St. Paul, Minn., Sept. 1-4.

Having a voting delegate besides Grassley gives Iowa more sway over the party platform, Scheffler said.

Scheffler would not comment on Grassley’s investigation, saying it has nothing to do with the state’s GOP delegates. Grassley’s office did not immediately respond to a request for comment.

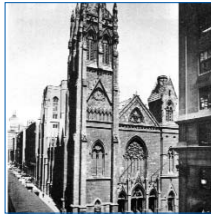
— RNS



Sen. Charles Grassley

Soldiers coerced at church, watchdog group says

Americans United for Separation of Church and State accused commanders at Fort Leonard Wood of supporting an event which the group says “promotes Baptist church proselytism.”



“I think that, in itself, it is wrong to have this kind of collaboration between the military and the particular church, using the military as a recruitment tool not for military service, but for Christian membership,” said the Rev. Barry W. Lynn, the group’s executive director.

The Lebanon, Mo., church has hosted the event for Fort Leonard Wood trainees since 1971. Before the evening church service, attendees can go bowling and make calls to friends and family on cell phones provided by the church.

Americans United alleges that soldiers are “coerced” into attending the event, where they are forced to sit through a church service and asked to accept Jesus as their savior.

The Army contends the program is voluntary and makes no secret of its Baptist affiliation. The program, formerly known as the “Free Day Away,” was recently renamed “The Tabernacle Baptist Church Retreat.” A previous investigation by the base’s inspector general concluded that the event did not

violate soldiers’ rights.

“Do we say only Baptists can go? Absolutely not—anyone can go,” said Mike Alley, a spokesman for the base.

Since April, trainees have been required to sign a waiver stating that they’re aware of the event’s religious affiliation, said Chaplain (Col.) Roger Heath.

“It’s just one of those things that’s an option for them to do, and it’s at no cost to the government, so it’s really a blessing for those guys to do that,” Heath said. “And if they don’t want to go, then they don’t have to.”

The number of off days a trainee receives depends on his or her training program, but some soldiers receive as few as one or two during their stay at the base. According to Americans United, soldiers who elect to stay at the base must continue to participate in training exercises and do not get the day off.

Tabernacle Baptist advertises the event on its Web site as the “largest ministry to the U.S. military in the United States” and declined to comment. In a recent interview with the Associated Press, the Rev. Don Ball said the goal is not to win converts for his church.

“I would never want to violate a person’s religious freedoms. If I do that, that gives someone the right to violate mine,” Ball said.

— RNS

Two small faith-based groups lose tax-exempt status

WASHINGTON — The Internal Revenue Service has revoked the tax-exempt status of two small faith-based organizations in Utah and Missouri.

Prayer Works, of Branson, Mo., and America’s Faith Centered Education Foundation, Inc., of Huntsville, Utah, will no longer be listed as nonprofit charities, according to a June 2 IRS announcement.

That means donations to the organizations will no longer be tax deductible, among other IRS regulations.

IRS spokesman Robert Marvin said federal law prohibits the tax agency from commenting on taxpayer matters.

Pastor Howard Boyd, an Assemblies of God minister who headed Prayer Works, said his organization will no longer operate and will not fight the IRS ruling.

Working with local banks and real estate agents,

Boyd said Prayer Works helped 185 families in southwest Missouri buy homes. A home seller would donate money to Prayer Works to be used a down payment for people needing financial assistance, he said.

Prayer Works received a finder’s fee when a home was sold, Boyd said. Loan officers and banks received a commission as well, he added.

“We were not doing anything illegal, but nonprofits have strict guidelines, and we violated that,” he said.

A call to America’s Faith Centered Education was not immediately returned. Glenn Kimber, a Utah educator familiar with the company, said it raised funds for students “to be educated in an environment where Judeo-Christian values are integrated into the learning process.”

For instance, the organization arranged trips for students to Israel, said Kimber, of Cedar City, Utah.

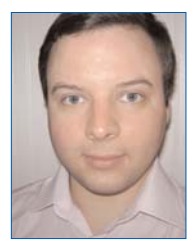
— RNS



Former Intern Spotlight

Summer 2007 intern is summer associate at law firm

Michael Causey, a native of Fayetteville, N.C., interned with the Baptist Joint Committee for Religious Liberty in the summer of 2007.



Causey

During the summer of 2008, Causey accepted a position as summer associate with Mahoney & Mahoney, LLP, a law firm specializing in employment discrimination.

Causey also worked as a law clerk at the Equal Employment Opportunity Commission.

Causey will graduate from American University Washington College of Law in May 2009. He anticipates completing his Master of Arts in Political Science at Fayetteville State University, an institution of the University of North Carolina, in 2010.

His home church is Snyder Memorial Baptist Church.

Federal appeals court upholds ruling against praying councilman

In a decision hailed by supporters as a victory for the separation of church and state, a federal appeals court upheld a Fredericksburg, Va., policy that restricts praying "in Jesus' name" before city council meetings.

City Councilman Hashmel Turner, who is also a Baptist minister, claimed the requirement that all prayers be non-denominational violated his First Amendment rights to free speech and free exercise of religion.

A three-judge panel for the 4th U.S. Circuit Court of Appeals on July 23 upheld a lower court's 2006 decision, saying that Turner's prayer constituted "government speech" rather than protected private speech.

"Turner was unwilling to (pray) in the manner that the government had proscribed, but remains free to pray on his own behalf, in nongovernmental endeavors, in the manner dictated by his conscience," retired Supreme Court Justice Sandra Day O'Connor wrote in the court's opinion.

Turner filed suit two years ago after the city mandated that all prayer offered before legislative sessions be non-denominational. The policy was implemented under pressure from the American Civil Liberties Union, which took action after Turner repeatedly invoked "Jesus Christ" in his prayers.

Representatives for Turner warned that O'Connor's opinion could set a slippery judicial precedent.

"Can a president be sworn in on a Bible now? It's an easy leap," said John Whitehead, who argued Turner's case on behalf of the conservative Rutherford Institute. "Can you say 'so help me God' in the courtroom? You're talking about traditions that go back hundreds of years."

Whitehead, who said he intends to appeal the deci-

sion to the U.S. Supreme Court, called the city's actions a reflection of a nationwide movement to limit private speech on government property. — RNS

Atheists cry foul after court overturns exorcism verdict

(RNS) A prominent atheist group says a Texas Supreme Court decision dismissed a woman's suit against her church for a botched exorcism "set a bad legal precedent for all of America."

"If atheists had committed the exact same atrocities, then they'd go to jail for child abuse," said Dave Silverman, national spokesman for American Atheists Inc. "Same crime, one gets punished for committing a crime, and one escapes punishment because they did it for religious reasons. That is the exact opposite of freedom of religion."

A Texas woman, Laura Schubert, sued her former church, Pleasant Glade Assembly of God in Colleyville, claiming that a "laying of hands" during a 1996 exorcism when she was 17 inflicted carpet burns and bruises, as well as post-traumatic stress disorder and suicidal tendencies.

A lower court awarded her \$188,000 in damages, but the Texas Supreme Court overturned that decision and dismissed her case.

"The case, as tried, presents an ecclesiastical dispute over religious conduct that would unconstitutionally entangle the court in matters of church doctrine," the court ruled.

But Chief Justice Wallace Jefferson, in his dissent, wrote that "the First Amendment guards religious liberty; it does not sanction intentional abuse in religion's name." — RNS

Supporters honor, memorialize others with donations to BJC

In honor of James and Marilyn Dunn
James C. Miller

In memory of Roy G. Edge
Cindy Edge

In memory of Katherine Johnson
Thomas and Katherine Howell

In honor of Walter B. Shurden
Bob and Catherine Thomason

In honor of Mark Wiggs
Earl and Patty Wiggs