

Gonzales's SBC speech irks church-state experts: Attorney general announces DOJ religious-liberty project

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Attorney General Alberto Gonzales's decision to launch a new Justice Department "First Freedom Project" during a recent meeting of Southern Baptist leaders riled a number of advocates of church-state separation.

"Nothing defines us more as a nation and differentiates us more from the extremists who are our enemies than our respect for religious freedom," said Gonzales in his February 20 speech in Nashville to the executive committee of the Southern Baptist Convention, one of the church bodies most supportive of the Bush administration. The project will include efforts to inform government officials, employers and ordinary Americans about their religious-liberty rights.

The department also released a 43-page report touting its record, under President Bush, in defending religious freedom. Gonzales and the report implied that the Justice Department's record on prosecuting religious-discrimination cases is significantly stronger under Bush than it was under former president Bill Clinton.

But several religious-liberty experts said Bush's record on the issue has been mixed at best.

Brent Walker, executive director of the Washington-based Baptist Joint Committee for Religious Liberty, said that the First Amendment covers two aspects of religious freedom that are inextricably linked to each other.

"The First Amendment has two protections for religious freedom—prohibition on religious establishments and protection for free exercise of religion," Walker said. "The administration has often ignored the importance of the no-establishment

principle by supporting attempts of governments to endorse a religious message, using tax dollars to fund pervasively religious organizations, allowing religious discrimination in hiring for federally funded projects, and going to the Supreme Court to cut back on the rights of citizens to challenge such practices.”

Walker also noted that Bush’s record on free-exercise protections is “not perfect.” He pointed to a Supreme Court case last year in which the administration attempted to limit a small religious sect’s ability to use hallucinogenic tea for sacramental purposes. A unanimous Supreme Court rejected the administration’s position.

Americans United for Separation of Church and State went further, releasing a statement February 22 saying that Gonzales’s announcement “reeks of hypocrisy.” It called attention to actions the Justice Department touts as religious-freedom successes, but which are actually controversial in that field.

For instance, the report features cases in which the department argued for employees who met with religious discrimination. But in another section the report also touts the Justice Department’s advocacy on behalf of the Salvation Army when it was sued for using government social-service funds while continuing to take religion into account in its hiring decisions.

“How hypocritical and timely,” said C. Welton Gaddy, president of the Interfaith Alliance. Gaddy referred to the government’s argument before the U.S. Supreme Court February 28 “that taxpayers should be denied the right to legally challenge government spending that favors one religion.” (See story on p. 17.)

Bob Edgar, general secretary of the National Council of Churches, questioned Gonzales’s choice of setting for the announcement. Gonzales also granted an interview on the topic to *The 700 Club* television program hosted by Pat Robertson.

Edgar said his organization thinks it would have seemed “more appropriate had he made such an appearance before an ecumenical or interfaith gathering, symbolically underlining the vision of a nation in which the law plays no favorites but sees all faiths as equal before the Constitution.”

After his speech, in response to a question, Gonzales told reporters he chose an audience of Southern Baptists to announce the government’s new effort because “this is a group very interested in the protection of religious freedom.” He noted that the “timing worked out where this was a good venue to speak to a receptive

audience.”

One religious-liberty expert faulted Gonzales’s implicit swipes at the Justice Department under Clinton. Wake Forest Divinity School professor James Dunn said that while the Clinton administration may have pursued fewer legal cases against alleged religious discrimination than Bush, the former president and his appointees defended religious freedom in other ways that were significant.

Besides pushing legislation like the Religious Freedom Restoration Act and the bill that established the United States Commission on International Religious Freedom, Clinton officials also produced a document that has had a concrete impact on religion in public schools, Dunn said. *-Associated Baptist Press*