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California prevents ban on male circumcision

By Mary Slosson

Reuters (02.10.2011) / HRWF (05.10.2011) – <http://www.hrwf.net> - Los Angeles, USA - California Governor Jerry Brown announced on Sunday that he signed a bill preventing local authorities from banning the practice of male circumcision.

The bill, which takes effect immediately, comes in the wake of an effort by a San Francisco group opposed to male circumcision to enforce a city-wide ban of the practice in a November ballot measure.

That effort was struck down in late July by a California judge who said it would infringe on religious freedom. The measure was removed from the November ballot.

The measure, which garnered 12,000 signatures of support, would have made it a misdemeanor crime to circumcise a boy before he is 18 years old in San Francisco, regardless of the parents' religious beliefs.

A dozen petitioners sued to block the initiative at the time. A similar effort in Santa Monica, west of Los Angeles, was withdrawn.

Circumcision is a ritual obligation for infant Jewish boys and also a common rite among Muslims, who account for the largest share of circumcised men worldwide.

The move to outlaw circumcision in San Francisco raised alarm bells for Jewish groups.

In June, the Anti-Defamation League condemned a comic book created by supporters of the anti-circumcision movement that it said contained grotesque anti-Semitic imagery. The comic featured a character named "Monster Mohel" as an evil villain.

A mohel is a Jewish individual specifically trained to perform the ritual circumcision of infant boys.

Supreme Court to weigh churches' hiring rights

By Luaren Markoe

The Washington Post (29.09.2011) / HRWF (03.10.2011) – <http://www.hrwf.net> -The Supreme Court on Wednesday (Oct. 5.) will hear one of most important religion cases in decades, centered on the degree to which religious institutions should be exempt from anti-discrimination laws.

The case started at a Lutheran elementary school in Michigan where a teacher claimed she was fired in violation of the Americans With Disabilities Act.

The question before the justices concerns the "ministerial exception," a 40-year-old legal doctrine that protects churches and other religious institutions from government interference in their employment decisions.

Few would dispute that a religious congregation should be unfettered when it chooses to hire or fire clergy. But what about other church employees?

"Advocates for the ministerial exception argue that religious institutions, in their hiring and firing, should be regulated as little as possible," said Ira C. Lupu, a professor at The George Washington University School of Law who specializes in church-state cases.

"On the other side are those concerned that a particular group is cast outside the various protections of civil rights laws."

Cheryl Perich taught secular subjects and religion at Hosanna-Tabor Lutheran School in Redford, Mich., and signed a contract as a "called teacher," charged with advancing the religious doctrines of the congregation that operated the school.

Her dispute with the school, which is now closed, began after she fell ill in 2004, and took several months off to treat a chronic sleep disorder. The congregation hired another teacher to take her place, and asked Perich to resign. Perich, who had permission from her doctor to return to work, threatened to sue and the congregation then voted to fire her.

That employment decision was its prerogative, said attorney Luke Goodrich, of the Becket Fund for Religious Liberty, which is representing the church.

"The purpose of the ministerial exception is to protect the right of religious institutions to choose their religious leaders," he said.

Because Perich was charged with imparting religious doctrine to her students as a "commissioned minister," the ministerial exception applies, he said.

Perich lost her first suit in federal court in 2008, but the Cincinnati-based 6th U.S. Circuit Court of Appeals ruled in her favor last year. Now the Supreme Court will consider the case, Hosanna-Tabor Evangelical Lutheran Church and School v. EEOC.

The American Civil Liberties Union, which co-wrote a brief supporting the government's side in the case, hopes the justices will narrowly interpret the ministerial exception.

"While faith communities surely have the right to set religious doctrine and decide which ministers best advance their religious beliefs and practices, they shouldn't get a blank check to discriminate or retaliate against their employees," said Daniel Mach, director of the ACLU's Program on Freedom of Religion and Belief.

Perich should not fall under the ministerial exception, Mach said, because her primary job was as a school teacher, not a minister.

"There's ample evidence in the case that Perich was fired because of her disability and the assertion of her legal rights — and not for any religious or doctrinal reasons," he said. One of the toughest questions facing the court, experts say, is whether the government should be allowed to decide which employee duties are "religious," and which are not.

The high court has never ruled on the ministerial exception, and its decision will guide lower courts on whether to weigh more heavily the rights of religious institutions or their employees.

"I'll tell you what makes this case really interesting," said Lupu. "The last time the Supreme Court heard a case about internal church disputes was more than 30 years ago. This makes for a certain amount of unpredictability."

Lupu said he'll be watching the court's three female justices, who he says are not likely to favor a broad interpretation of the ministerial exception because it could adversely affect the many women who teach at religious schools. The church, then, would have to convince five of the six male justices to see the case its way.

"A new and narrow interpretation of the ministerial exception is certainly possible," Lupu added. "That would alter employment relations in virtually every religious institution in the U.S."

Ore. couple found guilty in faith-healing trial

AP (29.09.2011) / HRWF (03.10.2011) – <http://www.hrwf.net> - An Oregon City couple who prayed for their ailing prematurely born son rather than seeking medical care has been found guilty of felony manslaughter.

A Clackamas County jury was unanimous in its verdict Thursday of second degree manslaughter against Dale and Shannon Hickman, both 26. The Hickmans are members of the Followers of Christ Church.

Prosecutors claimed Shannon Hickman never sought prenatal care and the couple never considered taking the premature baby to the hospital. The infant, named David, died within nine hours of birth when he had trouble breathing.

The Hickman's attorney claimed religious persecution and said there was no evidence medical care would have saved the baby.

The infant was born with a bacterial infection and underdeveloped lungs.

Christians in Bangladesh cleared of charge of offending Muslims

Workers at free health clinic exonerated after what lawyer calls police harassment

Special to Compass Direct News

Compass Direct News (15.08.2011) / HRWF (22.08.2011) – <http://www.hrwf.net> - A court in Bangladesh on Thursday (Aug. 11) exonerated two Christians along with four Muslim friends accused of "hurting religious sensibility."

Nurul Islam, another Christian and their Muslim friends were cleared of the charge after police failed to provide documentation of any evidence against them, an attorney said.

In March Christians under the direction of the Way of Peace movement had arranged a two-day health camp offering free treatment to poor villagers in Damurhuda area in Chuadanga district, some 210 kilometers (126 miles) northwest of Dhaka.

Around 100 villagers attended the camp for free treatment the first day, March 23, and a Japanese doctor treated them. But two of the Christian organizers and their Muslim friends were arrested on March 24 under Section 54 of the penal code, a special power granted to police to arrest anyone on any suspicion.

They were released on bail three days later. Police are required to submit a primary investigation report within 15 days of the beginning of prosecution, and when they failed to do so, the Christians were released at a hearing on April 10. Police again filed a case on April 13, however, charging them with "hurting religious feelings" of area Muslims after a foreign doctor offered Bibles to patients at a health camp.

The Japanese volunteer doctor offered Christian leaflets and Bibles to the patients, telling them they were under no obligation to take the literature, Christian said. The foreign doctor was not named in either of the cases.

Lawyer Aksijul Islam Ratan told Compass that police had harassed his clients from the beginning, saying officers rather than any known victim filed the case as plaintiff.

"It was a very complicated case, as neither any individual nor any group filed the case," Ratan said. "But the accusations from the government side against the Christians were baseless, so the honorable court exonerated them."

The Christians were accused of distributing leaflets to convert poor Muslims, thus allegedly hurting the religious feelings of those in the area, said Ratan.

"The police harassed them from the very beginning, and what the police did was excessive," he said. "Again police could not show relevant documents regarding their charge. So the honorable court did not take the charge into cognizance and discharged my clients."

Islam told Compass that justice was done in the face of police hostility against him and the others.

"We got proper justice twice from the court," he said.

The Bangladeshi constitution provides for freedom to propagate one's religion subject to law, but authorities and communities often object to efforts to convert people from

Islam, according to the U.S. Department of State's 2010 International Religious Freedom Report.

Bangladesh is the world's third-largest Muslim-majority nation, with Muslims making up 89 percent of its population of 164.4 million, according to Operation World. Christians are less than 1 percent of the total, and Hindus 9 percent.

The Pew Research Centre's Forum on Religion and Public Life, a private U.S. research group, said government restrictions and public hostility involving religion grew in some of the most populous countries from mid-2006 to mid-2009. Besides Pakistan, the countries most restrictive or hostile towards certain religions included India, Indonesia, Egypt, Iran, China, Myanmar, Russia, Turkey, Vietnam, Nigeria and Bangladesh – although most of these did not show much change in the three years, according to the Pew report.

'Instant churches' convert public schools to worship spaces

By Cathy Lynn Grossman and Natalie DiBlasio

USA Today (19.07.2011) / HRWF (29.08.2011) – <http://www.hrwf.net> - Praise the Lord and pass the crates with the pre-fab pulpit and the portable baptistery inside. The Forest Hills Community Church is moving into P.S. 144 – sort of.

Every Sunday morning, the elementary school in Queens, like dozens more schools in New York City and thousands more nationwide, is transformed into a house of worship for a few hours.

There's no tally of how many churches, synagogues and mosques convert public school spaces into prayer places for the nominal cost of permits and promises to make no permanent changes in the school setting. What's clear is that there has been a steady rise in numbers as congregations find schools are available, affordable and accessible to families they want to reach.

Critics, including some courts, are concerned that these arrangements are an unconstitutional entanglement of church and state. They say these bargain permits effectively subsidize religious congregations who would have to pay steeply higher prices on the open market. They also note that the practice appears to favor Christian groups, which worship on Sundays – when school spaces are most often available.

Caught in the middle: churches such as Forest Hills, which spent \$3,000 for a permit to use P.S. 144 from February through June and just renewed for July and August. For September and beyond, however, nothing is certain.

The city's Department of Education, which has been trying for a decade to oust the congregations and end the weekend worship practice, won the latest legal round in June. As the case winds its way through more appeals, an injunction allows about 60 congregations to remain in place and the permit process to continue.

So Forest Hills' evangelical founder and pastor, Jeremy Sweeten, still rises early each Sunday, hitches up a 20-foot trailer packed by PortableChurch.com with every bit of paraphernalia needed to create a sanctuary and children's Bible classes, tows it to the school.

Arriving at P.S. 144, the trailer is swarmed by volunteers such as Bible college student Bill Dupree, who hoists the trusses for the sound stage in the cafeteria, and Nicki Stepp,

who organizes a little classroom between colorful plastic snap-together partitions in the gym.

By 10 a.m., the Assemblies of God congregation of about 60 adults is raising their voices in song and prayer.

Then about 1 p.m., as swiftly as they came, they're gone. Every offering basket stashed. Every Bible coloring book boxed. Every sign that a church meets here whisked away, so P.S. 144 looks like its Monday-morning self once more.

The push into schools

It's a familiar scene in many communities across the nation:

- A USA TODAY look at the five largest and five fastest-growing school districts in the continental USA found that all 10 had granted permits for religious congregations to hold weekend worship.

New York City, the largest, is typical: Christian churches are the primary clients because Muslims and Jews worship on Fridays and Saturdays, when school spaces usually are being used for student activities.

- Acts 29 Network, an inter-denominational, Seattle-based evangelical coalition that has started 350 churches across the nation in the past five years, estimates about 16% of these meet in school spaces.

"We don't have a hidden agenda. Our heart is to serve the community just like schools serve the community. ... They're designed for large groups, and they've got parking," says Scott Thomas, Acts 29 president.

- A 2007 national survey of newly established Protestant churches found that 12% met in schools, according to LifeWay, a Nashville-based Christian research agency.

LifeWay Director Ed Stetzer says the major draw is that start-up congregations and expanding multisite churches can offer worship close to families' homes for a fraction of the cost of creating their own building.

However, Stetzer, who also leads church-planting efforts, says he sees the constitutional dangers. When asked to address this with school districts, Stetzer says he cautions they will have no control over the religious preaching and teaching.

"So if a Wiccan coven (wanted a use permit), you would have to be as neutral as you would with an evangelical church. Even Westboro (the Topeka, Kan., congregation that pickets funerals with signs denouncing gays) could move in and you would have no way to stop them," Stetzer says.

Bronx church loses in court

Potential hate speech in the gym isn't the primary concern in the New York City case. The city school board's legal briefs argue the practice "improperly advances religion" by, in effect, subsidizing the churches with facilities below market rate and shows "favoritism" to Christian churches as religions that don't worship on Sundays are generally shut out.

The 2nd Circuit Court of Appeals agreed. In his June ruling, Judge Pierre Leval wrote that the Bronx House of Faith, ensconced since 2002 in P.S. 15, "has made the school the

place for the performance of its rites, and might well appear to have established itself there. The place has, at least for a time, become the church."

The Bronx church is seeking a rehearing. Jordan Lorence, senior counsel for the Alliance Defense Fund, which represents the church, expects the U.S. Supreme Court will overturn the ruling. Lorence said in a news release, "Religious groups, including churches, shouldn't be discriminated against simply because they want to rent a public building just like other groups can."

Meanwhile, groups such as Sweeten's carry on, knowing that their permit might be revoked if, or when, the injunction is lifted.

Permits cover security, utilities, janitor service and insurance costs for the public facilities and generally forbid any permanent signs that worship was here. No nailing a cross to the gym wall, adding the church name to the school sign out front or altering bulletin boards.

So congregations such as Sweeten's buy the goods — pulpit to prayer books, tot tables to video screens — from retailers such as Portable Church or its budget subsidiary, Church in a Box, or competitor, Church on Wheels. The companies sell packages ranging from the bare necessities for \$15,000 pre-packed in a trailer, to \$200,000 for everything right up to the coffee urns for the social hour.

Kendra Malloy, marketing director for Portable Church and Church in a Box, says the New York court ruling may have been a "warning shot" but she doesn't expect it will ice the trend.

The company estimates there are about 24,000 trailer-stored churches in the USA and Canada. Of the 1,700 pre-packed trailers her company has sold since 1994, Malloy estimates 75% to 80% of those are in public, private or charter school spaces.

"When churches are portable, they have to create the culture of ownership. You need everyone to buy into what's happening on Sunday morning or Saturday night worship service. Get people excited and get people to help. This frees you to focus on body of Christ and service."

And that's the whole point, Sweeten says. If he one day has to tow away from P.S. 144 forever, it still will be fine. "We'll still be here, somewhere. The scriptures tell us a church is never a building. You don't go to church. You are the church."

Oregon Church uses hallucinogenic drug for Religious Ceremonies: Federal Court to hear appeal on the case

By John Thomas Didymus

God Discussion (18.07.2011) / HRWF (29.08.2011) – <http://www.hrwf.net> - A Federal High Court has agreed to hear the appeal on the case of an Oregon church known as the Holy Light of the Queen which uses a hallucinogenic substance called ayahuasca which it brews for its members to drink in religious services. The leader of the church, Jonathan Goldman, was arrested in 1999 by the police after a consignment of the tea from Brazil was intercepted by the U.S. customs.

In 2009, after members of Jonathan Goldman's Holy Light of the Queen sued on the grounds that the arrest of their leader Jonathan Goldman was in violation of their religious rights, U.S. District Judge Owen Panner delivered judgment that the Federal

Religious Freedom Restoration Act guaranteed the right of the church and its members to use the hallucinogenic brew in their religious ceremonies. The church had argued to the judge's satisfaction that the brew was not harmful and was not being used outside religious ceremonies of the Church.

The decision to hear an appeal on the case follows from a challenge to Judge Owen Panner's judgment in February this year by Attorney General Eric Holder who filed a brief with the U.S. 9th Circuit Court of Appeals on the grounds that the church had not made any distinction in its case between their freedom to use the drug and their freedom from having the government regulate use of the drug. Eric Holder emphasized the fact that the hallucinogenic drug used in the tea was a highly restricted drug in the U.S.

Eric Holder argued:

Virtually every argument (the church makes) in this case is based upon an attempt to blur that distinction and to portray DEA regulations as violations of the Religious Freedom Restoration Act...The court took this action even though (the church) never alleged that any of these regulations substantially burden (the church's) exercise of religion or violate the Religious Freedom Restoration Act...The district court's injunction must be vacated as an abuse of discretion.

Federal judge orders Ten Commandments removed from Dixie courthouse

By Kimberly Moore Wilmoth

The Gainesville Sun (18.07.2011) / HRWF (29.08.2011) – <http://www.hrwf.net> - Dixie County, USA - Dixie County has 30 days to remove a granite monument of the Ten Commandments from atop the steps of the county courthouse in Cross City, where it has sat since 2006, according to a federal court ruling Friday.

The ruling, by U.S. Senior District Judge Maurice Paul, came after the American Civil Liberties Union of Florida sued to have the monument removed, saying that it violates the separation of church and state, even though the monument was paid for and maintained by a private resident.

"We hope that Dixie County officials will find a permanent place for it at a church or other house of worship, which is the appropriate place for religious monuments," said Howard Simon, executive director of the ACLU of Florida. "Removing the monument is the right thing to do. It is not the business of government to promote religious messages about monotheism, idolatry, taking the Lord's name in vain or honoring the Sabbath."

Dixie County officials said they are reviewing the ruling.

Marvin Hunt is a member of the Dixie County Commission. He voted in favor of allowing the monument.

"I'm displeased with the court system," Hunt said Monday afternoon. "At this time, I can't really make a comment until we have a meeting and speak with the attorney."

"We're disappointed," said County Attorney Jennifer Eillison.

She said The Liberty Counsel argued the case before the court in Gainesville. According to its website, the group is "an international nonprofit litigation, education and policy organization dedicated to advancing religious freedom, the sanctity of life and the

family." It was established in 1989 in Orlando and has offices in Washington, D.C., Dallas, Lynchburg, Va., and Jerusalem.

"This is only the first step in a march to the United States Supreme Court," said Mathew Staver, founder and chairman of The Liberty Counsel. He also is dean and professor of law at Liberty University School of Law and director of the Liberty Center for Law and Policy.

"Since 2005, we have won every Ten Commandments case except one," Staver added. "We are ready to return to the Supreme Court. The ACLU has shown in three separate losses at the court of appeals that they have lost the High Court on this issue and they are reluctant to return."

The ACLU of Florida sued in early 2007 to have the monument removed because, ACLU officials said, "the official government display of a religious monument is a violation of the Establishment Clause of the First Amendment to the United States Constitution, which prohibits governments from establishing religion."

Courts have held that the "establishment" part of the First Amendment includes official sponsorship or promotion of religion, including, as in this case, what a "reasonable observer" may conclude about government sponsorship of religious views based on a monument in a public space.

The 5-foot, 6-ton granite monument sits prominently in front of the courthouse and features the Ten Commandments, as well as the additional phrase chiseled at the base of the monument, "LOVE GOD AND KEEP HIS COMMANDMENTS."

In arguments to the court, Dixie County maintained that the monument was not owned or controlled by the county, but by a private resident — Joe Anderson Jr. — who paid for, placed and maintained the monument. The county argued that the monument was therefore not an official sponsorship of religion but a private expression of free speech. After it was erected and after the lawsuit was filed, a plaque was added at the back of the monument that reads, "PLACED OWNED AND MAINTAINED BY JOE ANDERSON, JR." Anderson has not donated the monument to Dixie County and has not relinquished control of it.

After the court denied a Dixie County motion to dismiss the lawsuit, the county placed a sign near the monument that reads: "The items placed in this forum do not necessarily reflect the views or opinions of the Dixie County Board of County Commissioners and are not sponsored or endorsed by the Board." The Ten Commandments monument is the only "item" in the "forum."

Inside the courthouse, monuments on the wall are dedicated to World War II and Vietnam War veterans. A monument to Persian Gulf War veterans sits on the corner of the sidewalk, abutting the courthouse grounds. The veterans' monuments were donated by private individuals or entities, and are maintained by the county.

While the U.S. Supreme Court has ruled that "the state may not, on the claim of misperception of official endorsement, ban all private religious speech from the public square," it has also stated that "placement of a permanent monument in a public park is best viewed as a form of government speech."

The eastern frieze of the U.S. Supreme Court building in Washington, D.C., above the entrance used by court justices, depicts Moses holding two blank tablets. It also shows Chinese philosopher Confucius to his left and Solon, a Greek statesman, lawmaker and poet, to Moses' right.

Paul, the federal judge, weighed the two and ruled for the ACLU of Florida.

"Despite the actual ownership of the monument, the location and permanent nature of the display make it clear to all reasonable observers that Dixie County chooses to be associated with the message being conveyed," Paul wrote in his ruling. "As such, the Court finds that the monument displaying the Ten Commandments is government speech and must comport with the Establishment Clause."

The monument was erected after one of Anderson's employees, Skipper Jones, had called the chairman of the Board of County Commissioners in 2005 to see whether "the board would have the courage to allow Anderson" to erect the monument, according to the ruling. In response, the Dixie County Commission voted unanimously "to go ahead with having the Ten Commandments placed on the front of the courthouse steps" and the county attorney offered at the time to defend any lawsuits resulting from the monument. The court record also shows that the construction and progress of the monument was discussed with county commissioners on several occasions.

The monument was erected on Nov. 25, 2006. Approximately three months later, the ACLU of Florida sued on behalf of "Jon Doe," who officials say is one of its members.

In ruling for the ACLU of Florida, Paul ordered the monument removed from the courthouse within 30 days of July 15, 2011, and awarded the ACLU of Florida nominal damages in the amount of \$1. The ACLU of Florida requested damages not exceeding \$20.

"Local governments can't wink and nod their way around the highest law of the land just because they agree with the religious message they are supporting," Simon said. "In fact, that's exactly what the Constitution prohibits — government sanctioned, promoted or enforced religion. It is sad that a federal judge had to order the county to honor the limited role of government required by our Constitution."

SBC's Land disagrees with Cain on mosques

By Tom Strode

Baptist Press (18.07.2011) / HRWF (29.08.2011) – <http://www.hrwf.net> - Washington, USA - The free exercise of religion is too vital to allow communities to restrict it, Southern Baptist ethicist Richard Land said July 18 in response to presidential candidate Herman Cain's support for a local ban on the building of a Muslim mosque.

The president of the Ethics & Religious Liberty Commission was asked on C-SPAN's "Washington Journal" television program to respond to the Republican's endorsement of any local government's prohibiting construction of a mosque in its community.

"First of all, I would respectfully encourage him to read the First Amendment to the Constitution, where it says that the government shall not interfere with the free exercise of religion," Land said, adding the First Amendment "is one of those amendments that is too important and protects rights that are too central to our guaranteed rights in this country to be left with a local option. Mr. Cain, of all people, as an African American, should understand that our civil rights have to be guaranteed at a federal level."

On "Fox News Sunday" July 17, Cain said he opposes the building of a new mosque in Murfreesboro, Tenn., whose residents, he said, "are objecting to the fact that Islam is both religion and [a] set of laws, Shariah law."

The United States Constitution "guarantees separation of church and state," Cain said. "Islam combines church and state."

Land said, "Muslims have a right to have places of worship. ... Shariah law is unconstitutional. Shariah law violates the First Amendment, which guarantees separation of church and state and guarantees separation of mosque and state. Secondly, it violates the clauses that protect equal rights, because under Shariah law women do not have equal rights."

"I would say, 'Don't throw out the baby with the bath, Mr. Cain.' Muslims have a right to have places of worship, maybe not places of worship exactly where they want to have them, because that's why we have zoning laws.... If they're trying to promote Shariah law or impose Shariah law at any level, that's unconstitutional."

Land's responses to other questions from C-SPAN host Paul Orgel and viewers included:

-- On federal debt, Land said of President Obama's July 12 comment he could not guarantee Social Security checks would be mailed in August if the debt ceiling is not raised: "[I]f the Social Security checks don't go out, it's because the president is demagoguing and fear-mongering, because the government takes in right now about \$200 billion a month, and Social Security checks are \$50 billion. We can pay the interest on what we owe, and we can pay the Social Security checks, and we can pay the \$35 million that's Medicare and Medicaid and not default. So that would be a choice the president makes. And I think it's despicable that he is trying to scare Social Security recipients into thinking that if we don't raise the debt ceiling they're not going to get their checks. If they don't get their Social Security checks, it will be a choice by the Obama administration and his secretary of the Treasury."

-- On what should be cut from federal spending: "Well, almost everything. When you're looking at a budget that's as seriously out of whack as this one is, I would say, first of all, I have seen very few budgets that couldn't take a five percent cut. So I would have a five per cent across the board cut. And then secondly, we can start with the \$200 billion in 38 duplicate and wasteful programs [according to an estimate by Sen. Tom Coburn, R.-Okla., based on a Government Accountability Office report] that don't do any good. Now that's a good place to start."

He also said Planned Parenthood, the country's leading abortion provider, and National Public Radio should not receive federal money.

-- On the problem with the federal government: "In a country as wealthy as ours we should be looking out for the health and welfare of the people, within the ability of the government and the ability of the country to pay.... We can't do everything, and that's part of the problem. Washington has been trying to do everything, and they've been kicking the can down the road, and they've now reached the place where we can no longer kick it down the road ..."

-- On the suggestions churches should be taxed: "If you want to tax all the other non-profit, charitable entities, then you can tax churches. But until you do that ... you shouldn't tax churches.... So I would say churches shouldn't be treated any differently than all the other charitable, non-profit organizations in the country."

-- On his favorite 2012 candidate for president: "Oh, I don't have one, and if I did I wouldn't tell you, because I don't endorse candidates. It's no secret that I am pro-life. I am going to vote for a pro-life candidate. But which one? That's up to them.... Every time in the primaries, I try to vote for the person that is pro-life that I think would make the best president."

-- On Texas Gov. Rick Perry's possible entrance in the Republican presidential field: "This race is shaping up as [Mitt] Romney versus somebody, Romney versus the anti-Romney, and Romney's the establishment candidate.... I think it's a fight between the other candidates to become the anti-Romney candidate."

Four charges dismissed against alleged 'cult' leader

ABC News (06.07.2011) / HRWF (12.07.2011) – <http://www.hrwf.net> - A judge has dismissed four charges against a suspected 'cult' leader who is charged in connection with the death of a 5-year-old Durham boy and his ex-girlfriend.

Peter Moses Jr., 27, was indicted last month on murder charges in connection with 5-year-old Jadon Higganbothan and 28-year-old Antoinetta McKoy deaths.

Their remains were found buried plastic bags by a plumber working in the backyard of a home in the 2600 block of Ashe Street last month.

In addition to the murder charges, Moses was also facing charges that were filed in April, which included one count of second-degree kidnapping, one count of assault by pointing a gun, one count of assault on a female, one count of communicating threats and failure to appear in court.

However on Thursday, a judge dismissed those four charges.

Along with Moses Jr., Higganbothan's mother 25-year-old Vania Sisk, 40-year-old Lavada Quinzetta Harris and 40-year-old Larhonda Renee Smith have been indicted on murder charges in connection with McKoy's death.

Harris, Sisk and Smith have been indicted on one charge of accessory after the fact in Higganbothan's death.

Three others - 56-year-old Sheilda Evelyn Harris, 21-year-old P. Leonard Moses and 20-year-old Sheila Falisha Moses have been indicted on charges of accessory after the fact in McKoy's death.

McKoy and Higganbothan were both last seen alive last year. The Ashe Street home is located a few miles from another home on Pear Tree Lane where McKoy and Higganbothan lived with a cult group known as the "Black Hebrew Israelites."

ABC11 sources confirm the Ashe Street home was once the rental property of Moses' mother.

Higganbothan's mother was arrested in April during a raid at a Durham home, but posted bond. At that time, she was charged with misdemeanor marijuana possession. Sisk told police she last saw her son in Durham on February 20, when she left him with an acquaintance.

However, the last confirmed sighting of the 5-year-old was October 2010. McKoy was also reported missing in February and was last seen in early December 2010.

According to search warrants, a search of the Pear Tree Lane property in April turned up traces of blood, a spent bullet, and shell casings.

California to let Sikh prisoners keep beards

IANS (13.06.2011) / HRWF (27.06.2011) – <http://www.hrwf.net> - California has agreed to allow prisoners in the state to keep unshorn beards in accordance with their faith, according to the Sikh Coalition, a community advocacy group.

The change follows settlement of a lawsuit filed by the Sikh Coalition against the California Department of Corrections and Rehabilitation (CDCR) on behalf of Sukhjinder Singh Basra, a Sikh inmate.

Do you feel Ramdev's hunger stike against corruption is fake and dubious?

Under the settlement Basra's disciplinary record for refusing to cut his beard will be expunged. An otherwise model inmate, Basra suffered repeated disciplinary sanctions for keeping his religiously-mandated beard uncut, the group said.

The settlement protects not just Sikhs, but inmates of all faiths who maintain religiously mandated beards. Under its terms, CDCR will repeal a rule prohibiting inmates from growing facial hair more than a half inch in length.

"Basra was peaceably observing his faith while posing absolutely no threat to the health and safety of the prison population," said Daniel Mach, director of the American Civil Liberties Union (ACLU) Programme on Freedom of Religion and Belief.

"We are glad that the CDCR has recognized the fundamental importance of basic religious exercise, even within the prison walls."

"This victory underscores the bedrock principle of religious freedom upon which this country was founded," said Harsimran Kaur, Legal Director of the Sikh Coalition.

"The right to practice one's faith free from government interference applies to everyone, including religious minorities like Sikhs."

Obama pushed on religious freedom priorities

Lawmaker wants to see emphasis on religious freedom

By Michael De Groote

Deseret News (13.05.2011) / HRWF (16.05.2011) – <http://www.hrwf.net> - If Rep. Frank Wolf, R-Va., has his way, President Obama would give religious freedom a more central role in U.S. diplomacy around the world. Wolf introduced legislation Friday to amend the International Religious Freedom Act to direct the State Department to make religious freedom a greater priority.

University of Utah President Michael Young headed the U.S. Commission on International Religious Freedom (USCIRF) during part of the George W. Bush administration. He believes the Obama administration's international goals could still be met if the importance of religious freedom was increased. In fact, he thinks religious freedom is a key to many other issues. "There is a relationship between freedom of religion and so many other good things in society," Young said. He said there is correlation between freedom of religion and, for example, wages for employees and reducing poverty. "It creates an environment where people's real personal energies are unleashed on their own behalf, on behalf of their family and on behalf of society."

Wolf sees an urgency in religious freedom. "Human rights and religious freedom are under attack more today than probably at any other time in modern history," Wolf said. "In China human rights and religious freedom are evaporating. Coptic Christians are being persecuted in Egypt. Iraqi Christians are suffering in Iraq. The Vietnamese Buddhists are going through a very difficult time. ... At the very same time the administration is not doing very much."

Wolf wrote legislation in 1998 that did two main things:

1. It created an International Religious Freedom Office at the State Department headed by an Ambassador-at-Large for International Religious Freedom.
2. It created the U.S. Commission on International Religious Freedom (USCIRF) to monitor the status of freedom of religion across the world.

Wolf wants to put some more teeth into the legislation as seeks to get it reauthorized it through Sept. 30, 2018.

For example, the commission reports to the administration the countries that are the worst violators of religious freedom around the world. The administration then designates those countries as "Countries of Particular Concern" (CPC). Being designated as a CPC is not a desirable thing and brings pressure on countries to reform. "They take these recommendations and they do nothing with them," Wolf said.

Wolf wants to set time limits on the State Department to designate Countries of Particular Concern and to end indefinite waivers.

He also wants to have the Ambassador-at-Large put under the office of the secretary of State instead of being under the Bureau of Democracy, Human Rights and Labor. This organizational change would raise the profile of the recently confirmed Ambassador-at-Large, Rev. Dr. Suzan D. Johnson.

"Right now, they can ignore the ambassador, this way the ambassador will report directly to the secretary," Wolf said. "Even in the Bush administration that post was watered down. It did not have nearly the clout that it should have."

Young said, "It is a very tough call if this bureaucratically will make sense. Organization, which is part of what he is trying to address, is often everything."

But Young hopes it works.

Wolf said that during President Ronald Reagan's administration human rights and freedom of religion was a priority. Embassies acted, as Wolf put it, "as islands of freedom." Dissidents could find refuge at the embassies. Administration officials would acknowledge these people and pay high-profile visits to their families. Wolf also said it was also a priority for President Jimmy Carter.

But no more.

"It has changed, and the Obama administration has not been very good. But it is not a partisan issue and anything we can do to elevate is a positive thing," Wolf said. "The President sets the tone. It just doesn't appear to be that big of an interest for President Obama."

Wolf's legislation aims to make sure religious freedom isn't sidelined in the nation's pursuit of broader foreign policy goals — such as making business deals paramount. He wants the diplomatic culture to change by requiring religious freedom training for every

Foreign Service Officer — training that involves the commission. He also wants a report from the departments of Defense, Homeland Security, Treasury and the U.S. Agency for International Development about how they could use foreign assistance as leverage to promote the value of religious freedom.

"Our interests are best advanced when we are attending to our values," Young said. "It's not just theoretical. It's not just emotional. It is very, very pragmatic."

Senate confirms religious freedom ambassador

By Adelle M. Banks

Religion News Service (18.04.2011) / HRWF (21.04.2011) – <http://www.hrwf.net> - A New York minister will soon fill the Obama administration's long-vacant position to oversee international religious freedom after the Senate voted to confirm the Rev. Suzan Johnson Cook for the post.

Thursday's (April 14) voice vote positions Cook to become the first female and the first African-American in the post after a lengthy and controversial nomination process.

"I am ... persuaded in my mind, heart, and soul that religious freedom is the birthright of all people everywhere; a foundation of civil society, a key to international security, and it must always be a pillar of U.S. foreign policy," she said in a statement.

Cook declined further comment until after she is sworn in.

Cook was nominated last June but her nomination stalled in the Senate and expired in December. Despite concerns she might not have enough diplomatic experience, Cook was renominated in February and appeared at a second nomination hearing in late March.

The Baptist minister known as "Dr. Sujay" retired in 2009 as pastor of Bronx Christian Fellowship Church, which she founded in 1996. She was the first woman elected to lead the prominent Hampton University Minister's Conference of black clergy.

During hearings, she cited her travels and interfaith work on five continents and her experience as a New York police chaplain as qualifications for the ambassadorial post.

The independent U.S. Commission on International Religious Freedom welcomed Cook as the third ambassador to oversee international religious liberty.

"We look forward to meeting her and working jointly toward our mutual goal of advancing freedom of religion or belief around the world," said Leonard Leo, USCIRF chair.

At Cook's second hearing before the Senate Foreign Relations Committee, Sen. Jim DeMint, R-S.C., cited unspecified "indications" that Cook lacked qualifications for the job. "I am concerned about a person in this position having the passion, the courage and the boldness to deal with this issue," he said at the time.

Other committee members, meanwhile, praised Cook for her "wonderful resume" and called her "a strong advocate and not a shrinking violet."

In March, concerned about the position's lengthy vacancy, a coalition of religious freedom advocates urged greater attention to the religious roots of global conflict, especially the ongoing turmoil in the Middle East and violence directed against religious minorities.

"At present, both American diplomats and foreign governments are justified in concluding that neither the position nor the policy is a high priority for the United States," they wrote in a letter to leaders of the Senate committee.

Cook, too, commented on the length of the process, comparing herself to former British Prime Minister Margaret Thatcher, who was called the "iron lady."

"Change the name. It's mine now," Cook said at an April 5 dinner of religious liberty advocates in Washington. "This will go down in the Guinness Book of World Records as the longest nomination. But we thank God to just be in the number."

Jehovah's Witness sues Kansas for bloodless transplant

By Brad Cooper

The Kansas City Star (19.04.2011) / HRWF (21.04.2011) - <http://www.hrwf.net> - As much as Mary Stinemetz wants to live, she's ready to die for her faith.

Suffering from the late stages of liver disease, Stinemetz, 64, needs a transplant. But the operation could cost more than \$250,000, an insurmountable expense for her family.

Whether she gets a transplant could depend on how far she's willing to battle for her beliefs in a courtroom drama that will unfold in the Kansas Court of Appeals today.

Living in the small western Kansas town of Hill City, Stinemetz could get a liver transplant, one that would be paid for by Medicaid, at the University of Kansas Hospital. But she also would have to compromise her Jehovah's Witness principles, because she would receive a blood transfusion, something she believes violates God's law.

Stinemetz, however, could undergo bloodless transplant surgery in Omaha, Neb., but Kansas is refusing to pay for the out-of-state procedure when a transplant is readily available in Kansas.

That puts Stinemetz at the center of a constitutional controversy that pits Kansas' Medicaid rules against her right to exercise her freedom of religion — with her life hanging in the balance.

"I love life," Stinemetz told The Kansas City Star by telephone. "But when it comes to obeying our creator, I am going to obey my creator before I do anything else, because he gave us our life. You've got to follow his laws."

Stinemetz is suing the Kansas Health Policy Authority, which administers the state's Medicaid program. She contends that the state is violating her First Amendment rights to exercise her religion. She lost one round in her fight in December in Graham County District Court.

State officials declined to comment prior to today's hearing. But in earlier court pleadings, the state contends that she didn't provide any evidence that her rights were infringed upon because coverage was denied.

"There is no medical necessity for the beneficiary to have a bloodless transplant — a regular liver transplant is available in Kansas and would be considered medically necessary," the state said in denying coverage in early February 2010. "The beneficiary's

religious preference to have a bloodless liver transplant does not meet medical necessity.”

Wayne Wallace, a physician advising the state, also warned of the ethical issues a surgeon would face if a patient elected to have a bloodless transplant.

Although the surgical procedure between the two types of transplants is the same, the bloodless technique implies the surgeon would be willing to accept a patient’s death, even if a transfusion might save the patient, Wallace said at March 2010 hearing.

However, Stinemetz said Jehovah’s Witnesses follow biblical directives to abstain from blood, pointing to passages in the books of Acts, Genesis and Deuteronomy, according to court records.

Church doctrine leaves it to the discretion of members to accept certain blood fractions and donor organs.

The Watchtower Bible and Tract Society of New York has filed a friend-of-the-court brief on Stinemetz’s behalf.

The group said that Kansas was forcing Stinemetz to choose “between forgoing all surgery or submitting to medical treatment that violates he religious beliefs.”

But in court papers, state lawyers noted that Stinemetz acknowledged that she wouldn’t be ostracized from her church if she did receive a blood transfusion and was “truly repentant.”

The constitutional implications of this case are difficult to discern because it falls in the shadow of two U.S. Supreme Court decisions 30 years apart that take different positions. In the more recent case from 1990, the high court decided that the government could adopt laws that might burden someone’s religion as long as the law was neutral and didn’t target a specific faith.

The case focused on two Oregon men who were denied unemployment benefits. The men were fired from their jobs after they ingested peyote for sacramental purposes.

The court upheld the denial of the benefits in a decision that seemed to cast aside decades of precedent.

But Stinemetz’s legal team cites a 1963 Supreme Court case in which the justices ruled that government needed a compelling state interest to justify infringing on someone’s right to freely exercise their religion.

That case involved a member of the Seventh Day Adventist Church who was denied unemployment benefits after she was fired from her job because she refused to work on Saturdays. She couldn’t find work elsewhere.

The state said she was ineligible for the benefit because she failed, without good cause, to accept a job when it was offered.

Stinemetz suffers primary biliary cirrhosis, a chronic disease that inflames the bile ducts in the liver and eventually causes them to disappear. When the bile ducts become damaged, bile accumulates in the liver, injuring the organ and causing it to deteriorate and malfunction.

The disease develops over time — Stinemetz has suffered it for 20 years — and its primary cause is unknown, according to the National Digestive Diseases Information Clearinghouse. A transplant is the only cure.

"I don't feel that great. I am very, very weak," said Stinemetz, who will not make the trip to Topeka for today's hearing.

As the disease has progressed, Stinemetz has rapidly lost weight, she's short of breath, her immune system is weakened, her abdomen is enlarged, and she has had a lung drained of fluid at least 13 times in the last 18 months. She has chills because she's anemic.

She moves slowly and spends a lot of time at home for fear of catching a cold.

In 2009, after Stinemetz learned she would need a liver transplant, she went to the University of Kansas Hospital for an evaluation.

She told KU physicians that she wouldn't accept a liver transplant that involved blood transfusions.

KU decided against moving ahead with any further work on the case and recommended she seek another hospital that might perform a blood-free surgical procedure.

The KU hospital doesn't perform bloodless transplants because its doctors don't think they're in the patient's best interest, said spokesman Dennis McCulloch.

Bloodless liver transplants have been only around for about a decade, and they are only offered at five to eight other hospitals nationwide and none in Kansas, said Jean Botha, associate professor of surgery at Nebraska Medical Center.

Botha conceded the surgery shouldn't be used routinely because the "safety is just not there." He said the surgery was done primarily to help Jehovah's Witness patients.

Meanwhile, Stinemetz and her husband, Merlyn, are vowing to fight on as long as their lawyers are willing. Yet Mary Stinemetz isn't sure how much longer she will live without a new liver, although it's probably not more than a couple years. And she's not even on a waiting list for the organ.

"I'm just surprised I'm still here, to be honest with you," Stinemetz said. "As long as I'm in Jehovah's memory, I know I will be resurrected. I'm not afraid of dying by any means."

Atheist throws in towel: 6-year lawsuit challenging Pledge of Allegiance in California "over"

Becket Fund (24.03.2011) - Atheist activist Dr. Michael Newdow announced on his website that after 6 years of litigation in federal courts, his constitutional challenge to the Pledge of Allegiance in California public schools is "over." Newdow indicated for "reasons that are best not divulged" that he would not appeal the case to the Supreme Court. That leaves intact a decision of the Ninth Circuit Court of Appeals in San Francisco last year holding that the words "under God" in the Pledge do not establish a religion. Dr. Newdow's separate lawsuit challenging recitation of the Pledge of Allegiance in New Hampshire public schools continues and will be put before the U.S. Supreme Court next week.

The Becket Fund for Religious Liberty, a non-profit public interest law firm in Washington, DC, intervened in the California lawsuit on behalf of Sacramento-area schoolchildren who

wanted to continue saying the Pledge with the words "under God", as well as the Knights of Columbus, the Catholic fraternal organization that first added the words "under God" to the Pledge. After a California federal district court judge held the Pledge unconstitutional, the Becket Fund appealed the case to the Ninth Circuit. The Becket Fund's argument that the Pledge's reference to God is not a prayer but a statement of the quintessentially American political philosophy of limited government was adopted by the Ninth Circuit in its March 2010 decision upholding the Pledge. Becket Fund Founder and President Kevin "Seamus" Hasson successfully argued the appeal to the Ninth Circuit.

"This is a much-needed victory for common sense and American ideals," said Hasson. "'The Founding Fathers knew that 'God' is not a dirty word but a fundamental part of the American philosophy of government."

"We will continue to defend the Pledge and our American ideals wherever they are challenged, including the Supreme Court" said Eric Rassbach, National Litigation Director at the Becket Fund.

Since a 1943 case involving Jehovah's Witnesses, schoolchildren have had the right for reasons of conscience not to participate in reciting the Pledge. The lawsuits in California and New Hampshire both challenge whether students who do not want to say the Pledge of Allegiance can stop other children who do from saying the Pledge in school.

Newdow made the announcement that the California Pledge challenge was over on his website www.restorethepledge.com.

Based in Washington, D.C., The Becket Fund for Religious Liberty is a non-profit, public-interest law firm dedicated to protecting the free expression of all religious traditions. The Becket Fund has a 15-year history of defending religious liberty for people of all faiths. Its clients have included Buddhists, Christians, Hindus, Jews, Muslims, Sikhs, Zoroastrians, and others. Its attorneys are recognized as experts in the field of church-state law.
