

who has left the floor, to understand that nothing prohibits voluntary prayers, from school boards, courts, or anything else. I am doing this in a friendly way. I am not emotional about it. But it is about time that we learn what the law is that we want to change. I thank the gentleman for his generosity.

Mr. NADLER. Mr. Speaker, this amendment, which should really be referred to as the Religious Coercion Amendment, is an assault on the first freedom which has been protected for 200 years by the First Amendment.

I am amazed at some of my conservative colleagues who do not trust the government to protect the environment or to build new schools in our communities or to regulate the railroads, but are perfectly willing to turn over to government bureaucrats the power to do everything short of actually declaring a State religion, or to involve those bureaucrats in shaping the moral and religious lives of our children.

Many supporters of this constitutional amendment have been irate at the way some schools teach American history, but they are perfectly willing to delegate to those same schools the right to guide a child's religious education.

This amendment, Mr. Speaker, makes a radical departure from our current constitutional framework. The First Amendment now prohibits any "law respecting an establishment of religion." The rewrite we have before us today would narrow that to prevent government only from establishing any official religion. Anything short of establishing an official church which favors one religion, that of the majority, over all others, would be allowed under this amendment.

The amendment says, "The people's right to recognize their religious beliefs, heritage, or traditions on public property, including schools, shall not be infringed." "The people's right," that is a collective term, not an individual right; a radical departure from our constitutional tradition.

What does it mean? It means that the people, "the people," the majority, either by referendum or through council action or action of a local legislative body, a town council, a school board, a city council, could mandate that particular religious symbols, Presbyterian in one area, Catholic in an area, Muslim in a third, Centurian in a fourth, must be prominently placed in every schoolroom, in every courtroom, and that every litigant must do his case in front of that religious symbolism, even if it offends his conscience, and every child in every classroom, likewise.

We can see evidence in the world today of the terrible harm which comes in the government meddling in religious affairs, of allowing some in the community to use the government to further their religious goals.

Mrs. MYRICK. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. PAUL).

(Mr. PAUL asked and was given permission to revise and extend his remarks.)

Mr. PAUL. I thank the gentlewoman for yielding me the time, Mr. Speaker.

Mr. Speaker, I rise in support of this rule. Today we are having a debate on a very serious problem that does deserve our attention. We can do this by supporting this rule.

I am in entire agreement with the authors of this amendment in their concern for the systematic attack on religious expression throughout the country. There is no doubt hostility exists, especially against conservative religious expression. It is pervasive and routinely expressed in our courts.

Those who attack religious values are, unfortunately, not doing it in the defense of constitutional liberty. Secular humanism, although equivalent to a religion, is passed off as being neutral with respect to spiritual beliefs, and yet too often used to fill the void by forced exclusion of other beliefs.

This is indeed a problem deserving our close attention, but the approach through this constitutional amendment is not the solution. I was a co-sponsor of the original version of the amendment, but after serious reconsideration, especially after the original version was changed, I now am unable to vote for it.

The basic problem is that our courts are filled with judges that have no understanding or concern for the constitutional principles of original intent, the doctrine of enumerated powers, or property rights. As long as that exists, any new amendment to the Constitution will be likewise abused.

This amendment opens the door for further abuse. Most of those who support this amendment concede that, quoting the authors of the amendment, "Because government is today found everywhere, this growth of government has dictated a shrinking of religion." This is true, so the solution should be to shrink the government, not to further involve the Federal Government on how States and school districts use their property.

This amendment further enables the Federal Government to do more mischief. The only solution is to shrink the government and raise a new generation of judges and Congressmen who understand the constitutional principles of original intent, the doctrine of enumerated powers, and property rights. If we do this, the First Amendment, freedom of religious expression, will be protected.

Another recourse, less complicated than amending the Constitution, is for Congress to use its constitutional authority to remove jurisdiction from the courts in the areas where the courts have been the most abusive of free expression. Unfortunately, this amendment encourages a government solution to the problems by allowing the Federal Government and Federal courts to instruct States and local school districts on the use of their

property. This is in direct contrast to the original purpose of the Constitution, to protect against a strong central government and in support of State and local government.

Until our judges and even our Congress have a better understanding of the current Constitution and a willingness to follow it, new constitutional amendments will do little to help and will more likely make things worse.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Speaker, in our country the State is not to sponsor or sanction religious exercises. Neither is it to interfere with the free exercise of religion. That is a delicate balance that the Bill of Rights has protected for over 200 years. It is a delicate balance that the Istook amendment threatens to destroy.

I want to make one point this morning, a quite simple and straightforward point: the prohibition against State-sponsored religious exercises in our country protects not only civic life but also, and more importantly, religious life. Mr. Speaker, it is no accident that a long list of religious communities and religious organizations are lined up in opposition to the Istook amendment.

Amending the First Amendment to permit the State establishment of religion is a threat to our constitutional democracy, to be sure, of which freedom from religious coercion is a cornerstone. But even more, it is a threat to religious faith and practice.

Mr. Speaker, religious liberty is not just freedom from coercion.

Religious liberty is also freedom for the leading of the spirit, freedom to follow and obey God's will. Roger Williams, colonial America's foremost proponent of religious liberty, understood that the prohibition against the establishment of religion was more about protecting the church than it was about protecting the State. Religious freedom protects communities of believers, it protects the lonely conscience of the prophet, it protects the faithful individual.

Mr. Speaker, central to our Christian and Jewish and Muslim traditions is the notion that we stand under God's judgment, that we are not to identify our power and our program with God's will, that we are all sinners and in need of forgiveness. That is central to all of our religious traditions.

Religious faithfulness is a struggle. It is not something that we lay hold of easily or that someone in authority can achieve for us. The life of faith is a struggle for an individual and a community that cannot and must not be dictated or directed by the State. It is a struggle in which we must engage with freedom, as God gives us the light to find the right way.

That is what religious freedom is about, and it is mainly for religious reasons that we must defend the First Amendment and rebuke those who