

THE LAW OF CHURCH AND STATE IN AMERICA

About the Author

The Rev. Dean M. Kelley was born June 1, 1926, in Cheyenne, Wyoming. He received his A.B. from Denver University in 1946, and his Master of Theology from the Iliff School of Theology in 1949. In that year he received the Elizabeth Iliff Warren Fellowship for graduate study in sociology at Columbia University. Mr. Kelley was ordained as a United Methodist clergyman, and served churches in Oak Creek, Colorado, Queens, New York, and the Bronx, New York before joining the staff of the National Council of the Churches of Christ in the USA in 1960. There he became Director of Civil and Religious Liberty. He retired from the National Council in 1990, but continued to serve the organization as Counselor on Religious Liberty until his death.

Mr. Kelley's published books include *Why Churches Should Not Pay Taxes* (1977) and *Why Conservative Churches Are Growing* (1972). He wrote numerous articles, and edited the November 1979 issue of *The Annals of the American Academy of Political and Social Science*, "The Uneasy Boundary: Church and State." He convened five conferences on church-state matters, most recently a Bicentennial Conference on the Religion Clauses at the University of Pennsylvania Law School (1991), featuring a speech by Supreme Court Justice Sandra Day O'Connor. He wrote scores of amicus curiae briefs then approved by a law firm and filed with the Supreme Court of the United States or other courts. He participated in formulating church-state safeguards of the Elementary and Secondary Education Act of 1965. He opposed amending the First Amendment to allow school-sponsored public school prayer, but supported congressional passage of the Equal Access Act, protecting student-initiated and student-led religious activity in public schools. He and the Rev. Charles M. Whelan, S.J., were co-directors of a three-year Project on Church, State and Taxation funded by the Lilly Endowment.

Mr. Kelley supported the religious liberty interests of all kinds of individuals and organizations, without denominational boundaries. He convened a broad-based Committee on Religious Liberty composed of individuals he felt would contribute productively to the development of understanding of First Amendment Free Exercise Clause issues. Through his ability to develop consensus and secure cooperation across a wide ideological spectrum, Mr. Kelley was able to focus people on achieving common goals.

Noted religious liberty expert Professor Douglas Laycock, currently Yale Kamisar Collegiate Professor of Law at the University of Michigan Law School, commented as follows after Mr. Kelley's death: "For almost forty years, he talked and wrote about religious liberty to anyone who would listen, working successfully with people of all faiths and of none. We . . . owe him much."

December 2008