



VOICE OF REASON

Summer 1991

The Newsletter of Americans for Religious Liberty

No. 38

Abortion Rights

After Wichita, What?

Nearly 3,000 arrests of anti-choice zealots were made in Wichita, Kansas, in the blockades of clinics which began on July 15. The city's three clinics which perform abortions were under daily siege for weeks by organized mobs bent on denying women the right to follow their consciences in dealing with problem pregnancies. They blocked entrances, clogged sidewalks, threw themselves on cars, and crowded under police horses. Some of the anti-choice protesters even used young children to block the passage of automobiles. The first month or so of the blockades cost local taxpayers over \$650,000 in police overtime and court costs.

The Wichita blockades were led by a group called Operation Rescue, whose guru, Randall Terry, is so extreme that he even opposes birth control. His two books, *Operation Rescue* (1988) and *Accessory to Murder* (1990), make it clear that Terry is a paranoid fanatic who says that God called him to embark on his crusade against abortion rights.

Kansas Gov. Joan Finney, an anti-choice Democrat, appeared at a public rally to support the blockade effort, while New York's Cardinal John O'Connor called the more than 2,000 blockaders arrested in Wichita "heroes and heroines." The Bush administration weighed in with a court brief opposing Wichita federal district judge Patrick F. Kelly's July 23 injunction against blocking the clinics and use of federal marshalls to defend them when he felt that the local authorities were not strict enough in enforcing the law.

The weeks of blockades did not seem to win any friends for the anti-choice cause. An opinion poll by the *Wichita Eagle* in mid-August showed that people in the Wichita area disapproved of Operation Rescue's methods by 78.2% to 21.9%, approved of Judge Kelly's handling of the matter by 75.4% to 24.6%, and favored continuing "Kansas' current practice that allows a woman to make her own decision about whether to have an

(continued on page 4)

From Marshall to Thomas

Justice Thurgood Marshall's retirement from the Supreme Court marks the winding down of one of the most distinguished careers in American law. As a litigator for a quarter of a century, Marshall played a leading role in the still unfinished drama of mending the damage done to African-Americans by generations of slavery, segregation, prejudice, and degradation.

For another quarter century as an associate justice of the Supreme Court, Marshall served as an indefatigable champion of civil rights, civil liberties, religious liberty, and church-state separation. He will be sorely missed and his like not seen again soon, given the tendency of presidents since 1981 to stack the federal judiciary with people less than enthusiastic about some of our fundamental liberties.

His designated successor, Judge Clarence Thomas, is enigmatic, relatively inexperienced, undistinguished.

Where does Thomas stand on the major religious liberty issues? On the vitally important issue of freedom of conscience on abortion, the nominee turned aside all attempts at his Senate confirmation hearings to elicit his opinions. If his answers to numerous questions are to be believed, Thomas never discussed the abortion rights issue with anyone or even formed an opinion about it. To comment on a matter that could come before the Court would "compromise his impartiality." This is an odd response, given his willingness to comment on other matters

before the Court this term, such as the *Lee v. Weisman* school graduation prayer case, in which the Bush administration is asking the Court not only to uphold government intrusion into religious matters but also to throw out the three-part *Lemon* test of establishment clause constitutionality. It is hard to believe that any jurist nominated for a Supreme Court slot has not formed views on the 1973 *Roe v. Wade* abortion rights ruling.

Thomas, in a 1987 speech, praised an article by ultraconservative New York politician Lewis Lehrman which attacked freedom of conscience on abortion as "a spurious right born exclusively of judicial supremacy," calling the piece "a splendid example of applying natural law." At his Senate fitness hearing the nominee explained this away as a polite gesture at a meeting in a facility connected to Lehrman.

(continued on page 2)

Inside . . .

How Parochialism Triumphed in British Columbia . . . Whither Public Education? . . . ARL in Action . . . Update . . . Books . . .

From Marshall to Thomas

continued from page 1

On other church-state issues, Thomas told the Senate committee that he has "no personal disagreement with" and has "an open mind" about the three-part *Lemon* test of establishment clause constitutionality, which is less than a ringing endorsement. He also told the committee, "I think the 'wall of separation' is an appropriate metaphor. . . . I think we all believe that we would like to keep government out of our beliefs and we would want to keep a separation between our religious lives and the government." Again, something less than a solid endorsement.

As director of the Equal Employment Opportunity Commission, Thomas signed two advisories relating to religion and employment. In 1987 he held that religious institutions must give equal benefits to employees who are not adherents to the institution's religion. In 1988 he held that companies may not compel employees to attend "New Age" motivational programs against the employees' wishes based on conscience.

While the Constitution prohibits religious tests for public office, Thomas's particular religious background may give some clues to his views. Thomas was raised as a Catholic (as were Justice William Brennan, President John F. Kennedy, Senator Patrick Leahy, and other strong supporters of church-state separation) and attended a seminary for a time. Divorced and remarried, he now attends the Truro Episcopal Church in Fairfax, Virginia, a fundamentalist-charismatic congregation out of the Episcopal mainstream. Truro is strongly anti-choice on abortion. One of its prominent members and frequent speakers is Os Guinness, the British citizen who was the main guru behind the Williamsburg Charter and subsequent public school curriculum units on religious liberty, both of which we have criticized as too weak on church-state separation.

Organizations have lined up for and against Thomas' confirmation. Generally speaking, those which support civil rights, women's rights, and church-state separation oppose confirmation, while those favoring parochial and opposing church-state separation support confirmation.

As the Senate hearings drew to a close, Clarence Thomas remained an enigma. How he will handle religious liberty issues, if confirmed, is unknown. Whether he is confirmed or not, our cherished principle of church-state separation has all too few friends on the Supreme Court, which means that We the People will have to fight harder than ever before to defend our fundamental freedoms in Congress, state legislatures, state and federal courts, and the arenas of public opinion.

Finally, we need to remind ourselves, the President, and the Senate, that, as the Declaration of Independence put it, "Governments are instituted among Men" in order to secure the fundamental equal rights of "Life, Liberty, and the pursuit of Happiness." As presidents and senators are required to swear or affirm their support for the Constitution and Bill of Rights, they are solemnly bound to place on the Supreme Court only men and women unreservedly committed to upholding and advancing all of our fundamental freedoms. That is why Robert Bork's nomination was defeated four years ago and why the U.S. Senate must scrutinize Supreme Court nominees much more closely than in the past. The Senate is under no obligation to confirm any nominee it does not find enthusiastically committed to upholding the hard-won basic rights of all Americans.

Washington State Choice Referendum

On November 5 Washington State voters will decide whether or not to guarantee freedom of conscience and safe, legal abortions. Initiative 120's purpose is to lock the protections of *Roe v. Wade* into state law even if *Roe* is overturned by the new Supreme Court.

Washington State residents interested in helping win the choice referendum may make donations to and/or contact the **YES on 120 Campaign**, PO Box 9749, Seattle, WA 98109 (phone: 206-284-0255).

ARL is a supporter of the YES on 120 effort.

Voice of Reason is the quarterly newsletter of **Americans for Religious Liberty**, P.O. Box 6656, Silver Spring, MD 20916. (Telephone: 301/598-2447.) The newsletter is sent to all contributors to ARL.

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Americans for Religious Liberty is a nonprofit public interest educational organization dedicated to preserving the American tradition of religious, intellectual, and personal freedom in a secular democratic state. Membership is open to all who share its purposes. Annual dues are \$20 for individuals, \$25 for families, \$10 for students and limited income.

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Whither Public Education?

With unfailing regularity we hear or read horror stories about the state of American public education, the decline of SAT scores, etc. These stories are frequently accompanied by a proposed "solution," tax support of nonpublic schools through a voucher mechanism and under the banner of "parental choice."

Analyzing the problem is one thing, prescribing cures is another. Let's start by looking at the problem.

Yes, SAT scores have been declining. Yes, there are legitimate complaints that our kids are not learning enough of the right things and are not working hard enough. But let's probe beneath the surface.

The Scholastic Aptitude Test (SAT), first of all, is not an achievement test but a test of reasoning skills. It therefore does not directly measure what schools do. Further, 1991 statistics from the Carnegie Foundation for the Advancement of Teaching show that SAT scores are directly proportional to family income. Students from families with incomes under \$10,000 score an average of 768 (combined verbal and math scores) out of a possible total of 1200. Students from families with incomes in the \$30,000 to \$40,000 range have scores averaging 884. Students from families with incomes over \$70,000 have scores averaging 997.

Since scholastic aptitude is related to a student's position on the wealth/poverty scale, which has a lot to do with where a family lives (affluent suburb, inner city slum, etc.), alleviating poverty, would be one way of improving scholastic aptitude. Another way would be to strengthen educational and social programs that help to overcome the disadvantages of poverty, such as Head Start, better day care, parental leave, medical insurance coverage for all children and parents, school enrichment programs, etc.

Unfortunately, inhibiting our ability in the U.S. to improve education is our national reluctance to spend enough money on education, at least as measured against educational spending by other countries.

A 1990 report, "Shortchanging Education," by M. Edith Rosell and Lawrence Mishel of the Economic Policy Institute in Washington, shows that the U.S. spends only 4.1% of its Gross Domestic Product on elementary and secondary education, compared to Sweden's 7%, Switzerland's 5.8%, Norway's 5.3%, Japan's 4.8%, Canada's 4.7%, and the former West Germany's 4.6%. The only advanced countries to spend a smaller percentage of GDP than the U.S. are Australia (3.9%) and Ireland (3.8%), neither of which provides a model worth emulating.

Further, as Harold Hodgkinson of the Center for Demographic Policy points out in the *Phi Delta Kappan* (Sept. 1991), one fourth of all pre-school children in the U.S. have been in poverty; 15 million children are being reared by single mothers with incomes averaging \$11,400; a third of a million children are born annually to women addicted to cocaine during pregnancy and additional kids are born with fetal alcohol syndrome; one fourth of mothers receive no medical care during the first three months of pregnancy; two million kids have no adult supervision after school, while two million more are being raised by neither parent; between 50,000 and 200,000 kids on any given night are homeless; in 1987 child protection agencies received over two million reports of child abuse or neglect.

Add to the above the fact that the average 18-year-old has spent more hours of his life in front of a TV set than in front of a teacher.

George Bush, Education Secretary Lamar Alexander, and a host of sectarian special interests insist that the solution to the problem is tax support for nonpublic schools, the overwhelming majority of which are institutions whose primary reason for existing is to provide a sectarian-centered education.

Are private schools better than public schools, then? Hardly. The National Assessment of Education Progress (NAEP) shows that the NAEP math scores are nearly identical when public and private school students of the same family backgrounds are compared. The apparent differences between public and nonpublic schools are a function of the selectivity of nonpublic schools. They serve proportionately only one fourth as many kids from families with incomes under \$15,000 as public schools do, while at the same time enrolling proportionately more than three times as many kids from families with incomes over \$50,000.

In short, a great many of the problems of our public schools are due to our country's unwillingness to spend as much on K-12 education as most European countries and our unwillingness as a society to come to grips with the deleterious effects of poverty on education.

Finally, according to the 1991 Gallup/Phi Delta Kappa survey of public attitudes toward public education, 75% of Americans rate their local public schools A, B, or C, while 15% rate them D or F. Dissatisfaction with local public schools, according to the Gallup/PDK survey, is concentrated among African Americans and inner-city residents, a finding obviously closely related to poverty and public neglect.

If our public schools are to be improved, our society must be willing to expend more resources on them. Tax aid for nonpublic schools is not the answer, for a very good and very long list of reasons. Most Americans agree: The Gallup/PDK survey showed that Americans oppose tax aid for nonpublic schools by a margin of 68% to 26%, while a TIME/CNN poll taken in May showed opposition to parochialism running 68% to 28%.

George Bush, read *our* lips.

The Bill of Rights decoupled religion from the state, in part because so many religions were steeped in an absolutist frame of mind—each convinced that it alone had a monopoly on the truth and therefore eager for the state to impose this truth on others. Often, the leaders and practitioners of absolutist religions couldn't see the middle ground or realize that the truth might draw upon and embrace apparently contradictory doctrines.

The framers of the Bill of Rights had before them the example of England, where the ecclesiastical crime of heresy and the secular crime of treason had become nearly indistinguishable. Many of the early Colonists had come to America fleeing religious persecution, although some of them were perfectly happy nonetheless to persecute other people for *their* beliefs. The Founders of our nation recognized that a close relation between the government and any of the quarrelsome religions would be fatal to free inquiry.

Carl Sagan and Ann Druyan
Parade Magazine, September 8, 1991

After Wichita, What?

continued from page 1

abortion" by 69.3% to 30.7%.

Standing against the vigilante mobs was 62-year-old federal judge Patrick F. Kelly, who received serious death threats and had to be placed under the protection of federal marshalls. Kelly used a Reconstruction-era law originally aimed at protecting African-Americans from racist harassment to protect patients and clinic staff. The Bush administration intervened in the case on the side of the blockaders, but the Tenth Circuit U.S. Court of Appeals declined to overrule Judge Kelly.

As the Wichita blockades drew to a close, Operation Rescue indicated that it was targeting other cities for blockades in the fall: Asheville and Fayetteville, NC, Little Rock, AR, Baton Rouge, LA, and Fargo, ND. In mid-September, 50 anti-choice blockaders were arrested in Washington, DC, for blocking a clinic. On September 14, about 75 blockaders showed up at a clinic in Iowa City, IA, but were greatly outnumbered by pro-choice advocates who formed a protective barrier around the Emma Goldman Clinic for Women. At the same time, 23 anti-choice protesters were arrested in Stamford, CT, after they broke into a clinic and chained themselves together. In Aurora, IL, protesters broke into a clinic and smashed medical equipment and smeared paint on walls.

In Fargo, ND, meanwhile, 16 anti-choice demonstrators, calling themselves the Lambs of Christ, were convicted and given jail sentences for occupying the state's only clinic. Among those convicted was Michael Gerrety, who was dismissed from his post as police chief in Redwood Falls, MN, for being involved in the illegal break-in in North Dakota.

In Chamblee, GA, the owner of a women's health clinic filed a \$13.5 million lawsuit in September against the city, alleging failure to provide police protection from protesters.

In sum, the struggle over freedom of conscience on abortion, over whether individual women or male dominated legislatures will decide if and when women become mothers, has scarcely begun. The victory in 1973 in the Supreme Court's *Roe v. Wade* decision is coming undone. The Supreme Court signalled in 1989 that the issue was being returned to the realm of politics and street demonstrations.

The Reagan and Bush administrations have tried to bar health professionals from providing accurate information to poor women dependent upon federally funded family planning and health programs. State legislatures are making direct and indirect assaults on reproductive freedom of conscience. The Supreme Court can no longer be counted on to defend the rights of conscience and the principle of church-state separation. Vigilante mobs harass women and blockade clinics.

American, *Roe v. Wade*-style freedom of choice is the middle ground between Ceaucescu's Romania, where virtually all abortions were banned, and China, where many women were reportedly forced to have abortions. The American people will have to defend freedom of conscience, in Washington State's 1991 referendum and Maryland's 1992 referendum, in the state and federal courts, in Congress and state legislatures, in the media, in the arena of public opinion.

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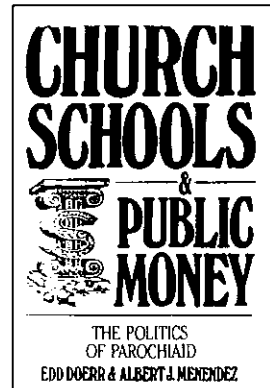
Church Schools & Public Money

The Politics of Parochialism

by Edd Doerr
and Albert J. Menendez

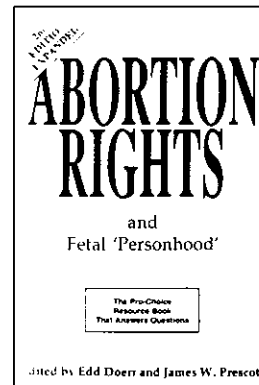
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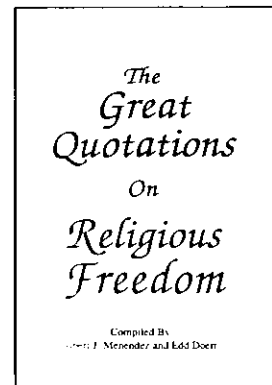
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How Parochiaid Triumphed in British Columbia

Public subsidy of church schools in Canada is now complete. The last holdout, substantially secular, prosperous British Columbia, capitulated in 1980 when provincial officials began to pay 15% of all educational costs for those attending private and parochial schools. Then the subsidy rose to 30%. Today the government pays 50% of all expenditures of church-run schools. Since it costs provincial taxpayers about \$3,500 a year per pupil in public schools, the subsidy now totals \$1,750 per pupil in private and parochial schools. The annual total is about \$350 million. Tuition fees and parish subsidies make up the remainder, according to Annette Yonge, spokesperson for the Vancouver Catholic School Board.

Whether that 50% figure will eventually be raised is uncertain. Yonge indicated that the province's late archbishop opposed any additional support, but the previous tendency of governments throughout Canada to expand the nonpublic school subsidy suggests otherwise.

Canadian education, like its U.S. counterpart, is largely a local or provincial concern. (Canada's provinces are similar to U.S. states.) Each province jealously guards its educational policies, and Canada's Constitution does not specifically prohibit tax aid to sectarian institutions. In any event, Canada's new Charter of Rights would not supersede arrangements arrived at decades ago, as for example in Quebec, where there are only state-funded Catholic and Protestant schools. There are no public schools in Quebec or Newfoundland. Ontario has a curious system, whereby Roman Catholic separate schools are now guaranteed full funding comparable to public schools but Protestant or other religious schools are denied funding. It's all part of Canada's checkered history of accommodation and conflict between English Protestants and French Catholics. These antiquated relationships, however, are less meaningful in a nation that is increasingly pluralistic, with growing numbers of Buddhist, Muslim, and Hindu citizens, as well as Jews and Eastern Orthodox Christians. In addition, 11% of Canadians call themselves agnostics or atheists. And nearly half of Canadian Catholics are not of French descent; many are English, Italian, Portuguese, or of other national backgrounds.

British Columbia is the least Catholic and the most secular

province. Roughly 20% of its residents declared "no religion" at the last census, and about 7% listed "other" religions than Christianity. About 20% are members of the United Church, a 1925 union of Methodists, Congregationalists and most Presbyterians. Just under 20% are Roman Catholic, and 13% are Anglican. The Anglican Church has suffered the most serious declines, since it was the province's largest religious group from 1891 to 1951. Conservative Protestants claim about 9% of British Columbians, while Lutherans and those Presbyterians who refused to join the United Church claim 8%.

And yet even here the church school lobby emerged triumphant. The reasons seem familiar: aggressive lobbies, disillusionment by some parents with the performance of the public schools, and political capitulation. The province's strong liberal party, the New Democratic Party, usually (or often) wins here in federal elections, but the quirky right-wing Social Credit Party has been in power on the local level since 1975. The New Democrats are against parochiaid in theory, but they no longer see it as top priority. They have battled for abortion rights, for quality medical care, and for support for Indian and women's issues. Thus, the more conservative parties were able to breach the ice by establishing the principle of public support for church-affiliated schools.

Church schools are growing in popularity, perhaps as a result of the funding. Catholic schools have waiting lists, with preference for parish members and Catholic students from outside the parish boundaries. Non-Catholic students are few. Daily religious instruction is mandatory.

On the elementary school level, "the Faith is integrated into the curriculum," said Ms. Yonge. On the secondary school level religion courses are academically-oriented, and credits are given for them.

If a highly educated, sophisticated, prosperous, and religiously tolerant and pluralistic place like British Columbia can accede to the blandishments of the parochaiders, there would seem to be very few places left with the willpower or political gumption to resist.

— Albert J. Menendez

ARL Publishes Parochiaid Critique

Church Schools and Public Money: The Politics of Parochiaid, by ARL executive director Edd Doerr and research director Albert J. Menendez, published in September by Prometheus Books, is an effective counter to the propaganda of the sectarian special interests and their political allies who are bent on compelling all taxpayers to support nonpublic schools. The book comes off the press as the Bush administration and parochaid lobbyists in Washington and several state capitals are pushing for tax aid for denominational schools by means of voucher plans.

Church Schools and Public Money may be ordered from Americans for Religious Liberty, PO Box 6656, Silver Spring, MD 20916, for \$14.95 plus \$1.50 for postage and handling.

Doerr and Menendez, authors or co-authors of 35 books, have spent an aggregate of nearly 50 years dealing with parochiaid and other church-state issues. Their 156-page book examines the history of successful and unsuccessful efforts to get public funding for private sectarian schools, the exaggerated claims of nonpublic enrollment growth, relevant court rulings, and the 18 statewide referenda on parochiaid from 1966 to 1990. They conclude with a critical examination of the arguments for parochiaid and show that the case against diversion of public fundings to nonpublic education is persuasive and strong.

Update

ARL Files in School Prayer Case

Americans for Religious Liberty has filed an *amicus curiae* brief with the U.S. Supreme Court in the *Lee v. Weisman* public school graduation prayer case from Rhode Island, asking the Court to affirm the decision of the federal appellate court in Boston, which held that religious invocations at public school graduations violates the First Amendment principle of separation of church and state.

The brief, prepared by ARL general counsel Ronald A. Lindsay, affirms that government sponsorship of invocation prayers tends to degrade religion and therefore violates the Establishment Clause.

ARL argues that the Establishment Clause "not only prohibits coercion but also prohibits the state from compromising the integrity of religion." This policy is based on the original intent of the Founding Fathers who painstakingly drafted the Constitution. "The Founders wanted to guard religion from any threat to its integrity by preventing government from engaging in contentious endorsements of religious practices or institutions," ARL contends.

ARL also challenges the argument that coercion or the lack of it is the central question the Court must consider in deciding whether to allow formal prayers at graduation exercises. "Coercion is but one of several types of constitutionally infirm conduct. The clause also prohibits government from aiding religion in general, sponsoring religious activities or ceremonies and influencing (in addition to coercion) a person with respect to his religious beliefs and practices."

Finally, the brief warns, "The state's use of religion for ceremonial purposes degrades religion; it does not accommodate religion . . . Government-sponsored invocational prayer is necessarily framed in the broadest and blandest possible terms, in an attempt to appeal to everyone."

Those who fail to pray in the government-approved manner will be subject to discrimination. "The government supervision necessary to ensure the 'inclusiveness' of prayers in today's religiously diverse society threatens the independence and vitality of religion . . . Equally appalling is the fate of those clergy who refuse to omit sectarian references from their prayers. They will not be called to provide 'inclusive' invocations. A state blacklist of clergy who refuse to express their faith in what the state considers appropriate language is a chilling prospect," concludes the ARL submission.

Copies of the ARL Supreme court brief in *Lee v. Weisman* are available for \$4 from ARL, Box 6656, Silver Spring, MD 20916.

Parochial Unpopular: New Polls

Although Americans would favor some sort of voucher plan for allowing parents to choose their children's schools by 50% to 39%, according to the 23rd annual Gallup/Phi Delta Kappa poll of public attitudes toward education, the same respondents oppose any tax aid for nonpublic schools by a 68% to 26% margin. At the same time, a TIME/CNN poll registered opposition to "using public-education money to give parents a choice of sending their children to private or religious schools" running 68% to 28%. (In the 18 statewide referenda in nonpublic school aid over the past 25 years, parochial was opposed by an average of 62% to 38%, though this average is not weighted by state population size.)

The 50%-39% margin on the voucher question is probably shaky because the question mixed two separate issues, a school funding mechanism and school choice. When the Gallup/PDK poll used a more refined question on choice among public schools "in this community," the result was 62% to 33% in favor in public school choice. If parents could choose among public schools in their community, 68% said they would choose the same school, while 23% would choose different ones.

When asked to rate their local public schools, 75% of the sample rated them A, B, and C, that is, from excellent to satisfactory; yet only 68% so ranked public schools nationally. Further, 94% of the sample gave A, B, or C rating to the public school attended by their oldest child (6% rated them D or F). Dissatisfaction with public schools is largely confined to ethnic minorities in inner cities, for generally good reasons, which usually involve poverty, untreated social pathology, and governmental neglect or indifference.

By a margin of 80% to 13%, the poll respondents favor equalizing of educational expenditures for all students within a state. To cope with tight school budgets, respondents favored an increase in state sales taxes by 55% to 40%. By 54% to 32% respondents favored raising teacher salaries "at this time." Although education courses for teachers are frequently criticized, respondents to the Gallup/PDK poll found them "very useful" or "fairly useful" by a margin of 88% to 7%.

Pennsylvania Parochial Plan Quashed

Pennsylvania lawmakers shot down an ambitious voucher parochial plan on August 2. The \$900 per student voucher plan was to be offered as an amendment to a bill dealing with summer foreign language academies. The 116 to 81 defeat came on a procedural vote to suspend the House rules to allow the voucher plan to be added to the academies bill.

The House rejection of the voucher proposal revealed strong party line differences which transcended religion. Democrats voted 88% against; 73% of Republicans voted in favor. Catholic Democrats were overwhelmingly opposed; Catholic Republicans were in favor. The same pattern prevailed for Protestant, Jewish, and black legislators. There were a few defections along traditional lines. Eight Catholic Democrats from cities with a large parochial school enrollment were in favor, while ten Protestant Republicans from the Susquehanna Valley and rural areas where parochial schools are unpopular voted no. Overall, a majority of both Catholics and Protestants rejected the proposal.

Sponsor of the voucher parochial plan was Rep. Stephen Freind (R-Delaware County), who also sponsored Pennsylvania's anti-abortion law.

With 360,000 students in the state's nonpublic schools, full implementation of the Freind voucher plan would cost Pennsylvania taxpayers over \$300 million per year.

Pennsylvania taxpayers are already taxed heavily for nonpublic schools, the overwhelming majority of which are sectarian. The state's 1991-92 budget calls for \$164,979,000 for nonpublic schools: \$22,458,000 for transportation; \$72,000,000 for special education programs; \$53,996,000 for "auxiliary services"; \$10,397,000 for textbooks; \$6,128,000 for school supplies. An additional \$10 to \$15 million from public school special education funds go to nonpublic schools. In addition, local school districts are required by state law to spend local funds for transportation. And all of the preceding is in addition

ARL in Action

ARL's challenge to the issuance of tax-exempt bonds to aid a pervasively sectarian challenge in Tennessee, *Steele v. Industrial Development Board of Nashville*, is still in its preliminary stages in federal district court in Nashville. The case is being handled by ARL's Nashville attorney Joseph H. Johnston.

Welsh v. Boy Scouts of America, a suit challenging religious discrimination by the scouting organization, has wound up its trial in federal court in Chicago. A ruling is expected by the end of the year. ARL has been providing financial support for the suit.

Since our last report, ARL president John M. Swomley was featured in a National Public Radio special in September on the massive weeks-long campaign by zealots to interfere with abortion rights in Wichita, Kansas. He was also a witness in the court marshal trial of Capt. Yolanda Huet-Vaughn, a conscientious objector to participation in the Iraq-Kuwait war. Swomley also spoke at the Rocky Mountain Conference of the United Methodist Church.

Executive director Edd Doerr has spoken recently at conferences and churches in Columbia, Adelphi, and Reis-

terstown, MD, Edgewater and Teaneck, NJ, Washington, DC, and Fredericksburg, VA. He was featured in a debate on abortion rights on "Temas y Debates" ("Themes and Debates") on the Spanish-language network Univision. Doerr was also a guest on radio talk shows in Pittsburgh, San Antonio, and Des Moines, and on the syndicated show World View Perspective.

ARL treasurer Ken Gjemre, founder of the Half-Price Books chain, was the subject of a 3-page article in *Publishers Weekly* on July 12. Gjemre runs the largest used-book, or "book recycling," business in the country.

ARL board member Jay Wabeke was featured in the *Grand Rapids (MI) Press* on July 27 for his more than 30 years of work for church-state separation and civil liberties. Wabeke was a leader in the 1970 and 1978 Michigan referenda in which parochialism was trounced. And it was Wabeke, along with attorney Albert Dille, who brought the court challenge against public school personnel teaching in sectarian private schools which led to a U.S. Supreme Court ruling against that practice in 1985.

to federal aid for nonpublic schools in the state.

The parochial issue is far from dead in Pennsylvania. The House Education Committee will conduct a series of hearings around the state between the end of September and November 1.

Americans for Religious Liberty is part of a coalition of more than 20 parents, educational, religious, civic, labor, and civil liberties groups, the Public Education Coalition to Oppose Tuition Vouchers, which has been organized to defend public education and church-state separation.

N.H. Parochial Plan Quashed

The town of Epsom, New Hampshire, came up with a new gimmick for tax aid for nonpublic schools, a \$1000 property tax abatement, or exemption, approved by the Epsom Board of Selectmen last December. Ruling in a lawsuit brought by the local school board, Merrimack County Superior Court Judge George Manias ruled in August that the scheme is illegal because the local jurisdiction had no authority to grant such an abatement. Because the scheme was illegal on statutory grounds, Judge Manias held, he did not need to rule on the plan as a violation of federal or state provisions separating church and state.

California Parochial Referendum?

California voters may find a voucher parochial amendment on the ballot in November 1992. Businessman Joseph F. Alibrandi and a group called EXCEL (Excellence through Choice in Education) are seeking 650,000 voter signatures to place the state constitutional amendment on the ballot.

The voucher plan would cost California taxpayers an additional \$2.2 billion per year, plus additional costs for admini-

stration and transportation. State Education Superintendent Bill Honig estimates the total annual bill at \$2.5 billion. California public schools have suffered seriously in recent years because of a tax limitation amendment, and the state is having to take drastic steps just to balance the budget.

The new parochial scheme, at \$2.5 billion per year, would dwarf the parochial textbook "loan" proposal which California voters defeated in 1982 by 61% to 39%.

Alibrandi's scheme would allow voucher-founded private schools to teach any religion or ideology, which would all but insure student division along creedal, ideological, and other lines.

Choice, Helping Children Related

Members of Congress who vote to keep abortion legal also vote to create conditions that welcome child-rearing and childbearing and to assist women in securing resources they need to have children. This finding comes from a new study released by the pro-choice lobby, Catholics for a Free Choice (CFFC). The CFFC study is based on voting records for the 101st Congress compiled by several national organizations, including the Children's Defense Fund, the Leadership Conference on Civil Rights, and Planned Parenthood.

Those who are pro-choice in the House, for example, support child and social welfare programs 82% of the time, while anti-choicers do so only 36% of the time, CFFC researchers found. CFFC also concluded that "Catholics in Congress do not vote in a monolithic pattern on abortion and family planning. Of the 119 Catholic Representatives less than half have clear anti-choice voting records. Of the 19 Catholic Senators, 10 consistently vote pro-choice." Also, "the Catholic social justice tradition is fully reflected" since "pro-choice Catholic Senators scored an average of 92% [support for child welfare] while anti-choice Catholics

score only 43%." The study is available from Catholics for a Free Choice, 1436 U Street, NW, Washington, DC 20009.

Reagan-Bush "Gag Rule" Finished?

The Reagan-Bush "gag rule" for family planning clinics, upheld by the Supreme Court in May in *Rust v. Sullivan* by a slim 5-4 margin, may soon bite the dust. The gag rule prohibits health professionals in family planning facilities which receive even partial public funding from providing accurate information about, and making medically appropriate referrals for, abortion.

Both the American Medical Association and the American Bar Association have come out strongly against the gag rule, while in September a *New York Times*/CBS News survey showed opposition to the gag rule running 71% to 23%. Dr. Marjorie Braude of the American Women's Medical Association said that the gag rule "is asking us to commit malpractice."

Congress is using two parallel approaches to overturning the gag rule. One is a "stand alone" repealer passed by the Senate and reported out of committee in the House. The Senate version, unfortunately, contains language that could require notification of parents or other qualified adult in cases involving minors. The second approach, also on track in Congress, would deny the Bush administration funds to implement the gag rule. President Bush apparently intends to veto any bill that would reverse the gag rule, but both houses of Congress seem to have the necessary votes to override the veto.

Pro-choice and anti-censorship groups are urging concerned citizens to contact their Senators and Representatives and insist that they vote to reverse the gag rule, and to do so without encumbering amendments.

Reproductive Rights

Louisiana's strict anti-choice law was ruled unconstitutional on August 7 by federal district judge Adrian G. Duplantier, who made it clear that he believed women should not have freedom of choice. In ruling the law unconstitutional, Duplantier denied the plaintiffs, supported by the ACLU, an opportunity at trial to present a record of the grave risks to women's lives posed by the law. The state then asked the Fifth U.S. Circuit Court of Appeals to either hold an expedited hearing or send the case directly to the Supreme Court. The appellate court denied the request, which means that no ruling is likely of any sort before the end of 1991. Anti-choice groups are hoping that the Louisiana case will give the new Reagan-Bush Supreme Court a chance to overturn *Roe v. Wade*.

President Bush on August 17 vetoed Congress's District of Columbia appropriations bill because it would have allowed the District to provide Medicaid funding for abortions with its own, not federal, funds. Bush vetoed similar bills twice in 1989. There are insufficient votes in Congress for the two-thirds votes needed to override the veto.

Massachusetts Gov. William F. Weld, a Republican, has asked the state legislature to pass a liberal new abortion law. Weld's proposal would ease parental consent requirements for teenagers, repeal a law (already struck down by state courts) barring Medicaid funding for abortions, allow public employee health insurance to cover abortions, prohibit blocking access to clinics, and repeal the designation of October as "Pro-life Month." Weld, elected in 1990 on a pro-choice platform, said that, "In my mind, freedom of choice goes to the heart of the principles embodied in our Constitution, freedom from government interference in

the private lives of citizens." He added that protecting a woman's access to abortion "rests increasingly with our state governments." Boston's Cardinal Bernard Law predictably denounced the bill.

Kentucky's two-parent consent law, with judicial bypass, was ruled unconstitutionally vague by the Sixth Circuit U.S. Court of Appeals in July. The Ninth U.S. Circuit Court of Appeals struck down Nevada's parental notification law on the ground that the state law defines a young woman's best interests too narrowly. The state law allowed a state court to determine if the *abortion* is in her best interests, whereas the constitutional standard hinges on whether the *notification* is in her best interests.

Mississippi and North Dakota laws requiring doctors to deliver lectures that discourage abortion and mandating a 24-hour waiting period before the procedure are being challenged in court by the ACLU. In both states, the new laws require the waiting period even when the woman's health is at risk, and both states require doctors to give women information which is unnecessary and sometimes even false. Similar legislation is moving through the Michigan and Ohio legislatures.

Morristown, NJ, Superior Court Judge Reginald Stanton in September reinstated the trespassing convictions of 15 anti-choice protesters who invaded a Morristown physician's office a year earlier. Stanton's ruling reversed a decision by municipal judge Michael Noonan, who had held that the trespass was justified because he regarded the personhood of fetuses as a "true fact." Judge Stanton held that position was not supported by state or federal law.

U.S. Senate and House conferees in September dropped from the foreign aid authorization bill a provision that would have restored U.S. support for the United Nations Population Fund. Funding for international population programs was cut off by President Reagan in 1985. The conferees dropped the provision to avoid a Bush veto, which might have doomed a foreign aid bill for the first time in six years.

In Wyoming a political action group called the Unseen Hands Prayer Circle is trying to get an anti-choice initiative onto the ballot in 1992. Their proposal would ban nearly all abortions.

Pope John Paul II urged Catholic bishops in June to step up their political efforts to get freedom of choice on abortion outlawed.

The Senate voted on August 2 against allowing women members of the armed forces to have abortions in military hospitals overseas, even if the women pay for the procedure themselves. By 58-40 the Senate sided with Sen. Dan Coats (D-IN), who said that servicewomen could fly back to the U.S. on military transport for the procedure.

Sensitivity!

The Alabama Pro-Life Coalition gave all state senators alarm clocks on June 27 as part of its campaign to ban most abortions. The clocks were stamped "Made in Romania." Under the long dictatorship of Nicolae Ceausescu, Romania banned abortions, outlawed contraception, and ordered women of childbearing age to have five children each. Sen. Ann Bedsole (R-Mobile), the only woman in the state senate, angrily suggested that the Romanian clock gifts showed that the anti-choice lobby "think they can convince the men in the Senate to do the same thing here."

The 5.2 million member Evangelical Lutheran Church in America in September rejected Catholic Cardinal John J. O'Connor's lobby effort to get it to condemn all abortions except those to save a woman's life. The ELCA ended up taking a somewhat conservative position, however, declaring abortion "an option of last resort," which the denomination would approve when a woman's life is threatened, in cases of severe fetal deformity, and in cases of rape or incest. The ELCA Churchwide Assembly voted down an amendment that would have declared that "human life begins at conception."

The House Small Business Subcommittee on Regulation, Business, and Energy, chaired by Rep. Ron Wyden (D-OR), began hearings in September on bogus abortion clinics, facilities that advertise themselves as abortion clinics but actually exist to try to persuade women not to have abortions. The number of such phony clinics is estimated at nearly 2,000 nationwide. Scheduled to testify at the hearings were prosecutors for New York, California, and Texas, and women who say they had been deceived by the fake clinics.

"Catholic Campaign" Organized

A new group calling itself "The Catholic Campaign for America" announced its formation in September. According to its press release, the group is aimed at "activating Catholic citizens to affect public policy, to counter anti-Catholicism and to advance religious freedom," and to "increase the Catholic electorate's influence in formulating public policy."

Much about the new organization's agenda can be inferred from a review of its leaders and founders: National Chairman, William A. Wilson, President Reagan's first ambassador to the Holy See (Vatican); William J. Bennett, Reagan's Secretary of Education; Mary Ellen Bork, wife of defeated Supreme Court nominee Robert Bork; columnist Pat Buchanan; Corpus Christi Catholic Bishop Rene H. Gracida, noted for excommunicating Catholics involved in the abortion rights movement; Cardinal John O'Connor; Richard John Neuhaus, former Lutheran minister recently converted to Catholicism and outspoken critic of church-state separation; Thomas S. Monaghan, chairman of Domino's Pizza Inc. and heavy contributor to the anti-choice movement; William Ball, attorney long active in promoting tax aid for sectarian schools; Rep. Robert K. Dornan (R-CA); Judith A. Brown and Nellie Gray, prominent anti-choice campaigners; columnist and activist Phyllis Schlafly; Paul C. Vitz, critic of public education and parochial advocate. Also in leadership roles in the new group are representatives of Opus Dei, an ultraconservative, semi-secret Catholic organization founded in Spain in 1928.

The Catholic Campaign is obviously an extremely conservative group that represents only one segment of American Catholicism.

Religion Clubs Nixed in Washington State

Student religious clubs are barred from meeting in public schools in Washington State by the state constitution, even though the U.S. Supreme court ruled in 1990, in *Board of Education v. Mergens*, that such clubs, authorized by Congress in the 1984 Equal Access Act, do not violate the U.S. Constitution. So ruled U.S. District Judge Walter T. McGovern in a case involving such clubs in the Renton school district. Judge McGovern noted that "The Supreme Court has consistently held that state courts may interpret state constitutions to be more

proactive of individual rights than the federal Constitution." Thus, he held, the Equal Access Act is "devoid of any manifestations of intent to require schools to violate statutory or constitutional provisions."

Mormon Clout Growing

The growing financial and political influence of the nation's Mormons continues to engage attention. The *Arizona Republic* reported in July that the Mormon Church collects at least \$4.3 billion a year from its three million U.S. members, in addition to \$500 million in profits on its business enterprises. The paper spent eight months gathering the information but admitted that its estimates were conservative because of the complexity of the church's financial empire.

Speculation has been fueled because the Mormon hierarchy refuses to disclose its finances to its members, even though it did so before 1959. The church has considerable investments in real estate and securities. Its subsidiaries generate an additional \$4 billion per year, which makes the church a formidable enterprise, with assets topping \$8 billion and land holdings in all 50 states.

Time magazine also reported that Mormon church influence and power in its stronghold, Utah, where two-thirds of residents are members, is considerable and affects business conditions and treatment of women. In Utah the church has vast holdings in real estate, financial services, publishing, insurance, and broadcasting. (Church control of the media may explain the reluctance of state newspapers and television to probe sensitive questions like Mormon influence in the public schools and the political realm.)

Mormonism emphasizes hard work, family values, and thrift, which makes Utah attractive for large corporations, foreign employers, and service industries, which prefer a paternalistic culture with low salaries and a limited role for women and labor unions.

The religious culture clearly impacts on economic life—only 8% of workers are members of labor unions, and salaries are nearly 20% below the national average. Though women are more numerous than men in the work force, they earn only 54% of male salaries compared to 72% nationwide. The Mormon male-dominated state legislature recently enacted a law that would make virtually all abortions punishable by imprisonment. Its implementation is being prevented by the courts but a victory for the advocates of choice is by no means certain.

Still, even Utah is changing. In June Arthur Smith was named the first non-Mormon president of the University of Utah since its founding in 1850. Salt Lake City is half non-Mormon and members of other religious groups are certain to effect changes in local ordinances and lifestyle. Unresolved questions include the virtual disenfranchisement of non-Mormons, who hold only 10% of state legislative seats though they are one-third of the population, and Mormon influence in the public schools.

Parochial Union Nixed

A Minnesota appellate court has overturned a 1990 ruling by the state's Bureau of Mediation that certified an affiliate of the Minnesota Federation of Teachers as the bargaining unit for the teachers at Hill-Murray High School, a Catholic school near St. Paul. The appellate ruling in June held that the labor bureau's action "would infringe on church autonomy and interfere with church control of that institution" in violation of both the state

and federal constitutions. The state court disagreed with a 1985 ruling by the U.S. Second Circuit Court of Appeals (New York) that a state labor relations board could exercise jurisdiction over Catholic school teachers.

Fly Now, Pay Later

Alabama Republican Gov. Guy Hunt, a Primitive Baptist preacher, has been travelling on state planes to make out-of-state preaching engagements. Church members in Virginia, Tennessee, and Georgia said that Hunt was offered money to cover expenses when he spoke in their churches. Questions about the ethics of Hunt's use of state planes for private business prompted the governor to repay the state \$9,724 for 18 preaching trips over the past four years. On September 20 the Alabama Ethics Commission voted 4-0 to send the case to Attorney General Jimmy Evans for possible prosecution as an ethics violation.

Moonie Money

The Unification Church of Rev. Sun Myung Moon and its subsidiaries have invested \$800 million in the *Washington Times*, which was founded in 1982. Moon told *Times* executives in July that the \$7 million per month investment would continue. Last year Moon deputy Bo Hi Pak estimated the papers gross losses at \$250 million since it began publishing. The ultraconservative paper, which opposes church-state separation, was reported to have been former President Reagan's favorite paper. Its editorial page editor, Tony Snow, was recently hired as President Bush's chief speech writer.

N.J. Blue Law Repealed

The Prospect Park, NJ, borough council repealed the town's 200-year-old Sunday blue law on August 26, settling thereby a lawsuit brought by the ACLU, which charged that the law violated church-state separation and the right to privacy. Under the law police had even told children they could not even repair their bicycles on Sunday outside their homes. In November the town's voters will decide whether or not to allow Sunday sales. Meanwhile, the council is considering a bill limiting noise on Sundays.

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Bible Theme Park Closed

Desert Christ Park, a 3.5 acre religious sculpture park owned by San Bernardino County, California, violates the First Amendment. So ruled the U.S. Ninth Circuit Court of Appeals in August. The court ordered the county to divest itself of the facility. (FT)

Sex Survey Stopped

California's far-right Congressman William Dannemayer and Secretary of Health and Human Services Louis Sullivan killed an \$18 million survey of teenage sexuality developed by a team of researchers at the University of North Carolina. The study of adolescent sexuality also involved questions related to teenage religious activities and involvement. Religious conservatives objected to the planned study. Questions about religion are regarded as inappropriate for a government-funded study by church-state experts.

Juror Oath Not Mandatory

The U.S. Fifth Circuit Court of Appeals in New Orleans ruled in August that courts may not compel jurors to swear an oath or any other religion-based promise that might violate their beliefs. The 2-1 court majority said that the lower court judge in Austin, Texas, should have fashioned a generic statement "of commitment to truth and integrity in the jury box and the jury room."

No Room at Pat's Inn?

Televangelist and sometime political candidate Pat Robertson is now in the hotel business. His Founders Inn, though open to people of different faiths, hires only Evangelical Christians. PR person Susan Norman of Robertson's Christian Broadcasting Network said the hiring policy is legal because the hotel is "a Christian ministry," a fact not revealed in the hotel's ads.

International

Bonn: Church-state issues continue to cause concern in the new Germany. East German Christians do not like the church tax which the state collects for the church from all members, and which they did not pay prior to reunification. It is a percentage of income (about 9%) plus a 2% administrative fee. Easterners think it ties church leaders too closely to the state, something they did not like in their former country. But they have accepted it.

Eastern churches are also much more sympathetic to conscientious objection in the military and have looked upon military service as a "peace service." In the new Germany, military chaplains are paid by the state, though they do not wear uniforms and do not hold titles.

The eastern churches have also agreed to participate in the public school religion classes, which were mandatory in the former West Germany (dissenters from established churches may take an alternative course in ethics). The classes are run by the stronger churches. Baptists and other smaller groups may ask permission from the dominant Evangelical Church (Lutheran) if they wish to take part in offering classroom religious instruction.

About 74% of Germans claim formal religious affiliation, with Protestants and Catholics about even. Only 30% in the east are affiliated compared to 84% in the west.

Moscow: The Soviet Union, or what is left of it, is facing problems in providing religious instruction in public schools. Under a new law, schools are permitted to offer religion classes but are not required to do so. Churches may also establish schools with government funds under a voucher system. Most students will attend public schools, though, where enthusiastic evangelical Protestants are already attempting to gain a foothold. U.S. evangelical Peter Deyneka, of the Slavic Gospel Association, said the Soviet educational system "is the single greatest evangelistic opportunity" in the USSR at the present time. The evangelicals, however, are having their problems with the stronger and once-established Orthodox Church, which also seeks a monopoly on Soviet religious life.

Toronto: Our Canadian correspondent, John Clubine, reports that church-state separation policies are on the defensive in our neighbor to the north. The Ontario Supreme Court has once again ruled that Sunday shopping is illegal. The federal Parliament is considering proposals to restrict abortion, which has been completely legal since a 1988 Supreme Court decision. Continual battles are being fought over religious education in Ontario's public schools and public prayers in Ontario's legislature. Conditions in the public schools vary. Multicultural Toronto requires a multifaith approach to religious education, but rural, predominantly Protestant parts of Ontario clearly favor the Christian religion in courses. An Ontario court has ruled that favoring one religion over others violates the Canadian Charter of Rights and Freedoms.

But the most serious and religiously divisive issue involves the complete government support of Roman Catholic "separate" schools in Ontario, which became law in 1986. This action, which resulted in the transfer of dozens of public high schools to Catholic school boards, has led to a deterioration in relations

between religious groups. Demonstrations, fist fights, and attacks on Catholic churches have resulted from a policy that Ontario's Protestants, Jews and others regard as unjust, as no public funds are granted to non-Catholic private schools. Tensions have led to angry encounters between public and parochial school patrons in towns like Amherstburg, where hundreds of public school students have refused to turn over their school to Catholic authorities.

The tensions have been exacerbated by a new Roman Catholic school policy that forbids promotion of newly-hired non-Catholic teachers in Catholic schools. Teachers unions and some Catholic teachers have protested the policy.

Tehran: Women in Iran could face the death penalty if they fail to cover themselves in public from head to toe, according to the Iranian prosecutor-general.

London: The British-based Independent Television Commission has pulled televangelist Morris Cerullo off the Super Channel, which reaches 23 million European viewers. The ITC noted that British law prohibits the airing of claims about miraculous occurrences that cannot be substantiated.

Nepal: All prisoners detained for their religious beliefs or practices have been released in response to international pressures, according to recent news reports. King Birenda has also ruled that Christians may take off from work on Christmas. (NIRR)

Pakistan: Under legislation passed in May, all aspects of Pakistani life will be subject to Islamic religious law (Sharia). Defaming the Prophet Muhammed, for example, is subject to mandatory hanging. (NIRR)

Books

Choice in Schooling: A Case for Tuition Vouchers, by David W. Kirkpatrick (Loyola University Press, \$15.95, 222 pp.)

Publication of this mean-spirited, mendacious tract by a Jesuit university press coincides all too neatly with the massive new thrust by the Catholic bishops and their political allies (pawns?) to get Congress and several state legislatures, such as Pennsylvania's, to enact voucher plans to deliver huge amounts of tax aid to sectarian private schools. The author not only trots out all the usual tired old arguments for compelling all citizens to involuntarily support church schools; he attacks public education with the most vicious barrage of smears, slanders, clichés, unsupported charges, distortions, and non-sequiturs I have seen crammed between two covers. He assiduously avoids even the faintest pretense of fairness.

Kirkpatrick cites and misinterprets opinion poll data, without quoting the often misleading poll questions used, in an attempt to show popular support for parochialism, while failing to even mention the virtually unbroken succession of defeats for parochialism in 16 statewide referenda in recent years from Massachusetts and New York to California and Oregon. His "analysis" of the problems of public schools is about as accurate and fair as blaming rape on the victim. And he presents his case for voucher parochialism without mentioning the most salient fact about the private schools for which he is seeking billions in tax

aid, that they are pervasively sectarian institutions, integral parts of their sponsoring religious bodies' religious missions, which would not accept meaningful public control along with tax aid and which practice forms of discrimination in admissions and hiring that would not be tolerated in public schools.

A point-by-point rebuttal of this sleazy compendium of disinformation, misinformation, and propaganda would require a volume only Arnold Schwarzenegger could lift. Until that massive tome is written—and who would read it anyway—we will have to make do with the new book by Albert J. Menendez and myself, *Church Schools and Public Money: The Politics of Parochialism*, published this fall by Prometheus Books.

— Edd Doerr

The Churches Speak on Abortion: Official Statements from Religious Bodies and Ecumenical Organizations, edited by J. Gordon Melton (Gale Research Inc., 1989, \$32.00, 199 pp.)

This extremely useful volume, part of Gale's "Churches Speak" series on controversial issues, contains resolutions, position statements, and reports from nearly every religious body which has taken a position for or against abortion rights or ended up with a nuanced position somewhere in the middle. Reading the book straight through, one cannot avoid concluding

that the anti-choice position statements tend to be narrow, doctrinaire, and unconcerned about the lives and welfare of the women who have unintended or problem pregnancies, while the more pro-choice positions tend to be much more broad-minded, non-doctrinaire, sensitive, and thoughtful. Melton's introduction is a good summary of the controversy.

A minor quibble: missing from this otherwise very inclusive compilation are the position statements of the American Ethical Union, the American Humanist Association, Humanist Manifesto II (1973), and the Secular Humanist Declaration. While Unitarian Universalist resolutions from 1963, 1977, and 1987 are included, the resolution of 1982 (drafted by this reviewer) is missing.

— Edd Doerr

Women of the Klan, by Kathleen M. Klee (University of California Press, \$24.95)

Before there was a Religious Right, there was the Ku Klux Klan, particularly in its second incarnation in the 1920s, when it served as a political vehicle for preserving a kind of majoritarian Anglo Saxon Protestant value in those states it controlled by terror and pressure. Klee's *Women of the Klan* brilliantly examines the banality of the evil engendered when the Klan exercised its reign of terror over Indiana from 1923 to 1926. She shows how widespread was support for Klan activity among middle class women, who saw the organization as a bastion to preserve white Protestant culture and power against the onslaughts of Catholics, Jews, immigrants, and blacks. One-third of Indiana's women were Klan members. Klee shows how religious prejudice corrupted politics and education and destroyed community harmony among Hoosiers. The Klan con-

trolled elections, fired Catholic public school teachers and drove Catholic and Jewish businessmen into bankruptcy. "Employers sympathetic to the Klan refused to hire Catholics, Jews, blacks or new immigrants" and those on the job "were suddenly fired," while "Jewish professionals and business owners fled communities in which they had lived for decades."

The public schools were primary targets. Klan chapters "competed among one another to bring Protestant values to the public schools. Schools received multiple copies of new Bibles and placards of the Ten Commandments. Klanswomen fought to remove Catholic encyclopedias from public school libraries and campaigned against the teaching of German. They urged compulsory Bible reading in public schools and worked to have Catholic teachers and school superintendents fired."

In addition, Klee writes, "Klan-supported legislators introduced an Americanization program to ban parochial school graduates from teaching in public schools, mandate state-selected textbooks and Bible reading, grant college credit for Bible study outside school and release students from school to attend Bible education classes."

Klee's book is a groundbreaking study of the effects of religious prejudice on every aspect of society.

— Albert J. Menendez

The wall of separation ensures the government's freedom from religion and the individual's freedom of religion.

— Leonard W. Levy, *The Establishment Clause: Religion and the First Amendment*, 1986.

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