



# VOICE OF REASON

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## The Adoption Option

**I**f a woman doesn't want to have a baby, she should give it up for adoption. There are two million people out there looking for kids to adopt."

So runs the argument frequently used by people opposed to abortion, opposed to women having freedom of conscience and choice in dealing with problem pregnancies.

Few would question that adopting children needing homes is laudable and noble. And few would question a woman's decision to give up a baby for adoption because she believes that to be the best way to provide for the child's future.

But is continuing an unintended or unwanted pregnancy to term and subsequently relinquishing the baby for adoption the best course of action for the woman?

We know that carrying pregnancies to term is 7 to 25 times more likely to result in the death of a woman than is a first trimester abortion. Pregnancies are especially hard on women in their teens. Over 90% of abortions are performed during the first trimester, and, according to Dr. Carl Hogue of the U.S. Centers for Disease Control, abortion generally does not affect subsequent fertility.

We also know, thanks inadvertently to Ronald Reagan, that "there is so little evidence of psychiatric problems following abortion, and so much evidence of relief, that therefore abortion does not cause more psychiatric problems than unwanted pregnancy." This was the conclusion of the paper submitted by the American Psychological Association to Surgeon General Dr. C. Everett Koop, who had been directed by Reagan in 1987 to prepare a report on the physical and mental health effects of abortion on women. Although Koop reported in 1989 that the Public Health Service's studies were inconclusive, the Human Resources and Intergovernmental Relations Subcommittee of the House Committee on Government Relations, chaired by the late Rep. Ted Weiss, dug out and published the Surgeon General's real findings. The Committee also found transcripts of Dr. Koop's meetings with anti-choice groups in which he told them that the adverse effects of abortion on women were "miniscule," affected very few women, and did not constitute a public health problem.

The question of the effects of relinquishing a child for adoption is an important one, yet there is very little to be found on the subject. We contacted social workers and social scientists and found that the subject has apparently not been studied, even though about 100,000 women give up babies for adoption annually in the U.S.

We had almost given up hope of finding data when we stumbled onto an excellent new book, *Birthmothers: Women Who Have Relinquished Babies for Adoption Tell Their Stories*, by Merry Bloch Jones (Chicago Review Press, 1993, 296 pp., \$21.95).

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## School Prayer . . . Again

**O**nce again demagogues in Congress and some state legislatures, egged on by Pat Robertson's so-called Christian Coalition and some media evangelists, are pushing proposals to set up government sponsored vocal group prayer in our public schools. So it is time to review the main arguments against such proposals.

Students have never lost their right to individual voluntary silent prayer in our schools. Individual students decide if, when, and how to pray. No teacher, principal, superintendent, school board, or other government representative is or need be involved.

There is no such thing as a nondenominational prayer acceptable to all religious persuasions. Attempts to devise such prayers usually result in watered-down, lowest common denominator expressions which at best degrade and trivialize religion, and at worst are regarded as blasphemous by some religious leaders.

Even government designated "moments of silence" for prayer or meditation constitute unwarranted government meddling with religion. Where does government get the authority to decide that all students should pray or meditate at a particular, government chosen moment, or that all should do so at the same time? And where does government get the authority to decide that the government preferred mode of religious expression is prayer and not some other form of religious expression, such as good deeds or mitzvahs, charitable acts, fasting, etc.?

Government sponsored religious devotions are an expression of disdain for the family and for the church, synagogue, mosque, or temple. They are a usurpation of the functions of family and religious institutions.

It is curious that many conservatives who criticize the expansion of the role of government (in the economy, the environment, health fields, etc.) are so keen on expanding the role of government in the area of religion, the one area specifically designated off limits by the Constitution.

A new gimmick being talked up is to have the students vote on who should lead what prayers. But religion should never be subjected to majority rule. After all, the Pilgrims and Puritans, Episcopalians and Catholics, Quakers and French Huguenots, Spanish and Portuguese Jews, and others came to this country to escape government prescribed religion. The tyranny of a majority or plurality of kids is no less odious than a tyranny of adults.

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### Inside

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## The Adoption Option, *continued from page 1*

Overcoming the enormous difficulties and legal barriers to locating birth mothers, the author was able to have extensive interviews with over 70 of them, each with a different story to tell. Her book is so rich in detail it cannot be easily reviewed or summarized—only read. While we can empathize with the women, including mid-teens, who chose to give up their babies so that some childless couple could give them a proper home, we cannot fail to be deeply moved by their horrendous experiences.

Jones takes us into the their lives as they make their painful choice to relinquish, and then follows their almost invariably traumatic relations with birthfathers, medical personnel, adoption agencies, relatives, friends, and, later, spouses. She walks us through birthmothers' searches for their children and what happens when they sometimes connect.

The author concludes with the profile of a syndrome specific to birthmothers, which includes signs of unresolved grief, symptoms of post-traumatic stress disorder, diminished self-esteem, and so forth, and offers suggestions for how birthmothers, therapists, family members, and others can help relieve the pain.

Jones acknowledges that her sample of women was not scientific and notes that she did not find a single woman who relinquished her child happily. She urges that society develop viable alternatives so that fewer women need to relinquish their babies. She does not, however, mention the alternatives of better sexuality education, better contraceptives, and readier access to abortion as indispensable means for decreasing the number of unwanted pregnancies.

Counselors and social workers should read this book, as should abortion opponents who urge women to relinquish babies for abortion. It should also be read by defenders of abortion rights, as it will enable them to show that compelling women to continue unwanted pregnancies is often to condemn them to a life-long hell on earth. A great many of the anti-choice folks, of course, want to see women suffer for not adhering to a Puritan ethic or for giving up a baby.

Adoption is usually a good option for unwanted kids, but it is rarely a good one for birthmothers.

— Edd Doerr

## School Prayer, *continued from page 1*

The promoters of vocal group prayer in school seem to have forgotten the admonition of Jesus in Matthew 6:5-8: "When you are praying, do not behave like the hypocrites who love to stand and pray in synagogues or on street corners in order to be noticed. I give you my word, they are already repaid. Whenever you pray, go to your room, close the door, and pray to your Father in private. Then your Father, who sees what no man sees, will repay you. In your prayer do not rattle on like the pagans. They think they will win a hearing by the sheer multiplication of words. Do not imitate them. Your Father knows what you need before you ask him."

Much of the push for vocal group prayer in schools is rationalized by the claim that it will help reduce crime and violence. But juvenile crime and violence do not come *from* the schools. They come *into* the schools from *outside*, from kids in dysfunctional families, from homes mired in poverty and despair, from the influence of the worst aspects of the popular media. Let us not forget that the prayer adopted by student majority vote in a

Mississippi school recently was uncomfortably similar to the prayer which the Nazi government in the 1930s required to be said in German schools: all that praying seemed to have had little effect on the behavior of the SS and Gestapo hoodlums who sought to implement Hitler's "final solution."

There is no evidence that vocal group prayer in school has the desired effect. In the only reported study on the subject (reported in *Education Week*, April 29, 1987, sociologist Peter L. Benson reported to the delegates to the annual convention of the National Catholic Educational Association that "the Catholic high school does a good job of promoting important values in kids, particularly in religion, but it isn't as good at preventing adolescent behavior we want to prevent." Benson reported on a study of 16,000 high school seniors from public and Catholic schools which showed that the Catholic school seniors were more prone than their public school counterparts to use alcohol and drugs and to steal. Thus, the more privileged seniors from more affluent families who had had nearly twelve years of daily group prayer *and* religious instruction showed slightly less desirable behavior traits than the less affluent, less privileged kids in our much maligned public schools.

Finally, government sponsored vocal group prayer violates the Constitution, as the Supreme Court has repeatedly held, and violates the right of kids to a religiously neutral public education.

School prayer is a cheap shot for both elected and ordained demagogues. It distracts attention from the real problems of our schools and our society, which cost far more to deal with politicians, voters, and taxpayers are willing to pay. ■

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Editor: Edd Doerr

Contributing Editor: Albert J. Menendez

**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 \$25 for individuals; \$30 for families; \$10 for students and limited income.

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# Parochialism, Canadian Style

*Canada is often cited by supporters of tax support for nonpublic schools as a model for the U.S. to emulate. ARL research director Albert J. Menendez analyzes the Canadian system in this report, abstracted from a forthcoming monograph on church-state relations and problems in our neighbor to the north. Readers may draw their own conclusions as to whether the U.S. should abandon church-state separation and the policy of public funds for public schools only, in favor of a Canadian style plan.*

**E**ducation in Canada is very much a local prerogative, controlled by the ten provinces rather than by the federal government. Consequently, patterns of educational financing, legal rights of private schools and the status of religious activities in the nonsectarian public schools vary considerably. One study concluded, "In Canada, education comes under provincial jurisdiction at least partly because the designers of the Canadian Federation believed that education was a problem area best kept out of the national arena. Differences in culture, religion, and language required decentralized responses if consensus was to be achieved. The end result is that Canada possesses an array of public and private educational institutions and arrangements that vary along regional, class, religious, racial, ethnic, and linguistic lines."

## Ontario

Called Upper Canada from its beginning in the early 18th century, Ontario had only denominational schools. It was not until the 1840s that government officials considered establishing public tax supported education. At that time the Anglican bishop of Toronto, John Strachan, requested that the legislature grant public funds for the support of denominational schools. This became the pattern for all religious groups in Ontario. By the 1860s, though, most non-Catholic churches had lost interest in separate schools and began to consider public education favorably. The Separate Schools Act of 1863 placed the Catholic schools on an equal funding basis with the "common" schools.

With the British North America Act of 1867, Canada became a Confederation with a separate government from the United Kingdom. To compromise between French-speaking Quebec and English-speaking Ontario the founders of the Canadian Confederation provided that Catholic separate schools in Ontario, where Catholics were a minority, would always receive public funding. The same compromise guaranteed Quebec's minority Protestants would also have equal funding for their schools. So Ontario Catholic schools received a privileged status from the beginning. Originally, they were funded through the eighth grade, then to the tenth, and finally, by 1984, all the way through the last year of high school.

The 1867 law was maintained in the Constitution Act of 1982, under which Canada operates today. The same Act also has a Charter of Rights and Freedoms modeled to some extent on the U.S. Bill of Rights. However, Toronto's unique and generous aid to Catholic schools was held to be an integral part of the Canadian constitution after challenges were mounted.

In 1984 Ontario Bill 30, which provided for full funding of Catholic schools, was passed over strong objections from Protestants, Jews, and Humanists who believed they were discriminated against since only Catholic schools and public schools are supported by tax funds. The bill was sponsored by the Progressive Conservative government, the traditional party of the Protestant majority in the province, and many voters saw this as a sell-out for political reasons. Several human rights and civil liberties groups, including the Canadian Civil Liberties Association, the Ontario Secondary School Teachers Association, the

Coalition for Public Education, the Hindu Federation, and many boards of education, challenged the constitutionality of Bill 30. However, in 1986 the Ontario Supreme Court ruled the bill constitutional. The Supreme Court of Canada concurred, though several justices on both courts concluded that funding Catholic schools and not Protestant or Jewish schools violates the Canadian Charter of Rights, particularly Section 2A, which guarantees freedom of conscience and religion, and Section 15, which guarantees equality to all Canadians.

Only one provincial legislator, Norman Sterling, a Progressive Conservative, spoke against Bill 30. "I do not believe the state should voluntarily pay to indoctrinate children in one religious belief to the exclusion of all the others. Ontario is a pluralistic society and is becoming more so every day. . . . Bill 30 clearly discriminates in favor of one religious group over all other religious groups."

Here is how the Ontario system works. Canada has thirteen years of schooling rather than twelve. Most Catholics attend what is called the separate school system. Almost all teachers are Catholic and religious requirements are normative. Few non-Catholics (about 2%) attend Ontario Catholic schools. The vast majority are English-speaking, a small number are French-speaking, and an even smaller number are Ukrainian.

Since nonsectarian public schools may not discriminate against teachers on the basis of religion, only Catholic teachers have access to all schools. They get favorable treatment in Catholic school hiring and are also eligible to teach in public schools, but there are few non-Catholic teachers in Catholic schools.

In Ontario, there are 479,000 students in the English Catholic separate schools, 66% more than in 1978, and 73,000 in the French Catholic schools in eastern and northern Ontario. In effect, there is a church-state collusion to force Catholic parents to send their children to Catholic schools.

Each separate school board has seven to twenty-eight trustees, elected for three-year terms at regular municipal elections. Every Catholic Canadian age 18 or above, who by choice is enumerated as a separate elector, may vote and stand for election in his own municipality. In other words, local secular elections also include races for the Catholic school board.

Under Ontario law every Catholic head of household may assign the municipal property tax of his house or apartment to either the public schools or the separate Catholic schools. That source provides one-quarter of the funds that school boards require. The rest comes from the provincial government. As the Rev. Carl C.J. Matthews, former chairman of the Toronto Separate School Board, wrote in 1990, "For Ontario Catholic schools in 1988, the total revenue per elementary pupil averaged \$4,383 and for secondary \$5,589. None of that came from the Church." Thus Ontario Catholic schools get at least \$2.5 billion from tax sources annually.

Catholic schools in Ontario have a "have your cake and eat it too" mentality. They lobbied for years to get full funding for senior high schools. The government of Ontario even transferred public high school buildings to the separate school system, which created anger, bitterness, and poor interfaith relations through-

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## Parochial, Canadian Style

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out the province. It led to demonstrations in some cities and occupation of public schools scheduled for transfer. Relations between Protestants and Catholics deteriorated sharply in those towns where public schools were transferred to the Catholic school boards. From 1985 to 1991 forty-three public schools throughout Ontario were transferred to the Catholic separate school boards.

In Amherstburg, violence erupted when public school protesters confronted police and occupied the grounds of the general Amherst public school in 1991. The school, with 800 students, was scheduled to be turned over to the Catholic school system, which had 400 students. For a few months public and parochial students shared the school. The Essex County Board of Education, pressured by the provincial government, tried to force the school to be turned over. Violence and anger broke out throughout the town and a Catholic church was firebombed. A tentative agreement called for the public school board to build a new Catholic school, at public expense, but the situation is still problematical.

Catholic school interests are still not satisfied despite having some of the most generous funding of any country in the world. Father Matthews complained, "Parity of funding is the goal, but a separate school pupil, on average across the province, is still supported by 10% less than his public school neighbor."

Another problem arises regarding faculty in Catholic schools. The 1986 bill for complete funding of Catholic schools required that in 1995 Catholic school boards must hire any qualified non-Catholic who applies, provided the applicant promises to respect the philosophy of the Catholic school. Catholic authorities objected to this compromise. Matthews wrote, "Our parents believe that the Catholic faith cannot be handed on by a teacher who does not live that faith. The Canadian courts have always upheld the Catholic character of Roman Catholic separate schools, so parents and educators are confident that the infamous Section 136 1.a will be repealed before it comes into effect."

Matthews continued, "Since faith is better caught than taught, the teacher who is eager to share that faith becomes the vital link in living and learning." The Catholic schools receive every type of benefit imaginable.

Despite church-state collusion to force Catholic parents to send their children to Catholic schools, some resolutely refuse to do so. While Ontario is 38% Catholic, only 28% of all students attend separate schools. This means that over one-fourth of Catholic parents prefer the public schools. As might be expected, only 3% of students in Catholic schools in Ontario are non-Catholic, and virtually no teachers are.

Five Jewish parents filed suit in 1991, charging that the government's refusal to extend equal funding to their schools was discriminatory and unconstitutional. In August 1992 Justice William Anderson rejected the claims and the remedies sought. He admitted that the parents' rights to religious freedom and equality under the Charter of Rights were being violated, but felt that it was not up to the courts to redress the grievances. He suggested that legislators should reconsider the question. This produced a great deal of criticism throughout Canada among individuals who wondered why courts were not the appropriate bodies to interpret the constitutionality and/or application of laws. Many Canadians have charged that the Ontario system not only violates the national constitution but also international standards of human rights, to which Canada is a signatory.

A small Protestant private school system, run generally by the Christian Reformed Church, has continued to challenge the discriminatory funding. The private Protestant schools, enrolling about 3% of the 1.9 million students in the province, have challenged the system of funding only Catholic schools. The Ontario Alliance of Christian Schools, representing 73 private schools, made its case before the Ontario Court of Appeals in September 1993. Mr. Justice David Doherty expressed reservations about the impact of financing independent schools because he did not want the educational system to be splintered into "cultural ghettos." However, that is what Ontario schools are now.

Many Ontario residents vigorously oppose the present system. The Friends of Public Education in Ontario issued a report in 1992 which concluded, "The Constitution does not bind the province to fund separate schools. . . . It is not only possible, but increasingly imperative, for the Ontario government to abolish public funding of separate schools."

Some spirited and angry Ontario residents vented their feelings in the 1990 provincial elections when 75,462 of them (8% of the voters in 32 ridings) voted for a hastily-organized minor party called Confederation of Regions (COR), was the only party to challenge the separate school aid.

## Quebec

Canada's second largest province in population is almost entirely French-speaking, as well as 88% Catholic, at least nominally. It has no public schools whatsoever. It has a Catholic school system and a Protestant school system. The Catholic system has about 90% of total student enrollment and is mostly French with only a few English schools in the English-speaking parts of Montreal. The remaining 10% of the kids attend the mostly English Protestant school system. About 20% of the Protestant students are in French-language schools. Jews and those with no affiliation usually choose one of the sectarian school systems, generally the Protestant schools. Non-Christians, however, cannot become trustees of the Protestant schools. Some 5,000 Jewish students attend private (nonfunded) Jewish schools.

The government of Quebec has tried for a decade to realign education along linguistic lines. Bill 102, passed by the National Assembly of Quebec in 1990, was immediately appealed to the Supreme Court of Canada by five denominational school boards. The Rev. Carl J. Matthews claims that passage "would mean the death of Catholic schools for English-speaking families in the Montreal area and, arguably, the mortal illness of

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Catholicity in French schools across the province." Considering the decision of the court in the Ontario school funding controversy, it would appear unlikely that Quebec could make these changes. However, the status of Quebec itself is uncertain.

Quebec maintains 213 Catholic and 31 Protestant school districts. Quebec's "Catholic" public schools are run by committees to which both the Ministry of Education and the Catholic bishops appoint representatives.

Under Quebec's Private Education Act of 1968, three types of private schools are available, most of them Catholic-oriented. Those deemed "of public interest" receive per pupil grants of 85% of the rate given to "public" (religious) schools and may not charge tuition amounting to more than 50% of the grant. The "recognized for grant purposes" schools receive per pupil grants of 60% of the "public" school rate. A third category of "schools under permit" receive no government aid but are subject to oversight by the Ministry of Education.

The language question supersedes religion as a matter of controversy. Most immigrants prefer English-language instruction. In 1973 about half the enrollment in Montreal's English Catholic schools were children of Italian ancestry.

The historic pattern remains firm: 92% of students in Protestant schools are taught in English; 94% of those in Catholic schools learn French.

## British Columbia

This least Catholic province (about 19%), resembles Washington and Oregon in its large nonreligious population. More than 20% of British Columbia residents claimed no religion in the last census. The schools are mostly public though there are Catholic schools and private Protestant schools.

Public subsidy of church schools in Canada is now complete. The last holdout, British Columbia, capitulated in 1980 when provincial officials began to pay 15% of private and parochial school costs. Then the subsidy rose to 30%, then 50%, and finally in 1991 to 80%. Since it costs provincial taxpayers about \$3,500 a year per pupil in public schools, the subsidy now totals \$2,800 per pupil in private and parochial schools. The annual total is about \$560 million. Tuition fees and parish subsidies make up the remainder.

## Alberta

Public schools in this conservative, predominantly Protestant, English-oriented province are nonsectarian, but its Catholic separate schools are funded by the public, as are some Protestant schools. Alberta resembles Ontario and Saskatchewan except that Alberta does fund Protestant separate schools. About 17% of students attend the Catholic separate schools.

Before Alberta joined the Canadian Confederation in 1905, its schools were mostly operated by churches. Under the North West Act of 1875, the new public schools were divided into Protestant and Catholic sections. The Alberta Act of 1905 guaranteed equal funding to public, private Catholic and private Protestant schools.

School taxes are paid on a denominational basis. For example, once a Catholic separate school district has been established in a local area, all Catholic residents are taxed for that school, while those of other faith groups are taxed to support the public schools. This discourages Catholics from choosing public instruction. In a 1976 case, the Alberta high court ruled that it was legal to charge tuition for a child enrolled in a school other than

that which was provided for his religion. Both Protestant and Catholic separate school boards are under the control of the provincial education department, as are the private schools.

In 1968 independent private schools began to receive government support, often in the form of "educational services." Private schools receive government grants equal to 75% of those provided to the public and separate schools. In 1985 about 12,000 students attended 190 private schools. Even a Talmud Torah School, open only to those who are "committed to the Hebrew language and Jewish religious studies," became an official state-sponsored "alternative" school in Edmonton in 1975. Until 1983 Calgary's public school system included a native (Indian) school, a Hebrew school and two Logos Evangelical Christian academies. After the 1983 local elections, the religious systems were removed from the public domain.

Alberta has had controversies similar to those involving the Amish in Pennsylvania and Wisconsin. Local Mennonites and Hutterites looked askance at the increasing secularization of the public schools and removed their children to hastily built and staffed academies. They were prosecuted by local authorities in the 1970s. In Canada's analog to the U.S. Supreme Court decision in the *Yoder* case, Alberta's high court ruled in 1978 that the religious freedom guarantees in the Alberta Bill of Rights superseded school attendance laws, and that the public school instruction was incompatible with the religious faith and practices of these individuals. The religious dissenters were victorious.

## Saskatchewan

This province has a school system similar to Ontario's. It has public schools and publicly funded Catholic separate schools. Funding from the public covers 59% of the costs of "approved" private high schools, but no aid is given to Protestant schools or to nonapproved alternative schools.

Saskatchewan funded Catholic separate elementary schools from 1905, when the province joined Canada, but did not provide funding for denominational high schools until 1964. Catholic schools are under the administration of local school boards and the supervision of provincial education authorities.

A 1965 court ruling made it almost impossible for individuals to choose public schools if they belonged to a religious minority which had its own separate school district. (So much for choice!) Catholic children, the court held, had no right to attend the common public school if a Catholic separate school already existed in their district.

## Manitoba

Manitoba has a large nonsectarian public school system and Catholic and Protestant private schools, though they are relatively small. About 20% of the funding of the private schools comes from the public sector. Manitoba had a system of separate religious schools from 1867 until 1890 when it abolished its system of denominational schools. Manitoba also allows religious instruction in the nonsectarian public schools during the last half hour of each day, "released time" on school property.

Since 1979 some private schools have received a degree of government funding in exchange for a measure of government supervision. Local public schools provide home economics and industrial arts programs to private schools on a shared-time basis.

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## Newfoundland

The last province to enter Canada's confederation, in 1949, Newfoundland has an unusual school system which resembles Quebec's. It has no public schools. Eight religious denominations have a legal right to their own schools. The Catholic schools are the most common. In the metropolitan area of St. John's, for example, 62% of students attend Catholic schools. Five other religious groups, Anglicans, Salvation Army, Presbyterians, Moravians, and the United Church (which includes Methodists, Congregationalists and some Presbyterians) joined to establish integrated public schools with a religious basis. In St. John's about 37% of the students attend these schools. Two small denominations, the Pentecostals and Seventh-day Adventists, maintain their own private schools, with about 1% of the student population.

The Pentecostals appealed to the government in 1987 to become a legal entity in the education business. This was Canada's first constitutional amendment. Canada's Constitution Act of 1982 allows provinces to make changes affecting only their own governmental or educational structures to be approved by the federal House of Commons without debate from the other provinces. In 1987 Parliament approved the right of the Pentecostal Assemblies to run their own schools in Newfoundland. There were no committee hearings or any debates on the question. A number of human rights organizations and liberal groups questioned the process. The Newfoundland-Labrador Human Rights Association has been lobbying for an end to the denominational school systems.

Kathleen Ruff, publisher of the *Canadian Human Rights Advocate*, charged that this process "means that even in 1987 government can bring in constitutional changes that violate the Charter."

## Nova Scotia, New Brunswick and Prince Edward Island

These provinces all have nonsectarian public schools with no religion-based public schools and no funding of private schools. In Nova Scotia and Prince Edward Island, authorized textbooks and curriculum materials may be provided to approved private schools. These maritime provinces probably resemble the U.S. more than the rest of Canada in terms of education. For several decades all three had Catholic schools by "gentlemen's agreement" with local public school boards. These were public schools which functioned, in effect, as Catholic schools. But during the past three decades they have mostly disappeared.

Writing in *Education Canada*, John J. Bergen concluded that, "Most Catholic needs have been met within the public school districts due to the more or less homogeneous francophone settlement patterns." New Brunswick maintained mostly denominational schools until 1871 when a public education system was established. "Local compromises and the distribution of population gave schools in some areas a French Catholic flavor," writes Glenn. This may have prevented the development of separate Catholic schools. Since 1967 consolidation and secularization have reduced the religious orientation.

## Yukon and the Northwest Territories

Yukon and the Northwest Territories have mostly public schools, but separate denominational schools are provided where requested. There are two nonfunded private schools in Whitehorse and Yellow Knife. ■

— Albert J. Menendez

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## Update

### School Prayer

The movement to get government sponsored prayer back into public schools, pushed vigorously by televangelist Pat Robertson's Christian Coalition and aided by widespread public ignorance and misunderstanding, is in full swing. Although the Supreme Court ruled against school sponsored graduation prayers in 1992, a federal appeals court last year OK'd student initiated graduation prayers and the Supreme Court declined to review the decision.

On April 6 the District of Columbia Board of Elections and Ethics paved the way for a ballot initiative to authorize "non-sectarian, nonproselytizing, student initiated voluntary prayer on public school or other public property."

Lawmakers are pushing similar measures in at least six states: Florida, Georgia, Mississippi, Oklahoma, Pennsylvania, and Virginia.

A *Congressional Quarterly*/Gallup study has shown that about 46% of school districts nationally have graduation prayers, with 76% led by students, 24% by adults.

Congress got into the act when passage of President Clinton's Goals 2000 bill was delayed by Sen. Jesse Helms' filibuster aimed at barring federal funds from any school district that prevents students from participating in "constitutionally protected" school prayer. Both the Senate and the House ended up approving vague provisions of uncertain meaning but sure to create massive

confusion and generate litigation. The prayer language was dropped from the bill in conference between the two chambers but may resurface in appropriations legislation.

The ACLU, People for the American Way, and other groups have promised court challenges to any school prayer legislation perceived to violate the First Amendment.

### Kiryas Joel Suit Heard

The Supreme Court on March 30 heard oral argument in *Board of Education of Kiryas Joel v. Grumet*, a challenge to the 1989 New York State law creating a school district exclusively for the use and under the control of one religious group, the Satmar sect of Hasidic Judaism. A ruling is expected by July.

Americans for Religious Liberty, the National Coalition for Public Education and Religious Liberty, the National Education Association, and other groups filed an *amicus curiae* brief in the case. The brief, prepared by Washington attorney T. Jeremy Gunn, showed that the state law violates the First Amendment, as the state courts themselves had ruled, by granting government power to a "community that functions as a religious establishment." The brief pointed out that the Kiryas Joel municipality was "created for the express purpose of segregating citizens on the basis of their religious beliefs."

## ***ARL in Action***

ARL has joined with People for the American Way, the Religious Coalition for Reproductive Choice, the Anti-Defamation League, the American Jewish Congress, and other groups in an *amicus curiae* brief to the Supreme Court in *Madsen v. Women's Health Center*. The case, which will be heard by the Court on April 27, is a test of a court injunction aimed at individuals and groups involved in blocking access to family planning clinics, harassing patients, and demonstrating near the homes of clinic staff. The *amicus* brief argues that the injunction defending the Florida clinic is a reasonable, content-neutral, time, place, and manner restriction on speech.

Since our last report ARL president John M. Swomley addressed church, university, radio, and other audiences in California, Missouri, and Kansas. Dr. Swomley was also recently named executive director of the American Committee on Korea (P.O. Box 901630, Kansas City, MO 64190), formed in late 1993 to promote peace among the U.S. and North and South Korea.

ARL president Swomley and board member James E. Wood,

Jr., both contributed chapters to the book *Religious Liberty in the 1990s: The Religion Clauses under the Rehnquist Court*, recently published by the American Jewish Committee. The book will be reviewed in our next issue.

Executive Director Edd Doerr addressed church, synagogue, and other audiences in Boca Raton, FL, Bethesda, Columbia, and Leonardtown, MD, Lynchburg and Fredericksburg, VA. He also spoke in April at a Planned Parenthood-sponsored conference in Harrisburg, PA, and at the national conference of the Religious Coalition for Reproductive Choice in Washington, DC. He also debated abortion rights issues on the National Empowerment Television network and was interviewed on radio stations in Colorado, New Jersey, and California (on the latter for five hours).

Doerr is author of the section on "Religion and Government" in the book *The Humanist Way*, edited by N. Innaiah and G.R.R. Babu (Hema Publications, Bombay, India).

*The Body Politic: Monthly Pro-Choice News Report* (Box 2363, Binghamton, NY 13902), presented an extensive interview with ARL's Doerr in its January and February issues.

Traditional opponents of church-state separation not only filed briefs supporting the Kiryas Joel arrangement but also urging that the Supreme Court abandon its three-part *Lemon* test used since 1971 to determine whether challenged arrangements violate the First Amendment clause against laws "respecting an establishment of religion."

### **Parochial Losses in Virginia**

Stafford County, Virginia, public schools did not violate a deaf student's rights when they refused to pay for a speech translator at his private sectarian school, federal district judge Albert V. Bryan, Jr., of Alexandria ruled on March 29. The school district provides speech translators in public schools, but said that paying for them in private schools would increase costs and "headaches."

School board attorneys had argued that a contrary ruling would have meant that parents placing children in private schools could "dictate the places where services would be provided."

### **Church School Vouchers**

Battles continue to rage in several states over campaigns to pass bills to provide massive tax support for sectarian private schools by means of vouchers.

Although Pennsylvania lawmakers defeated a voucher bill two years ago, church school lobbyists are pressing hard for another one. ARL has been working with the Pennsylvania Public Education Coalition to Oppose Tuition Vouchers to counter the propaganda barrage from the parochialists. Meanwhile, the coalition has released data from the Pennsylvania State Budget and Department of Education documents showing that for the 1992-93 school year nonpublic schools in the state received \$174,714,672 in tax funds, an average tax subsidy of \$529.97 per student.

Arizona voucher proponents are seeking a special legislative session to enact an "experimental" voucher plan for 2,000 students with vouchers worth \$1,500 each. Gov. Fife Symington strongly favors vouchers.

Ohio prochaiiders are pushing a \$12.5 million per year voucher "pilot program."

### **Reproductive Rights**

The Clinton administration has advised state Medicaid Directors that Medicaid must cover abortions in cases not only of life endangerment but also of rape and incest. Pennsylvania Gov. Robert Casey filed suit in federal court in March to challenge the administration directive. Four federal appeals courts have held that state Medicaid plans must cover all abortions eligible for federal reimbursement.

A Florida jury on March 5 convicted Michael Griffin of first-degree murder in the 1993 assassination of Dr. David Gunn, a physician at a woman's clinic. On March 25 a Kansas court convicted Rachele Shannon of attempted murder in the 1993 shooting of Dr. George Tiller.

North Dakota's 1991 law mandating a 24-hour delay and requiring women to receive state mandated information before having abortions was upheld on February 10 by the U.S. Eighth Circuit Court of Appeals. If the law should prove to create a "substantial obstacle" to women seeking abortions, a new suit may be filed.

Mississippi's abortion law (mandated 24-hour waiting period, mandated state information, provider licensing requirements, two-parent consent or court approval for young women) was challenged in state court on February 17 by the Center for Reproductive Law and Policy. The 1991 law has been shown to place undue burdens on women.

Michigan's 1993 law mandating delays and biased information  
(continued on page 8)

## Update

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was temporarily enjoined on March 18 by U.S. District Judge Nancy G. Edmunds. The court scheduled a June 20 evidentiary hearing on the law, and also rejected a motion to intervene by Michigan Right to Life, Inc. The challenge to the state law is being made by the Center for Reproductive Law and Policy.

The New York City Council voted 40 to 6 on March 16 to approve a bill making it illegal to restrict or block access to an abortion clinic. Supporters said the bill was needed because police were lax in enforcing laws against harassment and assaults at clinics.

The District of Columbia will pay for abortions for poor women, using money from a fund set up to pay emergency room bills of patients not covered by Medicaid.

Fort Worth, Texas, jurors on March 4 convicted 17 Operation Rescue clinic protesters of criminal trespassing. Punishments ranged up to 180 days in jail plus fines.

## New Religious Right Alliance Formed

Formation of a new political alliance of fundamentalist Protestants and ultraconservative Catholics was announced on March 29 with release of a statement entitled "Evangelicals and Catholics Together: The Christian Mission in the Third Millennium." Goals of the new alliance include getting tax support for sectarian private schools, outlawing freedom of conscience on abortion, and "defending religious freedom" (a goal incompatible with the first two). The statement also encourages conversion of Muslims to Christianity through "mutually respectful conversation."

Drafters of the statement include Charles Colson, former Nixon hatchetman and Watergate figure turned evangelical, Richard John Neuhaus, former Lutheran minister turned Catholic priest, and George Weigel, director of the conservative Ethics and Public Policy Center. Endorsers of the statement include Catholic bishops Francis Stafford of Denver and Carlos Sevilla of San Francisco, writer Michael Novak, Campus Crusade founder Bill

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Bright, and Richard Land, head of the Southern Baptist Christian Life Commission.

## Religious Display Ruled Unconstitutional

The Eleventh Circuit U.S. Court of Appeals in Atlanta on Feb. 1 upheld a 1993 lower court ruling that a Ten Commandments display at the Cobb County, Georgia, courthouse violates the First Amendment and must be removed. The display had been challenged by the ACLU, whose attorney criticized county officials for "gleefully squandering tens of thousands of taxpayer dollars" on an appeal that was doomed to fail.

## Physician Assisted Suicide

A statewide poll in early 1994 shows that Maryland residents believe that there are circumstances when patients have the right to take their lives.

While 29% of those polled agreed that "suicide is never justifiable," 63% said "The patient has a right to take [his or her] own life," when they "are suffering with no chance of recovery."

Age and education were strong predictors of individual opinion. Seventy-two percent of college graduates support this position as do 69% of those who attended some college, 56% of high school graduates, and 45% of those with less than a high school education.

The least well educated voters are the only ones to show a plurality of 48% to 45% believing that suicide is never justifiable. Interestingly, voters with postgraduate degrees are a little less likely (66% to 27%) to support the concept than all college graduates.

Support for the right to end a suffering life rises as age goes down. Those under 20 are supportive by 74% to 22%, while those over age 60 give a slim 47% to 42% approval. Voters in the broad 39-59 age group support the idea 66% to 26%.

Men are also more likely (68%) than women (58%) to believe a patient should be able to take his or her own life.

Religious differences are significant but not as predictive as might be expected. Jews and religiously nonaffiliated residents are overwhelmingly favorable—96% of Jews polled and 89% of the nonaffiliated favor the concept. (They represent 12% of those polled.)

Catholics are slightly more favorable to this view (62% to 29%) than Protestants (59% to 34%), which undoubtedly represents a major shift in opinion over the past quarter century.

Church attendance is the best predictor for opinion of any question in the survey. Of those who say they attend religious services weekly, only 43% favor the patient's right to end a suffering life while 46% are opposed. Among those who rarely or never attend services, 82% are favorable and 14% opposed. Those who attend occasionally are supportive by 72% to 23%. Weekly church attendance seems to operate as a strong conservative influence on this issue, as on abortion, gay rights and other social issues.

Place of residence plays little role in opinion formation. Support is somewhat higher in suburban and rural areas than in urban areas, which is somewhat surprising. (In Maryland urban means Baltimore City, which is predominantly African American, and this may be a factor in the lower level of support.)

Registered voters (80% of those polled) are about 7% more supportive than the nonregistered.

A second question asked the 500 randomly-selected Marylanders by Hollander, Cohen and McBride, an opinion research

## Gary Crawford

Gary Crawford, a long time member of ARL's National Advisory Board and a partner in a prominent New York law firm, died in March. Crawford, active in church-state litigation since his law school days at Vanderbilt, led the legal team in the successful federal court challenge to Arkansas's 1981 law requiring "equal treatment" in public school science classes for evolution and "creationism."

firm based in Towson, MD, dealt with an issue being considered by the Maryland legislature. This proposal would permit physicians to assist people in taking their lives when they are suffering from a "painful or very distressing physical condition from which there is little or no chance of recovery."

This proposal elicited about the same level of support (69% to 23%, with 8% undecided). On this question, however, there was little difference by age, education, gender, or religion. Even those without a high school education favored such legislation by 63% to 23%. Registered voters were 9% more in favor of this proposal than those who are not registered. Religion continued to play a role but the differences were less pronounced than on the right-to-die question, which has philosophical components. (Jews remain the most supportive of physician-assisted suicide, by 96% to 4%.)

Even those who attend religious services weekly favor the proposal 54% to 37%. This is less than those who rarely attend (82% to 12% in favor) and those who attend worship occasionally (76% to 14%), but it shows the broad degree of support the proposed legislation receives.

Not surprisingly, those who believe a patient has a right to end a suffering life favor the physician protection law by 92% to 6%, while those who believe suicide is never justifiable oppose the proposed legal change by 60% to 26%, with a sizable 14% undecided.

Maryland is often considered a microcosm of the nation because of its diverse population and its demographic similarity to the nation. Hence, it is often called "America in miniature."

## Scout Bias Overruled

A California appellate court in March upheld a 1992 lower court ruling ordering reinstatement in the Boy Scouts of America of Michael and William Randall. The twins had been expelled from the Scouts for refusing to say the word "God" in the Scout oath. The courts determined that under state law the BSA is a business, not a religious organization, and as such may not exclude people for their religious views.

## Islamic Schools in the U.S.

There are 108 Islamic elementary schools serving 15,000-20,000 students in the United States, according to the Council of Islamic Schools in North America. The group also maintains five high schools and two teacher training colleges.

Islamic schools teach Arabic from the beginning, primarily to enable students to read the Koran. The Koran is taught as a

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## Update

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separate study, with emphasis placed on memorization of key passages. "Koranic concepts are integrated into the school curriculum" at all levels, according to a Council spokesperson.

The schools place a strong emphasis on science and mathematics, and one of its schools in Potomac, Maryland, won several awards at Montgomery County Science Fairs in the 1990s.

A review body in California meets periodically to examine textbooks, primarily to see how Islam is treated. The schools hope eventually to commission their own textbooks.

These schools would presumably be included in any kind of "choice" or "voucher" programs under consideration in some state legislatures.

## JPII to UN in NY

Pope John Paul II will make a speech before the United Nations Organization in New York in October to mark 1994's Year of the Family. He will undoubtedly use the occasion to attack birth control, population control, and the right of women to freedom of conscience on abortion. Lennea Vasic, an aid to the UN's Social Development-Human Rights office told the *Denver Post* that the trip is being arranged through the UN. John Paul (nec Karol Woytila) is reportedly also planning side trips to Newark and Baltimore.

## Park Service Services

A Maryland couple has sued the National Park Service, charging that the federal agency has too close a relationship with Christian Ministry, a New York-based group that conducts religious services in national parks. The couple charges that NPS officials allow the group to advertise and conduct services without permits, provide rent-free or subsidized housing to the group's staff, and reserve Park Service jobs for its ministers.

## Moral Majority Redux

Five years after the demise of his Moral Majority organization, televangelist Jerry Falwell has started a successor group called Mission America. The group's periodical, *The Liberty Flame*, is being distributed to 50,000 evangelical clergy around the country and is being produced for Mission America by Falwell's Old Time Gospel Hour operation, even though that operation was over \$37 million in debt as recently as 1992.

Mission America's goals are: "educate and inform Americans on major events"; conduct surveys "to convince America's national leaders that the majority of Americans are opposed to the liberal and socialistic policies of the Clinton administration and congressional liberals"; register voters; and "recruit a million people to make a written commitment to pray regularly for a national spiritual revival."

In February Falwell arranged for Lt. Col. Oliver North, USMC Ret., to speak at his Thomas Road Baptist Church. North is running for the Republican U.S. Senate nomination in Virginia. Falwell claims, however, that he is not endorsing candidates.

## Waco in the News Again

When the Waco, Texas, school board fired teacher Linda Thrasher for conducting prayers in her third grade classroom

after being ordered to stop, she brought suit in a county court, charging that her religious beliefs were violated.

## International

**London:** After 18 months of interfaith dialogue, involving 123 representatives of dozens of different religions, the British Government has announced new guidelines for the mandatory religious education courses in the country's 24,000 public (in England they are called "state") schools.

The new syllabus, announced in January, requires all primary and secondary schools to devote at least half their religious education course time to Christianity, while the other half must be devoted to other prominent world religions. RE (as it is called) begins at age five, and children at ages 5 through 7 must study Christianity and at least one other principal religion. At ages 7 through 11, children will study Christianity and two other religions. All pupils must have 40 hours of RE a year, under a 1944 law mandating both academic religious education classes and "Acts of corporate worship" in the tax-supported schools which educate the majority of British children. About one in six attend Roman Catholic or Church of England schools, or the venerable "public" schools, which resemble U.S. prep schools.

The British penchant for compromise can be seen in various options and alternatives available in the RE syllabus. Schools, probably in rural England where there is less religious pluralism, are allowed to spend three-fourths of RE lesson time on Christianity, though children are expected to be fully conversant with Judaism, Islam and Buddhism. The moral teachings of Siddhartha Gautama (the Buddha), the life of Krishna and stories from the Koran are included in the detailed guidelines which will apply to all schools. Sikhism and Hinduism are also required components.

Reaction has been largely unfavorable. Many minority faiths question the required predominance of Christianity in the curriculum. Moeen Yaseen, the spokesperson for the Muslim Schools' Association said, "There's a moral obligation to establish a similar status and provision for minority faiths where they happen to be in the majority." Some schools in parts of London and other English cities have predominantly East Indian student bodies.

Many schools in religiously mixed neighborhoods have opted for ethics courses and have downplayed traditional RE programs. Meanwhile, conservative Christians resent the inclusion of courses about non-Christian faith perspectives. Colin Hart, director of the Christian Institute, claimed, "It's difficult enough

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to teach Christianity let alone three other religions as well." Some humanists and religious liberals object to their views being virtually ignored in the proposed curriculum.

Britain's Conservative government defended its proposals by suggesting that children can be made "more moral and spiritual" by taking renewed interest in the compulsory RE courses. Lady Blatch, the education minister, maintained that "religious education is a basic." One conservative Jewish journalist, Barbara Amiel, retorted, "While teaching several religions may be an excellent exercise in history or cultural anthropology, it is not an exercise in spirituality." Ms. Amiel suggested that religious values could best be transmitted at home and mordantly argued that "religious education only achieves spiritual relativism and in fact destroys the spiritual basis of all faiths."

**Rome:** Although Pope John Paul II issued a letter on January 20 calling for the strengthening of "Christian-inspired political parties" (code for parties taking the Vatican's political line) in Italy's late March national elections, a February poll by *Giorni*, a Catholic monthly magazine, showed that only 15% of voters said they would take the letter into consideration. About two-thirds of voters in the predominantly Catholic country told *Giorni* that the church should stay out of politics.

**Ljubljana:** In predominantly Roman Catholic Slovenia, the most peaceful and secure of the former regions of Yugoslavia, a mixed government-Catholic Church commission has been set up to settle church-state controversies. The country's Protestant, Muslim, and Eastern Orthodox minorities are not represented on the commission.

A major controversy is not over whether religion will be taught in public schools, but by whom: Catholic Church leaders want to control such education, while more secular people would prefer religion to be taught by teachers specially trained for religious studies in universities.

Another controversy concerns efforts by the Catholic Church to get back extensive properties lost during the post-World War II communist regime. Many Slovenes fear the return of pre-war clericalism.

**Ottawa:** Canadian legislators voted unanimously in February to revise the daily prayer that begins each session of the federal parliament. The new prayer substitutes "Almighty God" for Jesus Christ. Observers attribute the change to Canada's multicultural, multireligious character. While most Canadians are Christians, at least nominally, more than 22% are members of other—or no formal—religious traditions.

The new prayer, which is brief and employs modern language, was praised as "graceful, appropriate, and more than just an accommodation for political correctness" by the *Toronto Star*.

Peter Milliken, the Liberal MP who headed the committee drafting the new prayer, said it was "extremely fair and a good compromise." Preston Manning, leader of the conservative Reform Party and an evangelical, called the final version acceptable, an improvement on an earlier proposal which deleted references to any supreme being. The first Sikh member, Gurbax Malhi, endorsed the change, saying, "This prayer respects everybody."

Not everyone agreed. Most representatives of Canada's new right-wing Reform Party, mostly conservative Protestants, expressed dismay. Myron Thompson of Alberta said the prayer betrays Canada's Christian moorings. "This country was founded on the principles and values of the Christian faith and the Christian

faith is based on the life of Jesus Christ. Canada should not change and get away from the founding principles and values that this country was built on," he remarked. Thompson, who favored retention of the florid, Victorian-style prayer written in 1877, said he was not concerned about religious pluralism in parliament or in the country. One of the two remaining conservative Party members, Elsie Wayne of New Brunswick, said she would have favored a moment of silence for non-Christians after the formal, spoken Christian-oriented prayer.

**Vatican City:** The Catholic hierarchy has set up the "Pontifical Academy of Life," described as a combination lobby and think tank, to work against contraception and abortion.

**Paris:** The trial of Paul Touvier for "crimes against humanity," allegedly ordering the murder of seven Jews as a collaborator with the Nazi occupiers of France, is expected to shed light on the actions of ultraconservative Catholic officials and monasteries in helping Touvier hide from the law for 40 years. According to a study by historian Rene Remond, commissioned by the archbishop of Lyon, 50 church institutions, including charities and monasteries run by Jesuits and Benedictines, aided Touvier because they regarded him as being persecuted by "church enemies" such as "freemasons, communists and Jews."

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## Books

*Time to Choose: America at the Crossroads of School Choice Policy*, by Amy Stuart Wells, Hill and Wang, 1993, 225 pp., \$12. *The School-Choice Controversy: What is Constitutional*, edited by James W. Skillen, Center for Public Justice/Baker Books, 1993, 110 pp., \$6.95.

Amy Stuart Wells' important book examines school choice plans confined to public schools and as applied to nonpublic schools. She shows that existing public school choice plans frequently have serious flaws that create as many problems as they are intended to solve, and offers guidance for designing workable plans. She writes that workable public school choice plans must be open to all public students and must not drain resources away from poorer schools and districts to better ones. It goes without saying that such choice plans will likely involve increased transportation and other costs.

Wells looks critically at the campaign to get tax aid to sectarian private schools through vouchers or tuition tax credits, concluding that such plans would not be good public policy. Her treatment of this topic would have been a great deal stronger, however, if she has taken into account the material in ARL's three books on the subject: *Church Schools and Public Money: The Politics of Parochialism*; *Visions of Reality: What Fundamentalist Schools Teach*; and *Catholic Schools: The Facts*.

Skillen's little book is but another in the dreary parade of lightweight attacks on public education and church-state separation. It touts vouchers with the usual shopworn and hollow cliches.

— Edd Doerr

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**Liberty and Sexuality: The Right to Privacy and the Making of Roe v. Wade**, by David J. Garrow, Macmillan, 981 pp., \$28.

Pulitzer Prize-winning author David Garrow had turned his attention to the historical struggle to create a constitutional right to privacy in the United States, particularly relating to birth control and abortion. Reform of the laws and activism by concerned groups created a new awareness among the public, which allowed more reforms to be passed and laid the groundwork for legal initiatives.

It's all here, in this comprehensive and balanced account. Garrow pays tribute to early crusaders such as Connecticut's feisty Estelle Griswold. He makes clear that the movement for abortion law reform was slow and painstaking and would have taken many more years to accomplish if the Supreme Court had not handed down *Roe v. Wade* in 1973. The historical record that Garrow presents, and his 230 pages of footnotes and documentation, make this an essential account of an important social movement.

— Al Menendez

**School Choice: The Struggle for the Soul of American Education**, by Peter W. Cookson, Jr., Yale University Press, 174 pp., \$20.

Cookson, dean of Adelphi College's School of Education, has presented a thorough overview of the choice movement in American education. He suggests that choice is not a panacea for deep-seated problems in public education. Choice can only work if education is reformed to become more "flexible, innovative and just." He writes that "America needs a vibrant, strong and democratic public school system" because it "is the nursery of democracy." He believes that "schools can become oases of authenticity in a troubled and often alienating world."

Cookson opposes vouchers, believing that "any large-scale voucher plan will undermine public education and lead to a form of educational anarchy." He argues that including parochial schools in choice programs might "encourage religious conflict and threaten the distinctiveness of private schools by making them more like public schools."

Cookson knows private schools well, having worked in them and written about them, and concludes that educational experts continue to ignore "the problem of selectivity bias." Including private schools in choice plans, he says, "will increase rather than decrease educational inequality."

Only on one issue would church-state separationists disagree with the author. He favors government-guaranteed, low-interest loans to inner-city private and religious schools which "deserve public support because they are educating disadvantaged students at a time when public-sector schools are in disarray." The logic of his other arguments would suggest that such a policy would only further educational disarray and inequality, as well as raise insuperable church-state problems.

An informative appendix gives a thumbnail sketch of school choice programs and proposals in all 50 states.

— Al Menendez

**World Religions in America: An Introduction**, by Jacob Neusner, Westminster/John Knox Press, 1994, 308 pp., \$22 hard cover, \$12.99 paperback.

This textbook, intended for either college or high school use, is a useful, sensitive treatment of the main religious traditions in the U.S., not only Protestant, Catholic, and Jewish but also Islam and eastern religions, with sections on African American, Native American, and Hispanic American religion. Sociologist Andrew M. Greeley contributed a chapter on religion and politics, and William Scott Green concluded the book with an excellent,

though too short, appreciation of religious liberty and church-state separation.

A serious defect of the book is its failure to discuss the naturalistic or non-supernaturalistic traditions (or philosophies or life stances) typified by Humanism, Ethical Culture, Humanistic Judaism, Unitarian Universalism, freethought, etc. *World Religions in America* should be used in public educational institutions only if supplemented by suitable material on these traditions, which, though only partially represented by formal organizations, nonetheless embrace quite a few millions of people in the U.S. and abroad.

— Edd Doerr

**School Prayer: The Court, The Congress and The First Amendment**, by Robert S. Alley, Prometheus Books, 273 pp., \$19.95.

Professor Alley combines an analysis of the meaning of the Bill of Rights, which he calls "the envy of cultures around the world," with a thorough history of the U.S. Supreme Court rulings on school prayer and their aftermath. The author concentrates on the congressional attempts to overrule the High Court and restore "mandated" prayer to public school districts in those states which observed the practice before 1962. Mixing the historical record with anecdotal accounts, such as his less-than-friendly encounter with Billy Graham in 1964, makes for a readable and enjoyable book.

— Al Menendez

**The Supreme Court and the Establishment Clause: "Through a Glass, Darkly,"** by Samuel Rabinove, American Jewish Committee, 165 East 56 St., New York, NY 10022, 1994, 54 pp., \$2.50.

Rabinove's book is an excellent up-to-date short introduction to some of the main church-state controversies of our day, including tax aid to religious educational institutions and religious observances in public schools. The author is legal director of the American Jewish Committee.

— Edd Doerr

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