



# VOICE OF REASON

The Newsletter of Americans for Religious Liberty

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## A Bad Week in June

The week of June 23 was not a good one for religious liberty and church-state separation at the Supreme Court. On Monday the Court reversed a perfectly sound 1985 precedent and weakened the wall of separation between church and state. On Wednesday it declined to review a bad 1990 precedent, which was based in part on a 1940 ruling the Court itself reversed three years later, and instead struck down an act of Congress intended to correct the 1990 ruling. On Thursday the Court reversed federal appellate rulings from New York and Washington State that had recognized a constitutional right to physician assisted suicide. In all three cases, ARL had filed *amicus* briefs on behalf of freedom of conscience. Let's look at the details.

### Parochiaid

In 1985, in *Aguilar v. Felton* and *Grand Rapids v. Ball*, the Supreme Court, building on a long line of church-state precedents, ruled 5-4 that placing public school teachers in sectarian private schools violates the First Amendment's establishment clause. On June 23 the Court ruled 5-4 in *Agostini v. Felton* (O'Connor, Rehnquist, Scalia, Kennedy, Thomas on one side; Souter, Stevens, Breyer, Ginsburg dissenting) that several rulings since 1985 (*Witters* and *Zobrest*) had changed the Court's approach to the establishment clause, thereby setting the stage for a reexamination of *Aguilar*. The Court in *Agostini* also reached out and struck down part of *Grand Rapids v. Ball*, though that case was not before it, ruling that the "revised" establishment clause doctrine required the override.

The majority decision, written by Justice Sandra Day O'Connor, reasoned that "*Aguilar* cannot be squared with this Court's intervening Establishment Clause jurisprudence and is no longer good law." The majority concluded that there is no longer excessive entanglement between church and state in the administration of Title I programs and that the program in New York City "contained safeguards" against sectarian indoctrination. O'Connor asserted that "our understanding of the criteria used to assess whether aid to religion has an impermissible effect has changed significantly. . . . We have abandoned the presumption . . . that the placement of public employees on parochial school grounds inevitably results in the impermissible effect of state-sponsored indoctrination or constitutes a symbolic union between government and religion."

In another departure from long-established law, O'Connor asserted that "we have departed from the rule that all government aid that directly aids the educational function of religious schools is invalid."

In his carefully reasoned, eloquent dissent for himself and Justices Stevens, Breyer and Ginsburg, Justice David Souter explained how the majority had repudiated "the very reason-

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## Promisekeepers: The Religious Right's Hidden Card

A fast-growing national organization that has the potential of advancing the Radical Right under the guise of religion is the Promise Keepers (PK). Based in Denver with a staff of 400 and an annual budget estimated at \$120 million, Promise Keepers is attracting national attention as a result of its mammoth stadium rallies in cities across the nation. It was founded by former University of Colorado football coach Bill McCartney.

Ostensibly, the group claims to be confronting the growing national problem of "fatherlessness," the absence of strong fathers in the family structure. It demands "purity" and "fidelity" in marital and other relationships. Their press coverage is largely favorable and it has strong connections to the Religious Right and some of the media. There is already something of an institutional link between Promise Keepers and James Dobson's Focus on the Family, which has provided manpower and financial support. Doubleday Publishers, part of a large publishing conglomerate, recently released a positive puff job, *Who Are the Promise Keepers?*, by Nashville-based religious writer Ken Abraham.

Abraham traces the connection between PK and Dobson, writing, "Promise Keepers' association with Dobson and Focus on the Family goes back to the early days of the PK organization. Beside their headquarters' proximity in Colorado, Focus on the Family helped keep the fledgling PK afloat until money from conference attendance began to pay the bills. Coach McCartney has been a guest on Dobson's radio show, and Dobson has been a keynote speaker for PK. Focus on the Family's book-publishing arm also publishes some of the more popular books promoted by PK."

Other Far Right leaders who have spoken at PK rallies or have endorsed the group include Bill Bright, Charles Colson, and D. James Kennedy.

Founder McCartney has long been controversial. Raised a Catholic, he became part of an extreme Catholic charismatic movement while living in Michigan but has joined a Protestant

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## Promisekeepers, *continued from page 1*

Fundamentalist and charismatic group called Vineyard Christian Fellowship in Boulder, Colorado. Several of the church's leaders participate in PK at the highest decision-making levels. Based in Anaheim, California, the Vineyard is a network of over 600 churches.

McCartney is adamantly political and his tastes are far right. Long active in the anti-abortion movement, McCartney also endorsed Colorado's Amendment 2, aimed at repealing civil rights laws protecting gays and lesbians. In a 1992 press conference he called homosexuals "an abomination against Almighty God." (The amendment, while successful among the Colorado electorate, was ultimately declared unconstitutional by the U.S. Supreme Court.) As a successful coach, McCartney came under fire for using his state tax-funded position to encourage his players to attend chapel services and to participate in pregame prayers. His own personal life seems to belie his strict moralism. His marriage has barely survived and his daughter twice became pregnant by different players on his football team. Since July 1, 1995, McCartney had been PK's chief executive officer.

PK aims to capture a significant portion of the angry white male phenomenon, thereby having a major impact on political, social and cultural life. But it has close ties to institutional religion. PK claims that 39,024 preachers attended its 1996 clergy conference. One study of the organization's religious orientation found that 43% are evangelical, 36% fundamentalist and 17% charismatic. The group's appeal is exclusively to the right wing of Protestantism.

PK promises racial reconciliation and condemns racism but its membership is well over 90% white, and black churches are keeping their distance. ARL president John M. Swomley, writing in the *Kansas City Star*, called PK's racial emphasis "admirable" but also pointedly warned that the group "has no goal of ending institutionalized racism by promoting access to jobs or housing, or improved public schools, or black community self-determination."

Perhaps PK's most dangerous tendency is its unreconstructed patriarchy, its belief that men are the natural rulers of the social order. Writes Swomley, "Its program calling men to become faithful husbands is admirable. Yet it also asks them to make or keep women submissive in the family, the church and

elsewhere. Their speakers oppose what they call the 'feminization' of the church. Critics note that women are as crucial as men in providing family income in our society and thus need equal partnership in the family, not subordination."

Echoing this theme was the first issue of *PK Watch*, published by the Center for Democracy Studies, a project of the Nation Institute. *PK Watch's* editors warned, "Deceptive and carefully conceived PK attempts to mainstream its image by using a seductive vocabulary of male-only self improvement, opposition to religious 'denominationalization' and an alleged commitment to racial 'reconciliation,' to advance the strategic political agenda of the Christian Right. As with the rest of the extreme right, at the present time the attack is directed mainly at the position of women in society. PK's leaders understand that they can never reach their goal of creating a theocratic, male supremacist society unless they reverse the legal and social gains made by women."

Many of America's mainstream religious communities have begun to question the militaristic rhetoric, the subtle political coloration and the hidden agenda of PK. In May "Equal Partners in Faith," based at the Lafayette Avenue Presbyterian Church in Brooklyn, NY, issued a warning that "what has been made to look like a beautiful coat of many colors is in fact made of camouflage materials, which are divisive and potentially dangerous." This coalition of Protestant, Catholic and Jewish clergy specifically targeted PK's blemishes. They declared that PK:

- undermines the equality of women in the family, church and society;
- speaks of racial reconciliation without a commitment to overcoming institutionalized racism;
- is closely linked with the Religious Right;
- invalidates the worth and dignity of gay and lesbian people.

Furthermore, the theology of PK is "fundamentalist, exclusivist, triumphalist, sexist and promotes a man-centered idolatry." These mainline critics also charge that PK "confuses religion with nationalism and patriotism with religious faith, absolutizes the mores and values of white Nineteenth Century America and conflates these with Biblical norms, and blends the secular and the sacred and promotes theocracy."

In June 1996 the U.S. Catholic Bishops' Committee on *continued on page 4*

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

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able line drawn in *Aguilar* and *Ball* and authorized "direct state aid to religious institutions on an unparalleled scale, in violation of the Establishment Clause's central prohibition against religious subsidies by the government." The dissenters also argued that the majority erred in accepting the appeal in *Agostini* by using a federal court procedure, Rule 60(b)(5), in an unprecedented and unwarranted way.

Souter's dissent invoked the lessons of history, referring to "the hard lesson over and over again in the American past and in the experiences of the countries from which we have come, that religions supported by governments are compromised just as surely as the religious freedom of dissenters is burdened when government supports religion." Souter further warned, "The human tendency, of course, is to forget the hard lessons, and to overlook the history of governmental partnership with religion when a cause is worthy, and bureaucrats have programs. That tendency to forget is the reason for having the Establishment Clause (along with the Constitution's other structural

### Do Minority Religions Receive Equal Justice?

The Supreme Court decision striking down the Religious Freedom Restoration Act in *Boerne v. Flores* may weigh more heavily on minority religions than on the more powerful and well-connected ones. This unpleasant possibility is borne out in a study prepared by the Church of Jesus Christ of Latter Day Saints (the Mormons) and submitted to the Court as an appendix to its *amicus* brief in *Boerne*. The Mormon study was based on the results of 196 cases concerning zoning laws and free exercise of religion, some going back to 1922. Its conclusion is stark:

"What is striking is that, while minority religions represent considerably less than 9% of the general population, they are involved in over 49% of the cases involving the right to locate a church at a particular site, and in over 33% of the cases seeking approval of accessory uses of an existing church site (e.g., for sheltering or feeding the homeless). The disproportionate burden carried by minority religions becomes even more distressing if one takes into account cases involving non-denominational groups, or groups that cannot be classified on the basis of information in case reports. If these unclassified cases are counted, over 68% of reported location cases, and over 50% of accessory use cases, involve minority religions."

Even the outcomes vary, which suggests unequal application of the law. For example, cases involving Jewish institutions and places of worship were successful 83% of the time. For Catholics the figure is 66% and for the major Protestant groups it is 65%. But for all religions outside of the Protestant-Catholic-Jewish orbit, including humanist, and ethical culture groups, the success rate was only 52%.

It is obvious that the Supreme Court majority paid no attention to this disturbing finding.

and libertarian guarantees), in the hope of stopping the corrosion before it starts."

Souter reminded the majority that they ignored two central facts: "A public educational agency distributes Title I aid in the form of programs and services directly to the religious schools" and "New York City's Title I program before *Aguilar* served about 22,000 private school students, all but 52 of whom attended religious schools."

*Agostini* involved federal Title I remedial education services, which the parochial schools insisted be provided in their buildings rather than in public schools. After the Court ruled in *Aguilar* in 1985 that the services could not be provided in sectarian school facilities, the nonpublic schools demanded that they be provided in mobile units parked near the parochial schools. This arrangement inflated the program's costs and segregated those students from the public school population.

Advocates of tax aid for sectarian private schools are claiming that *Agostini* is a green light for voucher programs. Defenders of church-state separation and public education are divided as to the ruling's possible consequences. Some believe that *Agostini* will allow a massive flow of tax aid to sectarian schools. Others believe the ruling stops short of a green light. Lisa Thureau, executive director of the National Committee for Public Education and Religious Liberty (PEARL), which defended *Aguilar* (and of which ARL is a member organization), takes the more pessimistic view. She said that "it is especially disconcerting . . . that the Court does not consider the government's provision of the core educational services of parochial schools as a subsidization of religion."

However *Agostini* is read, we are in for a major struggle to maintain church-state separation and protect religiously neutral public education. American voters have repeatedly shown that they strongly oppose tax aid to denominational schools and we have won an impressive string of court victories. Now we must redouble our efforts.

### Religious Freedom Restoration Act

Two days after *Agostini* the Court struck down, 6-3, the Religious Freedom Restoration Act (RFRA), which Congress passed in 1993 in response to a 1990 Supreme Court ruling, *Employment Division v. Smith*, which was based in part on the 1940 *Gobitis* decision that the Court itself reversed in 1943 in *Barnette*. The purpose of the RFRA was to reestablish the rule that government may substantially burden the practice of religion only if it uses the least restrictive means available to achieve a compelling governmental interest. The June 25 ruling in *City of Boerne v. Flores* held that Congress's near unanimous passage of the RFRA violated the constitutional doctrine of separation of powers.

In dissenting, Justices O'Connor and Breyer traced the history of religious liberty in the U.S. and concluded that it was the 1990 *Smith* ruling that was out of order and that should have been reviewed. Justice Souter, dissenting, also called for a rehearing of *Smith*.

The majority in *Boerne* held that a Catholic church in Texas could not invoke the RFRA or free exercise to overcome a municipal decision that the church could not expand its crowded building in a designated "historic preservation district."

While the majority may have been technically correct, the *Boerne* ruling will cause problems which will burden the free exercise of religion in the U.S. in numerous ways. The decision

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## Promisekeepers, *continued from page 3*

Marriage and the Family issued a report on PK which criticized its "lack of theological clarity about the balance of power between husbands and wives," and warned that PK teaches "prejudice and discrimination against homosexuals." The Committee scored the paucity of Catholics at PK events and warned that Catholic men might become fundamentalists as a result of their involvement in PK.

Recent PK rallies have begun to stress politics and finances. Its leader McCartney told sympathetic clergy in Atlanta, "Whoever stands with the Messiah will rule with him. Let's take this

nation for Jesus!"

At a June 1997 event in Washington, D.C.'s Robert F. Kennedy Stadium, financial adviser Ron Blue encouraged his audience of 46,000 to get out of debt by the year 2000 – the Millennium year which seems to have captured the imagination of many religious zealots. Blue added that "more money would then be available to build God's kingdom," which presumably includes PK.

As Promise Keepers heads toward its promised "Million Man March" on October 4, again in Washington, the eyes of many skeptics will be focused on its political goals and aims.

## ARL at Fifteen

Founded in the spring of 1982, Americans for Religious Liberty is completing its fifteenth year of work on behalf of religious freedom, church-state separation, and the constitutional ideal of secular democracy. ARL was formed by the merger of two organizations begun the previous year in response to the rise of Religious Right political groups. The predecessor organizations were the Center for Moral Democracy, founded by Ethical Society leader Edward L. Ericson, Unitarian Universalist minister Bruce Southworth, and others, and Voice of Reason, founded by Rabbi Sherwin T. Wine and others.

From the beginning ARL's goals included defending the religious neutrality of public education, strengthening church-state separation, heading off efforts to divert public funds to sectarian private schools, and defending reproductive rights.

ARL's first president was Michigan educator Lynne Silverberg-Master, followed by Ohio attorney Anne Lindsay, and current president John M. Swomley, a noted civil liberties activist and professor emeritus of ethics at the St. Paul School of Theology in Kansas City. Edd Doerr, a former teacher with years of experience in the church-state field, was named executive director in 1982. ARL's staff has remained small. Maury Abraham, now an attorney, served on the staff for several years and is now a board member. Writer-researcher Albert J. Menendez joined the staff in 1990.

U.S. Senator Frank Church was among ARL's founders. At an early 1982 meeting of the organization in New York he warned against "any group which presents its program for political action wrapped in the pages of the Bible and the folds of the flag." Early on ARL attracted such supporters as science writer Isaac Asimov, evolutionary biologist Ernst Mayr, American Baptist minister Carl Flemister, women's rights advocate Harriet Pilpal, public education activist Florence Flast, and church-state expert Leo Pfeffer.

ARL has members in all 50 states and several Canadian provinces.

Even a brief account of ARL's activities over the past 15 years would require a great many pages, so we will try to merely summarize the high points.

ARL's work has encompassed research, publishing, education, media appearances and debates in all sorts of forums, litigation, coalition building, and providing information and assistance to attorneys, students, journalists, scholars and other organizations.

Following publication of Ed Ericson's 1982 book, *American Freedom and the Radical Right*, ARL has produced 23 addi-

tional books and studies, more than have been published by any similar organization. (See our book ad in this issue.) Eight titles have been published by Prometheus Books, a major east coast publisher, and three by Centerline Press in California. ARL's book *The Case Against School Vouchers*, by Doerr, Menendez, and Swomley, went through three printings by ARL before being issued in trade paperback by Prometheus. Articles by Swomley, Doerr, and Menendez have appeared in numerous periodicals.

ARL Board members, National Advisory Board members (living and deceased), and staff have published an aggregate of over 750 books.

ARL's president and staff have been guests on radio and TV talk and panel shows, and have spoken at meetings, conferences, universities, seminaries, churches, and synagogues throughout the U.S. and elsewhere.

In 1987 ARL sponsored the first interdisciplinary conference on fetal "personhood," brain development, and abortion rights, the papers for which were published in the book *Abor-*

### In Memoriam

Among the distinguished men and women who have served on ARL's National Advisory Board, the following, now deceased, stand out: **James Luther Adams**, Unitarian Universalist theologian at the Harvard Divinity School; **Isaac Asimov**, science writer and popularizer, novelist, short story writer; **U.S. Senator Frank Church**; **Gary Crawford**, attorney in the 1982 Arkansas creationism lawsuit; **Faith Evans**, civil rights and reproductive rights activist; **Florence Flast**, church-state activist, president of the National Coalition for Public Education and Religious Liberty and plaintiff in *Flast v. Cohen*, the 1968 case that established taxpayer standing in First Amendment cases; **Eli Master**, Michigan businessman; **Alfred McClung Lee**, sociologist and author; **Bernard Malamud**, novelist; **Leo Pfeffer**, the most eminent church-state litigator and First Amendment expert; **Harriet Pilpel**, women's and reproductive rights activist; **Carl Sagan**, astronomer and science popularizer; **Jay Wabeke**, Michigan church-state activist.

Each of these made significant contributions to the defense of religious liberty and church-state separation.

tion *Rights and Fetal "Personhood."* The conference and book, in turn, contributed to an important *amicus curiae* brief to the Supreme Court in 1989, signed by 12 Nobel laureates and 155 other scientists and physicians, in the *Webster v. Reproductive Health Services* case.

Earlier, ARL originated the idea of having Nobel laureates in science sign an *amicus* brief in *Edwards v. Aguillard*, the case that resulted in the 1987 Supreme Court ruling against teaching "creationism" in public school science classes.

ARL has been active in the courts, often in coalition lawsuits and *amicus curiae* briefs. ARL joined with the ACLU in a successful challenge, in *Lamont v. Baker*, to use of federal funds for support of sectarian schools in other countries. ARL is currently supporting a court challenge to an attempt to get government development bond assistance for a sectarian college in Tennessee, and has been involved with the National Committee for Public Education and Religious Liberty (PEARL) in a number of cases. ARL was involved in all three of the Supreme

Court's major church-state cases in June of 1997.

In 1987 ARL opposed Robert Bork's nomination to the Supreme Court because of the nominee's unfriendliness toward church-state separation.

Over the years ARL has been involved in coalitions dealing with state referenda on parochial school aid and abortion rights in Massachusetts, Maryland, Michigan, Arkansas, Colorado, California, Oregon, and Washington State.

Since the early 1990s ARL has been part of the broad coalition supporting the Religious Freedom Restoration Act, recently struck down by the Supreme Court. In 1995 ARL joined 35 religious and civil liberties organizations issuing the statement on "Religion in the Public Schools," which was the basis for President Clinton's speech on the subject in July of that year.

Throughout its fifteen years ARL has been in the forefront of the struggle to defend the Jeffersonian-Madisonian principle of separation of church and state.

## Editorials

### Justice William J. Brennan, Jr.

On July 24 death claimed the most distinguished defender of civil liberties and religious freedom ever to serve on the U.S. Supreme Court, Associate Justice William J. Brennan, Jr. For 34 years, in 1,360 opinions over his name, Brennan contributed more than any other justice to the defense of individual liberty and the Madisonian-Jeffersonian wall of separation between church and state.

Among his significant rulings was *Aguilar v. Felton* in 1985, which was overturned in June of 1997 in *Agostini* (see separate report in this issue).

Ever the firm defender of church-state separation, Brennan wrote majority, concurring, or dissenting opinions in cases involving government aid to church schools and colleges, church taxation, religious devotions in public schools, rights of sabbatarians, clergy in political office, religion in the military, state regulation of church soliciting, Sunday closing laws, and legislative chaplains.

In 1987 Brennan wrote the majority opinion in *Edwards v. Aguillard*, which struck down a Louisiana law aimed at giving "creation science" equal time in public school science classes.

Brennan strongly supported equal rights for women and reproductive freedom. His 1972 opinion in *Eisenstadt v. Baird* paved the way for the 1973 ruling in *Roe v. Wade*, which recognized a woman's fundamental right to choose whether or not to continue a problem pregnancy. In *Eisenstadt* he wrote: "If this right to privacy means anything, it is the right of the individual, married or single, to be free from unwanted governmental intrusions into matters so fundamentally affecting a person as whether to bear or beget a child." Although Justice Harry Blackmun authored the majority opinion in *Roe v. Wade*, Brennan did more than anyone else to shape it.

Not only was Brennan a driving intellectual force on the Court, he also had the ability to bring his colleagues to consensus.

In the pantheon of American freedom and democracy, we honor the 18th century's James Madison as the chief architect of the Bill of Rights. In the 19th century we had Lincoln's revitalization of the ideas of the Declaration of Independence in

his Gettysburg Address and in the creation of the Fourteenth Amendment by two forgotten members of Congress, Bingham of Ohio and Howard of Michigan. In the 20th century we have had William Brennan, whose remarkable third of a century on the Supreme Court strengthened the Bill of Rights, expanded its coverage and protections, and taught us how the judiciary should function.

And, just as Martin Luther King, Jr., taught that the content of one's character is more important than the color of one's skin, so William J. Brennan, Jr., a devout Catholic, reminded us that one's actions and values are more important than one's formal religious affiliation.

### Vouchers and Educational Equity

On May 2 the *National Catholic Reporter*, the leading lay-edited Catholic weekly, ran writer John Allen's important long article, "Inequity in funding of public education raises justice issues." Allen hammers home the point that "the institutional Catholic church has signaled tacit consent to the injustices of the public system. While church leaders have spoken aggressively to the needs of Catholic schools, there has been only discrete silence, or, at most, ambiguous statements of general principles concerning the way America's public schools provide differing educational opportunities based on class and race."

Allen quotes Notre Dame University Professor Jay Dolan, "Since public schools serve the vast majority of children, the failure of the church to speak out on their behalf should give all of us pause."

He agrees with John Dewey's remark that "What the best and wisest parent wants for his own child, that must the community want for all its children. Any other ideal for our schools is narrow and unlovely; acted upon, it destroys our democracy."

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## Vouchers, *continued from page 5*

Allen laments the Supreme Court's refusal in 1973 to deal with the wide disparities in educational spending within states and notes that although a number of state supreme courts have dealt with the issue, there is little to show for it. The problem, he explains, is that equalizing school spending among districts without raising new money pits rich and poor school districts against each other, while leveling school spending upward runs into popular reluctance to raise taxes. When New Jersey Gov. Jim Florio valiantly raised taxes for education, he lost his bid for re-election to pro-voucher, anti-tax Christie Whitman and the Democrats in the state legislature took a beating.

Per-student spending was higher in major cities in 1950 than in the suburbs, but now suburban per-student spending greatly exceeds that of both cities and rural areas. And, Allen points out, "race plays a significant role in allocation of educational resources."

"In the debate over the quality of public education America is prepared to offer its poor and minority children," Allen charges, "the official leadership of the Catholic church has been missing in action." While the bishops in 1995 issued a vague statement on "equitable financing of education," it seemed more oriented toward getting vouchers for private schools. Allen quotes Msgr Thomas McDade, secretary of education for the U.S. Catholic Conference, as saying that he is unaware of any efforts by the bishops to address the inequities of public school financing. The bishops did, however, file an *amicus* brief in defense of Wisconsin's voucher plan.

Allen concludes that the institutional church does nothing in the struggle for educational justice, putting its energies behind the campaign for vouchers, "an obsession that distracts attention from other issues."

In the same issue of *NCR* an editorial referred to public education as "one of the truly distinctive achievements of the great American experiment." It quoted Los Angeles' Bishop Thomas J. Curry as saying that it is not realistic for church leaders to think their schools can get public funding without eventually having to move away from their religious mission.

The editorial concluded: "The concern for educating all our children should not be left to the vagaries of the marketplace, as some would prefer. Nor should it be permitted to become captive to the narrow agenda of the religious right, whose proponents love to use the issue to whip up the forces of intolerance. It is time, instead, for Catholic church leaders and Catholic scholars to weigh into the discussion in a large way . . . in the spirit of finding a way to do justice by all children, not just the offspring of the well-to-do."

John Allen's and *NCR*'s words are timely and important. If the leaders of the country's largest religious body got behind adequate and equitable funding for public education, we would be a lot closer to solving our school problems. And Allen and *NCR* addressed only Catholics. All of our faith communities—Protestants, Jews, Muslims, Unitarian Universalists, etc.—and secular communities, businesses, and unions should get on the education bandwagon. The future of our country depends on it.

Vouchers must be stopped, of course, and the wall of separation between church and state kept high. Vouchers, and we cannot emphasize this enough, would wreck public education, increase educational costs while lowering net educational quality, gradually replace democratic education with sectarian and ideological indoctrination, fragment our society along religious,

ethnic, social class, and other lines, and awaken dormant antagonisms.

Incidentally, Quebec's provincial assembly recently voted unanimously to end church control over education and go to a system of linguistic based schools. This follows Newfoundland's 1995 decision to do away with sectarian schools. Debate is now beginning in Ontario about scrapping that province's system of public schools and tax-funded Catholic schools, with Protestant and Jewish schools left out in the cold. It is truly strange that some Americans want to move toward a school arrangement that an increasing number of Canadians are moving away from.

## Theocrats Wrong

Advocates of school prayer amendments, nonpublic school vouchers, anti-abortion measures, and other items on the Religious Right agenda are basically Johnny One-noters. The note they toot endlessly, like some hypnotic mantra, is that Supreme Court rulings upholding church-state separation have harmed religion, reduced religious folk to the status of a picked-on minority, and sent the nation into a tailspin to Hades.

Well, surprise, it really isn't so, according to the Gallup polling organization, which has never been accused of unfriendliness toward religion. Gallup recently compared survey data from 1947 and 1997 on religious belief and church attendance. The results:

The vast majority of Americans (95% in 1947, 96% today) believe in God, under one definition or another, 90% say they pray (both 1947 and 1997), most believe in an afterlife (73% in 1947, 71% today), and regular church attendance is holding steady (41% in 1947 and today).

Whether our society is worse or better than it was 50 years ago is a complex matter of opinion, but whatever changes we have seen have made no difference to these indicia of religiousness. A good case can be made that the Supreme Court's church-state rulings have kept the country on a rather steady heading. No case can be made for the new attempt by Rep. Ernest Istook, a quarter of his House colleagues, and Pat Robertson's Christian Coalition to tamper with the Bill of Rights.

### *ARL in Action*

President John M. Swomley presented two workshops at the Unitarian Universalist General Assembly in Phoenix in June. He attended the ACLU Biennial Conference in Santa Fe the same month. Swomley and a number of Kansas City area clergy criticized the Promise Keepers movement in an article appearing in the *Kansas City Star*.

Executive director Edd Doerr was a delegate to the Unitarian Universalist General Assembly in Phoenix. He addressed audiences in Frederick and Adelphi, Maryland, and he was interviewed twice by Radio Free Europe concerning international religious liberty developments, especially in Russia and China.

Associate Director Al Menendez was interviewed by the London *Daily Telegraph* about events in Northern Ireland and for commentary on Russia's impending restrictions on religious freedom. He is researching the Mennonite school system in Lancaster, Pennsylvania.

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## ARL Publishes Three New Books

Americans for Religious Liberty has just released two new books and a monograph. The organization's president, John M. Swomley, has written *Confronting Church and State: Memoirs of an Activist*, which recounts his involvement in issues affecting church-state relations, civil liberties and world peace, spanning more than five decades. Swomley has played a major role in these issues since the 1940s and is well known as an indefatigable activist. His career, as recounted in these pages, is dramatic and compelling, revealing as it does the continuity of fundamental human rights concerns.

A second book, *Three Voices of Extremism*, by associate director Albert J. Menendez, exposes the intellectual malfeasance and mischief engaged in by three Religious Right spokespersons, Charles Colson, James Dobson and D. James Kennedy. Menendez argues that these three have convinced a wide swath of Americans that they are reasonable and moderate men, when in reality they are hard-edged exponents of religious intolerance and reactionary politics. In his conclusion Menendez warns of the consequences of a Religious Right triumph in America. "It is the profound religious intolerance of the movement which threatens to create a closed society, should it ever triumph, a society no longer open to a multiplicity of religious experiences, no longer welcoming or nurturing difference in religious belief and observance. If triumphant, it would obliterate two

centuries of slow progress in extending the religious liberty guarantees of the Constitution to still more and more people. As a political force, it threatens to divide the nation's political life along religious lines, as did the now discredited European confessional parties of old. As a cultural force -- and it is in the nebulous realm of culture where its influence is potentially greatest -- it could engender a wasteland of ignorance, shallowness and superficiality unworthy of a great nation. It could very well be the death knell of a democratic way of life."

Menendez's *The Red Mass: A Fusion of Religion and Politics?* has also been issued. It is a timely study of an ongoing practice in which Roman Catholic leaders seek to advance "natural law" arguments in the judicial and legislative arenas. Says Menendez, "The Red Mass is more than a medieval event reconstructed, reenacted and repackaged for the consumption of a modern democracy and its lawmakers. It is that, to be sure, but it is also a colorful and seductive blending of law, religion and government designed to encourage those who attend it to listen more respectfully to the leaders of an ancient body which seeks to apply its understandings of religion and public life to a modern, pluralistic secular public order."

*Confronting Church and State* is available from ARL for \$12.95, *Three Voices of Extremism* for \$10.00, and *The Red Mass* for \$6.00.

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### A Bad Week in June, *continued from page 3*

also feeds the growing anger, mostly but not exclusively on the religious and political right, that the Court is on occasion tyrannical, capricious and out of touch with American mainstream sentiment on many issues.

Congress might try to solve those problems with a revised, improved RFRA, while state legislatures could pass locally applicable RFRAs. The worst possible response would be for Congress to propose a constitutional amendment to place "governmental compelling interest" and "least restrictive means" tests in the Constitution. Such an effort would likely be combined with Rep. Ernest Istook's mischievous Religious Freedom Amendment, designed to authorize majority rule religious devotions in public schools and to allow or require public funding for religious schools and other institutions. We have never amended the Bill of Rights. Doing so now, even for ostensibly worthy motives, would set a dangerous precedent that could lead to irreparable erosion of the First Amendment and the rest of the Bill of Rights.

### Physician Assisted Suicide

The day after *Boerne* the Court unanimously reversed federal appellate rulings that had struck down New York and Washington State laws barring physician assisted suicide in *Vacco v. Quill* and *Washington v. Glucksberg*. The ruling, however, left intact the right of individuals to refuse life saving medical treatment or the authority of a physician to administer medication that could cause death as a side effect of combatting severe pain. The Court also seemed to leave the door open for state legislatures to permit physician assisted suicide. Oregon

voters upheld such a law in 1994, though it has not taken effect due to court challenges and the state legislature has put the measure back on the ballot for another referendum in November.

### Facing the Future

As should be continuously obvious, questions of individual freedom, freedom of conscience, religious liberty, and church-state separation are never ending and ubiquitous. Time refuses to stand still and the price of liberty is still eternal vigilance. Ignoring these facts will not make them go away.

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# Update

## Parochiaid Move Blocked, Revived

Sen. Paul Coverdell (R-GA) attached a parochiaid amendment to the compromise budget/tax bill worked out between the White House and the Republican-controlled Congress in July. The amendment would have allowed \$500 per student per year tax-free withdrawals from special "education savings accounts," intended for college expenses, to be used for tuition, transportation, and other expenses for elementary and secondary public, private, sectarian, and home schooling.

With only two minutes allowed for debate, Senate Minority Leader Tom Daschle objected that "This is tantamount to providing vouchers for private education." The Senate then

voted 59 to 41 in favor of the Coverdell amendment.

In a letter to House Speaker Newt Gingrich on July 29, President Clinton stated: "As you know . . . I strongly opposed the Coverdell amendment. I would veto any tax package that would undermine public education by providing tax benefits for private and parochial school expenses."

The Coverdell amendment was removed from the final bill.

Immediately, however, Coverdell and 34 Senate co-sponsors (33 Republicans, 2 Democrats) and Gingrich and 70 House co-sponsors (69 Republicans, 2 Democrats) introduced identical bills, S. 1133 and H.R. 2373, to provide the same special tax favors, but increased from \$500 to \$2,000. Although the proposal contains a window dressing sop for public schools, nearly all of the money under the scheme would go to sectarian and other private schools. The Coverdell-Gingrich plan would cost taxpayers \$10 billion per year.

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The National Coalition for Public Education is urging concerned citizens to urge their senators and representatives to oppose the bills.

## Vermont Court Quashes Vouchers

Tuition payments made directly by public taxing authorities to private sectarian schools violate both the Vermont and the U.S. constitutions. So held the Rutland Superior Court on June 27 in a case involving parents in Chittenden Town School District who insisted that the local district should pay their children's tuition at Mount Saint Joseph Academy, a private sectarian high school. In *Chittenden Town School District v. Vermont Department of Education*, the court held that "tuition payments by a school district to a pervasively sectarian high school, or to the parents of the children who attend, would have the effect of a direct subsidy to religious schools in violation of the United States and Vermont Constitutions."

Vermont has many small towns which lack a public high school, and local public school districts pay the cost of transporting students to high schools, public or private nonsectarian, in neighboring towns. In the 1995-96 school year, eighty-five Vermont school districts paid for 6,336 students to attend such schools. Chittenden approved the use of public funds to pay tuition for 15 students at Mount Saint Joseph Academy. As a result, the State Department of Education, which held that such aid was unconstitutional, terminated state aid to the Chittenden District, which appealed to the Court for judgment.

The Rutland Superior Court invoked Chapter I, Article 3 of the Vermont Constitution and cited the Establishment Clause jurisprudence of the U.S. Supreme Court. The Vermont court refused to address the parents' claims that the Religious Freedom Restoration Act (RFRA) mandated the payment. Denying that the ruling "impinged upon the practice of a sincere religious belief" and "did not interfere with the rights of parents to choose a religious education for their children." The Court cited entanglement between religion and government and held that the Vermont Constitution, as do twenty-two others, forbids "compelled support of religion" by taxpayers against their will and conscience. "Vermont's history and solid rejection of compelled contributions through taxes for the support of religion . . . reveals the importance to Vermonters of the freedom from compelled taxation," the Court observed.

In a grim summer of repeated defeat for church-state separation, this decision in a small but enlightened part of the Union is a ray of sunshine in the overall darkness.

## Voucher Battles Continue

Although a Vermont court has struck down vouchers for sectarian schools, the struggles continue elsewhere. The latest details:

**Wisconsin:** Milwaukee's voucher plan, ruled unconstitutional on January 15 as applied to religious schools, is now before an intermediate state appeals court. Wisconsin educational researchers John Witte and Alex Molnar have shown that the Milwaukee voucher plan does not improve education and does not serve the needs of the inner city poor as voucher promoters claim.

**Ohio:** The Ohio Supreme court ruled on July 24 that the Cleveland voucher plan may continue for another year, pend-

ing appeals, despite a lower court's having ruled it unconstitutional in May. And the legislature provided funding for it to continue for two more years.

**Minnesota:** In July the legislature increased the tuition tax deduction for parochial/private school tuition from \$1,000 per student to \$1,625 for K-6 students and \$2,500 for 7-12 students.

**Arizona:** The legislature has approved a hybrid, back-door voucher plan that allows \$500 per year tax credits to those who donate toward tuition and scholarships to nonpublic schools.

**Maine:** Parents filed suit in Cumberland County in June demanding reimbursement for parochial school tuition.

## Kiryas Joel III!

On August 4 the New York State legislature passed another bill to create a special, religiously segregated public school district for the Satmar Hasidic sect in the Orange County village of Kiryas Joel. A similar previous law was ruled unconstitutional by the U.S. Supreme Court in 1994, while a second similar law was ruled unconstitutional by New York's supreme court in May 1997. Gov. George Pataki said he would sign the bill if he thought it is constitutional.

Louis Grumet, executive director of the State School Boards Association and lead plaintiff in the two lawsuits challenging the Kiryas Joel laws, said "New York's leaders should be ashamed of themselves because they know this is wrong."

The Satmar Hasidim, who vote in a near-unanimous bloc, do not want their children educated in a religiously neutral or pluralistic setting.

## Ed. Dept's New Rules

In the wake of the June 23 *Agostini* ruling, the U.S. Department of Education issued new guidelines for providing federally funded Title I remedial services on the premises of religious private schools.

Only public employees may provide the services and teaching assignments must be made without regard to their religious affiliations. Classrooms used for federally funded services may not contain religious symbols. Materials and equipment for Title I services may not be used for any other instruction, public school personnel may not team up with parochial school teachers to instruct children, and public school teachers may not participate in religious activities at the church schools.

Attorney Lisa Thureau, executive director of the National Committee for Public Education and Religious Liberty (PEARL), criticized the guidelines for giving too much latitude to local school authorities. She said the new rules actually weaken guidelines currently in place and do not make reference to any enforcement mechanisms to assure that safeguards are in place.

## Bauer Opens '98 Campaign

Gary Bauer, president of the Family Research Council (a spin-off of James Dobson's Focus on the Family organization) and former Reagan Chief Domestic Policy Adviser, has jumped early into the 1998 congressional campaign with a new political group, the innocuous sounding Campaign for Working Families. Specifically targeted for defeat by Bauer's group are

nine Democratic senators: Daniel Inouye, Carol Moseley-Braun, Bob Graham, Barbara Boxer, Chris Dodd, Patty Murray, Ron Wyden, Russ Feingold, and Barbara Mikulski.

Bauer attacks the nine mainly for voting for reproductive choice, though his fundraising letter lists as legislative priorities school prayer, the Istook so-called Religious Freedom Amendment, banning abortion, "keeping the Ten Commandments in the courthouse," passing "parental rights" legislation, and enacting a flat tax.

Bauer seeks \$5 million "to defeat these nine liberal U.S. senators and to elect pro-life, pro-family, pro-free enterprise conservatives."

Bauer's fundraiser was accompanied by a strong endorsement letter from Focus on the Family's James Dobson "personally supportive of Gary's new effort." Dobson's letter says that he does not wish to violate election laws, "Therefore, I am writing this letter today on my own behalf—not on behalf of Focus on the Family." Oh, really?

## Abortion Rights

In the last three months legislative bans on so-called "partial birth abortions" have been vetoed by governors in Florida, New Jersey, and Missouri. Similar bans were passed in Nebraska, Tennessee, Alabama, and Louisiana, but courts enjoined those in Nebraska and Louisiana. Missouri, Texas, and Ohio laws bar any state funding for abortions. Wisconsin's mandatory delay and biased counseling law has been upheld by a federal court. Colorado's law creating "floating buffer zones" for persons entering clinics has been upheld by the state's Court of Appeals, while a similar Phoenix, Arizona, law was struck down by a federal appeals court.

## UUs Oppose Istook Amendment

The Unitarian Universalist Association General Assembly on June 24 overwhelmingly approved a resolution condemning Rep. Ernest Istook's proposed "Religious Freedom Amendment." The resolution stated that the amendment would "overturn decades of judicial decisions"; endorse "a particular religion in and by public schools and other public institutions with resultant disparagement of other religious views and intimidation of school children and others of a different religious outlook"; and "authorize large scale diversion of public funds to sectarian schools."

## Creche Nixed

The Supreme Court on June 9 denied without comment an appeal by Jersey City mayor Brent Schundler from a Third Circuit ruling that a city-owned holiday display (a nativity scene, a Christmas tree, and a Hanukkah menorah) violated the First Amendment establishment clause (*Schundler v. ACLU*). The federal district court in Newark will now evaluate a revised display that added Santa Claus and Frosty the Snowman in an effort to give the display a less religious appearance, a move that the appeals court did not buy. Schundler is also known as a strong advocate of vouchers for nonpublic schools.

## Safeguarding the Future

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## International

**Vatican City:** The Vatican has denied a report published in the U.S. alleging that pro-Nazi elements in the Vatican, led by Austrian Archbishop Alois Hudal, used Nazi gold to smuggle war criminals from Europe to Latin America a half century ago. While the story had appeared before in books and articles, the charges surfaced anew in research surrounding Switzerland's role as Nazi Germany's money launderer during World War II and the refusal of Swiss banks to search for Holocaust survivors, whose families deposited funds in Swiss banks. An international team of Holocaust experts published a now declassified U.S. Treasury document written by Emerson Bigelow in October 1946. The Bigelow memo claimed that the Nazi puppet regime in Croatia used the Vatican as a conduit for \$130 million in gold and jewelry looted from Jews, Serbs, gypsies and anti-Nazi Croats; the money was then used to facilitate the escape of war criminals to Spain, Argentina and the U.S., through a vast network which included monasteries. Shimon Samuels, director of the Simon Wiesenthal Center in Paris, said his organization believed the reports were true and had confirmed their own investigations. A documentary appearing on the U.S. cable network A&E had been reported to air the charges, but they were inexplicably omitted in the version aired July 25. The *London Sunday Telegraph* reported on July 27 that "Vatican officials have already embarked upon a thorough review of the church's wartime record. The accusations will put added pressure on the Vatican to open its archives—something so far done only in part—to give a more detailed account of its activities during and just after the last war. In the run-up to the millennium, Vatican officials have already agreed to undertake an examination of conscience." Reuters also reported that the Vatican bank used Swiss banks to transfer funds from Germany to another bank that was blacklisted by the Allies. U.S. Ambassador to the Vatican Raymond Flynn called the assertions weak in a letter to President Clinton. Flynn has long tended to support or endorse Vatican interpretations of controversial events.

**Moscow:** In a surprise move, Russia's Parliament approved legislation to restrict religious groups that are headquartered outside the country. Similar legislation had been ap-

proved by a previous parliament but was opposed by President Boris Yeltsin. Apparently aimed at American Protestants and European Catholics, the restrictive statute had the strong support of the powerful Russian Orthodox Church, which seems to be angling for a return to the kind of establishment status it enjoyed for centuries under the czars.

The bill, passed in a closed session by the Duma's committee on religion, creates a new category of "religious groups" which would enjoy far fewer rights than registered "religious organizations." Those labeled religious groups would have fifteen years in which to become organizations but in the interim would lack the status of a legal personality. They could not publish prayer books, organize pilgrimages, invite foreign speakers or conduct worship services in public places. A new bureaucracy would be established to review the theological doctrines and worship practices of groups applying for recognition. The bill would have given Russia's courts broad ground for suppressing religions accused of "harming the morality or health of citizens," "encouraging religious dissension" or "depraved actions."

International religious freedom specialists believe the law violates the 1993 Constitution. So do President Clinton, who asked President Yeltsin to veto the proposed law, and the U.S. Senate, which voted 95-4 to cut off all aid to Russia if the bill became law.

President Yeltsin vetoed the proposal in July, but the overwhelming majority by which it passed in June raises the possibility that the Duma will override his veto. If so, the Orthodox Church, defined in the bill's preamble as "an inalienable part of Russia's historical, spiritual and cultural heritage," will have regained political power on an unparalleled scale.

**London:** Tony Blair's election as Prime Minister in May by a historic landslide is expected to lead to several changes in church-state relationships. Blair proves that not only political conservatives can be religious. He is a practicing member of the Church of England's Anglo-Catholic wing, a convert during his Oxford days. His lawyer wife Cherie is a Roman Catholic, which has caused bitter and hostile public criticism from Orange Order leaders in Northern Ireland, where Blair must move quickly to revive the peace process designed to bring the province's long troubles to a close. Blair also has his own religious affairs adviser.

The House of Commons has its first Muslim member, a Laborite who won a seat in Glasgow, Scotland, where the Conservatives failed to win a single seat for the first time in history. The Tories, who were reduced to their lowest parliamentary membership since 1832, also failed to win a single seat in Wales.

Most religious leaders welcomed the Labor victory, since the Tories, wracked by scandal and torpor, had been in power since 1979. Blair's promises to help reduce the economic divisions between rich and poor and to improve the nation's health and education systems received widespread clerical support. And despite Scotland's Cardinal Thomas Winning's criticism of Labor's support for abortion rights, Scotland's Catholics voted overwhelmingly for Blair—as did its Protestants and non-churchgoers!

The National Association of Teachers has asked Blair to end the half century practice of religious worship in Britain's state (comparable to U.S. public) schools in light of the nation's increasing religious pluralism.

**Warsaw:** Polish voters on May 25 ratified the country's post-

Communist constitution, despite strong opposition to the charter by Catholic Church officials and the Solidarity trade union. The constitution's preamble, drafted by Poland's first post-communist prime minister, Tadeusz Mazowiecki, begins: "We, the Polish nation, all citizens of the Republic, equally those believing in God as the source of truth, justice, goodness and beauty, and those not sharing that faith and drawing those universal truths from other sources, equal in their rights and duties toward Poland. . . ." President Aleksander Kwasniewski promoted the new constitution as a hard-fought compromise, but conservative critics said it failed to respect Poland's Catholic heritage and lacked a ban on abortion.

Three days later Poland's Constitutional Tribunal ruled unconstitutional a law passed in 1996 that allowed abortions through 12 weeks for women facing financial hardship or difficult personal circumstances. The Tribunal held that the law violated "natural law," a concept in Catholic theology.

## Books

*Reason and Passion: Justice Brennan's Enduring Influence*, edited by E. Joshua Rosenkranz and Bernard Schwartz, W.W. Norton & Co., 329 pp., 1997, \$30.00.

William J. Brennan, Jr., was indisputably one of the greatest jurists ever to have served on the U.S. Supreme Court. His contributions to the defense and expansion of civil liberties, civil rights, church-state separation, and democratic government have been of inestimable importance. This festschrift by 34 eminent lawyers, law professors, and journalists, including Justices Rehnquist, Ginsburg, Breyer, Souter, and Blackmun, covers every phase of Brennan's remarkable 34 years on the Court. Especially valuable are the essays on his free exercise and reproductive rights jurisprudence. Brennan, a devout Catholic, was actually the main architect of the Court's line of reproductive rights decisions.

The book is marred by two flaws: its inexplicable inclusion of Nathan Lewin's sour, kvetchy essay denigrating Brennan's establishment clause opinions, and its curious failure to include an essay explaining and appreciating Brennan's significant and courageous contributions to establishment clause law. Apart from these flaws, *Reason and Passion* is a readable exploration of the life and career of a major American hero in the tradition of Madison and Jefferson, and its style makes it accessible to the layperson.

-- Edd Doerr

*American Evangelicals and the U.S. Military, 1942-1993*, Anne C. Loveland, Louisiana State University Press, 356 pp., \$55.00.

Loveland, a professor of American History at LSU, has produced a one-of-a-kind study, history at its most engaging and exhilarating. Her painstaking research traces the role of evangelical Protestants in the U.S. military, from initial hostility to immense power in shaping policy and determining the overall religious orientation of the armed forces.

She writes that today the U.S. has "a military community largely populated by born-again Christians, in which conservative Protestantism set the standard of theological and ethical

### Moving?

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values. The dominant religious conservatism allowed aggressive, intolerant behavior on the part of its adherents but frowned on overt expressions of religious liberalism." Some of this is due to a simple fact: "The increasing number of high-ranking officers, both active-duty and retired, who assumed leadership positions in various parachurch groups involved with the armed forces also testifies to the growing approbation evangelical religion enjoyed among upper-echelon military men."

Evangelicals initially disliked the military command, because its leadership belonged largely to the mainline churches, especially the Episcopal Church, to which 40% of the military leadership adhered. But since evangelicals now control the military, they have forged a close identification with military policies, especially during the Reagan administration.

The coziness began under Eisenhower and intensified for several reasons, according to Loveland. "Another factor that contributed to a more harmonious relationship between evangelicals and the military leadership was that although some leaders continued to regard evangelical religion as theologically alien, they recognized that ideologically it was sympathetic to and supportive of the military."

This commonality of interest came to full bloom in Vietnam. "The Vietnam War proved to be a watershed event in the history of evangelicals in the United States. Evangelicals' support for the war policies of the Johnson and Nixon administrations strengthened their influence in the federal government. . . . The Vietnam War facilitated a dramatic change in evangelicals' image and status within the military."

Loveland argues that evangelicals supported the Reagan military buildup, the Star Wars initiative and opposed the nuclear freeze for both political and religious reasons. Evangelical influence in the military led to some clashes with what she calls "the plural ideal, the wide-ranging religious pluralism among military personnel and in the chaplaincy." Evangelicals adhered to a "sectarian ideal" which, Loveland asserts, reveals "the uncompromising sectarianism so characteristic of evangelicals, the notion that their faith constituted 'true Christianity' while others represented 'half truth' or 'sub-Christian' views or even total falsehood." She adds, "Besides sectarianism, the sectarian ideal military evangelicals followed in the 1970s and 1980s embraced moral absolutism." Finally, evangelicals adhered to the "custodial notion that the dissemination of religious 'half truth' and moral relativism must be stopped or at least challenged because it subverted the faith of others and put them in danger of damnation."

As a consequence, many military evangelicals bitterly opposed the inclusion of Buddhist and Mormon chaplains in the armed services, though their efforts were unsuccessful. They were successful, however in promoting the philosophy of James Dobson inside the military.

Loveland notes that a devout fellow evangelical, Army Chief of Staff General John A. Wickham, Jr., "engaged a prominent evangelical, James C. Dobson, to help implement the development of a comprehensive army family policy." She adds, "That it was enunciated during General Wickham's tenure as chief of staff ensured that it carried the stamp of his professional, personal, and religious convictions." Loveland also notes that "the two men quickly developed a close relationship based on shared religious convictions and mutual respect." In addition, she says, "No one did more than Dobson to advertise Wickham's evangelical credentials. . . . Dobson also paraded the chief of staff before the Focus on the Family organization team."

During the first Clinton administration, evangelicals fought tooth and nail against the president's proposal to ban discrimi-

nation against gay and lesbian members of the armed forces. About the evangelical military lobby Loveland writes, "Though still a minority, they were insiders who wielded influence disproportionate to their numbers." Their attitudes toward those of other religious positions and/or lifestyles remained unfavorable. "By the 1990s many evangelicals still had difficulty fully accepting religious pluralism within the armed forces." Their campaign against the Clinton proposal was fierce, according to Loveland. "Military evangelicals fought an impassioned campaign against the lifting of the ban. The arguments they presented during the campaign made two basic points: That the issue was preeminently a moral one which ought to be decided on biblical grounds and that lifting the ban would be deleterious to the religious and moral welfare of the armed forces."

Military evangelicals worked closely with Religious Right allies and with Senators Dan Coats and Strom Thurmond of the Senate Armed Services Committee, both fellow evangelicals. Their campaign did not go unnoticed by the military command, says Loveland. "All of the religious activity in the Pentagon and the Washington, D.C. area focusing on the homosexual issue surely made an impression on the military leadership."

Loveland's conclusion to her seminal historical examination should, if anything, settle the argument that evangelical Christians are an oppressed, persecuted minority in the United States. "Military evangelicals' response to the issue of homosexuals in the military showed the influence they were capable of exerting by the 1990s. Fifty years after the beginning of the evangelical mission to the military, conservative Christians remain a minority in the armed forces, but they made up for their lack of numbers by their zeal and cohesiveness. The growth of evangelical religion in the civilian sector over the fifty-year period also contributed to their strength. Evangelicals' mission to the military and their campaign to influence national policy generally developed along parallel lines. . . . If anything, the controversy over homosexuality in the military suggested that military evangelicals, separately or allied with fellow believers in the civilian sector, constituted a force to be reckoned with in the future."

The words "definitive" and "seminal" are used carelessly in book reviewing circles. But in the case of this excellent study, both are appropriate.

-- Al Menendez

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