



VOICE OF REASON

The Journal of Americans for Religious Liberty

2012, No. 3 [120]

National Platforms Differ Sharply on Church-State Issues

The 2012 Republican Platform endorses constitutional amendments to outlaw abortion and to make only marriage between a man and a woman legal. In effect, of course, this would usurp the right of the states to decide these issues for themselves. The Democrats, in contrast, endorsed abortion rights and same-sex marriage.

Party platforms are written largely by activists and appeal to the base of the parties, leaving middle-of-the road and Independent voters unrepresented. On these issues, however, Independents are closer to the Democrats. On abortion rights, 70% of Democrats and 58% of Independents said abortion should be legal in all or most cases. So did 34% of Republicans, according to a late summer poll by the Kaiser Family Foundation and the *Washington Post*.

The same poll found 68% of Democrats, 63% of Independents and 30% of Republicans in favor of same-sex marriage.

The 112-member Republican Platform Committee declared that an “unborn child has a fundamental individual right to life that cannot be infringed,” and included no exceptions for rape or incest. It endorsed a “human life” amendment, invoking the 14th Amendment, which says nothing about the issue. The GOP platform is even more unyielding than previous ones. Rosalind Helderman noted these changes in *The Washington Post*: “The platform includes some new language on abortion for the GOP, including a call for legislation to ‘ban sex-selective abortion’ and ‘to protect from abortion unborn children who are capable of feeling pain.’ It also offers a ‘salute’ to states that have adopted mandatory waiting periods, new regulations for clinics that perform abortions and informed-consent laws – a nod to states such as Virginia that have passed laws requiring ultrasound exams before abortions.” The platform also commends states that have adopted mandatory waiting periods, informed-consent laws, and rigorous clinic regulations — all of which are designed to restrict access to the procedure.

The New York Times was not impressed by the GOP platform. In an August 21 editorial, the paper said, “The Republican Party has moved so far to the right that the extreme is now the mainstream. The mean-spirited and intolerant platform represents the face of Republican politics in 2012.” The *Times* added that the platform “is more aggressive in its opposition to women’s reproductive rights and to gay rights than any in memory.” The platform, which also says that governments should “not fund or subsidize health care which includes abortion coverage,” would, in the *Times* view, “erase any right women have to make decisions about their health and their bodies.”

The Republicans also oppose “federal funding of stem cell research” and said the D.C. school voucher program “should be expanded as a model for the rest of the country.” The party endorses the “public display of the Ten Commandments” and “affirm[s] the right of students to engage in prayer at public school events in public schools.” They call for “a federal investigation into attempts to deny religious believers their



civil rights” and accuse “liberal elites [of trying] to drive religious beliefs and religious believers out of the public square.”

The Democratic platform “supports a woman’s right to make decisions regarding her pregnancy, including a safe and legal abortion, regardless of ability to pay,” and states: “Abortion is an intensely personal decision between a woman, her family, her doctor and her clergy; there is no place for politicians or government to get in the way.” They also endorse international family planning efforts.

The Democrats “support marriage equality and the movement to secure equal treatment under law for same-sex couples.” They endorse “the freedom of churches and religious entities to decide how to administer marriage as a religious sacrament without government interference.”

The party urges repeal of the Defense of Marriage Act and “supports the Employment Non-Discrimination Act because people should not be fired based on their sexual orientation or gender identity.” They call for enactment of the Respect for Marriage Act, which would allow the federal government to recognize same-sex marriages.

Both parties praised religious liberty, and both endorsed faith-based initiatives, though Republicans added that “faith-based organizations” should be allowed to retain religious preferences in hiring. ■

Inside:

| | |
|--|---|
| State GOP Platforms Echo Religious Right..... | 2 |
| Floridians Face Religious Freedom Challenges at Polls | 3 |
| Paul Ryan on Church and State | 3 |
| North Dakota Rejects “Religious Liberty” Amendment | 4 |
| Romney’s Mormonism: How Will It Play At the Polls? | 5 |
| Bishops’ Campaign Seen As Political | 6 |
| Youngest Voters: Less Religious, Politically Apathetic | 6 |
| New Religion Data: Political Implications? | 7 |
| Asian Americans Divided by Religion, Politics | 8 |
| Creationism is Still Prevalent | 8 |

Regular Features

| | |
|--------------------------------------|----|
| Church and State in the Courts | 8 |
| The Voucher Watch | 11 |
| Updates | 12 |
| ARL in Action | 15 |
| Books and Culture | 16 |

State GOP Platforms Echo Religious Right

A study of 32 state Republican Party platforms reveals that Religious Right attitudes pervade the great majority of them.

Six of the 32 (Alaska, Iowa, Minnesota, North Dakota, Oklahoma and Texas) endorse the teaching of creationism or “intelligent design” as *science* in public school classrooms. Missouri and Wisconsin Republicans want to give local school boards the option of teaching creationism. Alaska Republicans, in their 2010 platform, say, “If evolution is taught, evidence disputing the theory should also be presented.” Iowa’s GOP declared, “We believe that textbooks and teachers should clarify that Darwinian evolution is only a theory and not scientific fact.” Oklahoma Republicans want “equal funding, class time and material” for both “evolution theory” and “scientific evidence supporting Intelligent Design and biblical creation.”

The state parties oppose abortion rights and reproductive choice. Sixteen state parties have endorsed a “personhood” amendment to the U.S. Constitution, endorsing the “right to life from the moment of conception until natural death.”

Numerous platforms endorse public expressions of prayer and religious symbolism in public places. Public displays of the Ten Commandments are encouraged in Georgia, Iowa, Minnesota, Missouri, North Dakota, Oklahoma and South Carolina. Iowa Republicans condemn attempts “to remove any mention of God from the Pledge of Allegiance, the Declaration of Independence, and other public documents and from our governmental buildings, monuments or currency.”

A few state platforms seem to have adopted the David Barton thesis that America is formally a Christian nation. Georgia, Oklahoma, South Carolina, Texas and Washington claim the United States is a “Judeo-Christian nation” or has a “Judeo-Christian heritage.” The Texas party calls separation of church and state a “myth.”

Arkansas, Iowa and South Carolina Republicans say that religious institutions should not be taxed (though few, if any, are in any state).

A number of state parties claim that religious liberty is endangered in the United States. A majority of platforms endorse abstinence-only sexuality education. Iowa and South Carolina say that “pastors and

churches” should be allowed to engage in partisan politics without losing tax exemption.

Several states waded deeply into theology, becoming in effect sectarian political parties. Arkansas Republicans “acknowledge that the church is a God-ordained institution,” while South Carolina Republicans declare, “It is indeed the duty of every nation to obey the will of god.”

Republicans also oppose same-sex marriage and civil unions, with ten states calling for a federal constitutional amendment to ban any recognition of same-sex relationships. Republicans in California, Iowa, Louisiana, North Carolina, Oklahoma and South Carolina urge a ban on adoption of children by gay couples. Some states want judicial protection removed from gays, who are said to be “deviant and have chosen an aberrant lifestyle that deserves no legal protection.” North

Carolina’s 2012 platform, adopted on June 3, says that “sexual orientation is not an appropriate category” to be included in a list of legal protections. Oklahoma Republicans are certain that “homosexuality is not a genetic trait but a chosen lifestyle.”

Some states, including Iowa and Minnesota, endorse more faith-based programs to take over welfare and charity. The Mississippi GOP endorses “church and community-based rehabilitation programs for nonviolent offenders.” Oklahoma “supports the utilization of Christian faith-based and privately financed programs to reduce recidivism.” Nothing is said about any other religious programs.

Some states want to remove reproductive rights or sexual orientation from the judicial process, essentially stripping sectors of the community of legal protections.

Nebraska, Oklahoma and Texas Republicans endorse tougher divorce laws and call for the elimination of no-fault divorce laws, common in every state for decades.

Almost nothing positive is said about public schools. Iowa’s GOP platform routinely refers to “government schools,” from which “Judeo-Christian values and scripture should not be excluded.”

For more information, see www.goddiscussion.com/98330/gop-religious_platforms. ■



Voice of Reason is the quarterly journal of Americans for Religious Liberty, PO Box 6656, Silver Spring, MD 20916 (telephone 301-460-1111; e-mail: arlinec@verizon.net; website: www.arlinec.org). The journal is sent to all contributors to ARL.

Senior Editor: Edd Doerr
Editor: Albert J. Menendez
Production Editor: Teri Grimwood

Americans for Religious Liberty is a nonprofit public interest educational 501(c)(3) 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, \$35 for families, \$15 for students and limited income. Our IRS ID number is 36-3118921. Donations are tax-deductible.

Board of Directors: Burton Caine, *Chair*; Joanne Goldsmith; T. Jeremy Gunn; William R. Murry; Susan Nogan; David J. Nolan; Amanda Poppei;

Michael Prival; V.K. Sandin.

National Advisory Board: M. David Alexander; Philip Appleman; Francisco Ayala; Rev. Charles Bergstrom; Walter Breuggeman; Rev. John Buehrens; Bette Chambers; Bob Chase; Joseph Chuman; Dr. Catherine Cohen; Denise Davidoff; Norman Dorsen; Niles Eldredge; Edward L. Ericson; Joseph Fahey; Rev. Carl Flemister; Keith Geiger; Laurie Godfrey; Morris Goodman; Rev. Donald S. Harrington; Frances Kissling; Paul Kurtz; Rev. James Lawson; Anne W. Lindsay; Rev. Barry Lynn; James T. McCollum; Rev. Jack Mendelsohn; Rev. O. Eugene Pickett; Alan Powell; Howard Radest; Rosemary Ruether; Rev. William F. Schultz; Eugenie Scott; Lynn Silverberg-Master; Rev. Bruce Southworth; Rev. A. Knighton Stanley; Nadine Strossen; Philippa Strum; Ruti Teitel; Sister Margaret Traxler; Edward O. Wilson; Walter Wink.

Edd Doerr, *President*
Albert J. Menendez, *Research Director*

Floridians Face Religious Freedom Challenges at Polls



On November 6, Florida voters will confront two assaults on religious freedom. **Amendment 8** would remove the state's century-old ban on public funds for sectarian schools and replace it with the bland and deceptive phrase, "No individual or entity may be discriminated against or barred from receiving funding on the basis of religious identity or be-

lief."

Unfortunately, the proposal is called the "Florida Religious Freedom Amendment," when it actually weakens freedom of conscience by almost certainly allowing public funds to flow to faith-based schools. Florida Education Association (FEA) president Andy Ford said, "This is designed to open up the state treasury to voucher schools, but that's not what the title of the amendment and the ballot summary say." FEA described the proposed constitutional change as an "underhanded attempt to legalize state tuition vouchers for private schools, including church-affiliated schools."

ARL has joined with numerous educational (Florida Education Association, Florida Parents Teachers Association, Florida School Board Association), religious (Anti-Defamation League, Baptist Joint Committee, Catholics for Choice, National Council of Jewish Women) and civil liberties (ACLU, Equality Florida) groups to fight Amendment 8.

Other groups in the coalition include Planned Parenthood and the League of Women Voters.

For further information see <http://www.VoteNoOn8.com> or contact the Vote No Committee, 4500 Biscayne Blvd, Suite 340, Miami, FL 33137.

Amendment 6, known as the Florida Abortion Amendment, would "prohibit the

use of public funds for abortion or for health-benefits coverage that includes coverage of abortion" except those "required by federal law" or in case of rape, incest, or danger to the life of the woman. In addition, the amendment provides that the state constitution "may not be interpreted to create broader rights to abortion than those contained in the U.S. Constitution"—a slap at court decisions that have upheld the right of privacy provisions in Article 1, Section 23 of the Florida Constitution.

Opposition to Amendment 6 is led by Judith Selzer, who told *ballotpedia.com*, "Every woman deserves to

make her own personal decisions based on her values and her doctor's advice without politicians interfering."

The group, Vote No on 6, can be reached at <http://VoteNoOn6.com> or at 736 Central Avenue, Sarasota, FL 34236. ■



The Great School Voucher Fraud

By Edd Doerr

ARL president Edd Doerr's 23-page position paper explores in detail how the school voucher movement seriously threatens—

- Religious freedom
- Church-state separation
- Public education
- Community harmony

Doerr's paper examines the 27 statewide referendum elections on this important issue.

Available on line on ARL's web site — arlinc.org — or in print for \$10 from ARL, Box 6656, Silver Spring, MD 20916

Paul Ryan on Church and State

Rep. Paul Ryan is a distinctive choice for a number of reasons. He is the first Wisconsin resident to be nominated for president or vice president by a major party (Sen. Robert LaFollette ran for president on the Progressive Party ticket in 1924 and took 17% of the national popular vote). Ryan is the first incumbent House member to run for vice president since Rep. Geraldine Ferraro was Walter Mondale's running mate on the Democratic ticket in 1984. Ryan is the first Republican House member in the second spot since Rep. William Miller ran with Barry Goldwater in 1964. And, like Miller, Ryan is a Catholic, only the second Catholic to run as a GOP vice presidential nominee in the party's 156-year history. No Catholic has ever been nominated for president by the Republicans.

The 2012 election will thus be the first presidential election in history in which both vice presidential nominees are Catholic. In some respects this is remarkable since the GOP has always been seen as the white Protestant party—first as the "mainline" Protestant party from Lincoln until Reagan, and, since 1980, as the evangelical Protestant party. But this year's national ticket consists of a Mormon and a Catholic.

Ryan, House Budget Committee Chairman, is primarily an economic conservative, even a libertarian who has professed admiration for

continued on page 5

North Dakota Rejects “Religious Liberty” Amendment

By a resounding margin of 64% to 36%, North Dakota voters rejected a proposed change to the state constitution called the “Religious Liberty Restoration Amendment.” The June 12 vote swept all types of communities, causing the amendment (Measure Three) to lose 48 of the state’s 53 counties.

The measure, placed on the ballot by voter signatures, was initially seen as merely a rebuke to a two-decade ago U.S. Supreme Court decision written by Justice Antonin Scalia that significantly weakened the free exercise of religion. But it soon became clear that there was a hidden agenda behind the campaign of the proponents.

The amendment would have added the following new section to Article I of the state constitution: “Government may not burden a person’s or religious organization’s religious liberty. The right to act or refuse to act in a manner motivated by a sincerely held religious belief may not be burdened unless the government proves it has a compelling governmental interest in infringing the specific act or refusal to act and has used the least restrictive means to further that interest. A burden includes indirect burdens such as withholding benefits, assessing penalties, or an exclusion from programs or access to facilities.”

These 83 words soon became “a flashpoint with national implications heading into the November elections,” observed Mike Eckel, staff writer for *The Christian Science Monitor*.

The initiators of the proposal were the North Dakota Family Alliance, the state’s leading Religious Right group, and the North Dakota Catholic Conference, the bishop’s lobbying arm. They claimed the constitutional change was necessary to protect their religious freedom. An array of civil liberties and other groups stressed that the amendment’s wording was so vague and broadly written that it could allow religious groups to violate other state laws by hiding behind religious protections. Access to health care, zoning laws affecting church property, and laws relating to child and spousal abuse could have been affected by passage, critics stressed.

The Christian Science Monitor’s Mike Eckel saw national significance in this vote. “North Dakota’s Measure 3 has galvanized religious groups, human service organizations, and civil rights lawyers, turning the vote from a local issue into a noteworthy skirmish in the larger national clash over religion, the government, and civic life.”

The vote in urban areas (such as they are in North Dakota) was overwhelmingly opposed to the change, and may reflect opposition from the state’s five largest newspapers. *The Forum* of Fargo-Moorhead denounced the amendment as “an attempted ecclesiastical mugging,” while the *Minot Daily News* editorialized: “We believe the U.S. Constitution’s First Amendment and North Dakota’s Constitution already adequately guarantee our religious freedom, making Measure 3 an unnecessary change to the state’s most prized document.” That paper also warned that passage of the measure could lead to “increased litigation and conflict when claims of religious freedom run afoul of secular laws.”

The state’s largest city, Fargo (Cass County) voted 72% no. Fargo is a heavily Lutheran area. Voters in Grand Forks County voted no by 68% and those in Burleigh County, which includes Bismarck, the state capital, voted 65% against the proposal. The combined vote in the state’s three largest counties was 69% to 31% against, contributing a 28,000-vote margin of defeat. The statewide margin was 47,000.

Religion was a clear factor in the vote. North Dakota is the nation’s most heavily Lutheran state, and the Western Synod of the Evangelical Lutheran Church opposed the amendment, as did the smaller United Church of Christ. It was not surprising that predominantly Norwegian Lutheran rural counties voted 68% against the proposal. German Lutheran areas, Republican strongholds since 1940, were also opposed but by a lower 56%.

The Catholic vote must have been a disappointment to Bishop Samuel Aquila of the Fargo diocese, who spoke at a rally on the Friday before Election Day, telling supporters that “your ability to be pro-life and pro-family is being threatened and Measure 3 is a strong defense against that threat.” Three predominantly German Catholic counties voted 55% against Measure 3, and two American Indian Catholic counties voted 58% no. The bishop apparently could not convince members of his own flock to support a cherished goal.

The amendment fight clearly had national implications. Huge amounts of money poured into the state on both sides. The secretary of state’s office said expenditures were running “more than seven times as much” as previous state referendum campaigns. *The Christian Science Monitor*’s Mike Eckel concluded, “The North Dakota vote will likely be a harbinger for a full-throated election year argument about religion in public life.”

North Dakota is a Republican-leaning state that last supported a Democrat for president nearly 50 years ago (Lyndon Johnson in 1964). But both Republican and Democratic counties opposed Measure 3, though opposition in the strongest Democratic counties was 71% compared to 57% in Republican strongholds.

Even in far-away North Dakota, voters don’t much care for messing with their constitutional guarantees of religious freedom, even to supposedly “improve” it. National Republican leaders might want to reassess their close ties to the Religious Right by looking at results from Bowman and Williams Counties in the far-west Badlands region of the state. Two thirds of voters there supported John McCain for president in 2008, but two thirds rejected the so-called Religious Liberty Amendment in 2012. Lutherans and Catholics were the largest religious groups in these counties. Are there any lessons here? ■



To Safeguard the Future

Religious liberty and church-state separation will never be completely secure. But you can help provide the means for their defense in the future in two ways.

Include a bequest to Americans for Religious Liberty in your Will, or include ARL as a beneficiary in a life insurance policy. Bequests and insurance proceeds to ARL are tax deductible.

Please contact us if you would like further information.

Americans for Religious Liberty
PO Box 6656, Silver Spring, MD 20916
Telephone: 301-460-1111
email: arlinc@verizon.net

Romney's Mormonism: How Will It Play at the Polls?

Republican nominee Mitt Romney's Mormon faith was the subject of great speculation in the period leading up to the Republican primaries and continued throughout the early ones. His relatively poor showing among evangelicals was attributed in part to his membership in a religion viewed negatively by many voters. But his eventual triumph laid the issue to rest, at least temporarily.

In early June, though, the issue resurfaced. Three scholars, David Campbell, John Green and J. Quin Monson, argued that social distance and geographical isolation have made Mormons suspect. In "The Stained Glass Ceiling: Social Contact and Mitt Romney's 'Religion Problem'" they write, "Given that the general perception of Mormons has not changed since 2008 and that there is no reason to think that Americans became more likely to have Mormons as close friends or family members since 2008, our results suggest that Romney's religion will remain a potential political stumbling block."

On the other hand, a Brookings Institution study, "Does Mitt Romney Have a Religion Problem?" by political scientists Matthew Chingos and Michael Henderson, suggests that Romney's Mormonism may help among political conservatives, who see the religion as compatible with their values and ideology.

They argue that concerns about Romney's religion "have been overblown and quite possibly miss a compelling counter-narrative." Their survey found that: "Among conservatives, mentioning Romney's Mormon religion actually increases his support by 19 percentage points." Non-Mormon conservatives know that Mormon views concerning the nature and role of government are shared characteristics. They conclude, "Romney's religion does not seem to reduce his support among white evangelicals. Even priming these prospective voters to think about differences between their own faith and the Republican nominee's does not drive a wedge between them. Instead, information about Romney's religion may actually increase his support from conservative voters, including among conservative white evangelical Christians. On the other hand, Romney's religion does not cost him any votes among liberals who are generally not supportive of him anyhow. At the end of the day, it appears that voters' long-term political preferences matter more for their general election choice than the religious identity of the Republican nominee."

For his part Romney has refused to discuss "the doctrines of my religion" but said he is happy to address "the practices of my faith." While living in Massachusetts, he noted, that he was a bishop and stake president who advised members of his congregation to adhere to conservative interpretations of Mormon practice on such subjects as divorce, sexuality and abortion. His campaign staff have admonished the media to respect the constitutional prohibition on religious tests for public office.

Washington Post political reporter Jason Horowitz wrote that this election poses a "crucial challenge for the news media to educate the public about an unfamiliar faith unusually central to a candidate's formation without treating Mormonism as biographical exotica that could fuel prejudices."

A new Gallup Poll found that 10% of Republicans are still reluctant to support a Mormon candidate, compared to 24% of Democrats and 18% of Independents. The overall 18% opposition is nearly identical

to the 17% who opposed a Mormon candidate in 1967 when George Romney briefly sought the Republican nomination. Writing in the *Los Angeles Times* June 30, Doyle McManus observed, "Voters are adjusting their opinions on religion to fit their political preferences."

Thomas Burr, writing in the *Salt Lake Tribune*, thought Republicans and evangelicals had come around to supporting their nominee. "GOP disdain for Obama could be wiping away the fear of what church a potential Republican replacement attends."

Finally, evangelical author Stephen Mansfield, who wrote previous books on the religious views of George W. Bush and Barack Obama, has written *The Mormonizing of America*. Arguing that this is "The Mormon Moment" in U.S. history, he forecasts that a Romney presidency "would be a massive game-changer" as far as acceptance of the American-founded religion is concerned. ■

Paul Ryan on Church and State, *cont. from page 3*

the late Ayn Rand, whose Objectivist school of political philosophy has long influenced a segment of the political Right.

Ryan, 42, has represented Wisconsin's First District, the southern tier of the state that runs from Lake Michigan to the Rock River Valley, since 1998. It leans Democratic and voted for Obama in 2008, but Ryan has always run well ahead of his party's presidential candidates. A graduate of Miami University in Ohio, Ryan worked as a speechwriter for Jack Kemp and William Bennett and was legislative director for Sen.

Sam Brownback of Kansas.

While generally supportive of conservative social causes, he has occasionally departed from orthodoxy. In 2007 he voted for a bill to prohibit employment discrimination on the basis of sexual orientation. But in the same year he supported retaining the "Mexico City" ban on abortions in foreign aid programs. He supported D.C. school vouchers in 2003 and again in 2011. He voted to ban human cloning. He supported a constitutional amendment to ban same-sex marriage in 2004 and favored a Defense of Marriage Act amendment in 2012. He voted to ban so-called "partial-birth" abortion in 2000 and 2003. Jonathan Cohn, writing in *The New Republic* August 11, noted, "Ryan really holds an extreme position on abortion rights, even relative to other conservatives." Michelle Goldberg echoed this assessment in the *Daily Beast*. "He was a cosponsor of the Sanctity of Human Life Act, a federal bill defining fertilized eggs as human beings, which, if passed, would criminalize some forms of birth control and in vitro fertilization." He continued this anti-choice orientation by supporting the "No Taxpayer Funding for Abortion Act" and the "Protect Life Act" in 2011.

In 2001 he supported a bill to encourage federal support for faith-based charities and favored a ban on gays in the Boy Scouts. In 1999 he voted to permit state and local governments to display the Ten Commandments on public property. ■



Moving?

Please send a change of address form to: Americans for Religious Liberty, PO Box 6656, Silver Spring, MD 20916.

Bishops' Campaign Seen As Political

The Catholic Bishops' campaign, "Fortnight for Freedom," which ran from June 21 to July 4, was deemed highly political by most observers, including many Catholics. Ostensibly aimed at challenging the Obama administration's HHS regulations concerning birth control and related services at church-run facilities, it soon was seen to be a full-scale attack on Obama.

Timothy Byrnes, who teaches political science at Colgate University and is author of *Catholic Bishops in American Politics*, told the *Los Angeles Times*, "I think it's without doubt that they are in the process of squandering that special position or role in American politics. The danger is that they'll be seen as social conservatives in league with a political party whose views on economic issues are not ones that the bishops share... That doesn't strike me as a particularly good way of protecting the long-term viability of the church as a participant in American policy debates."

Jon O'Brien, president of Catholics for Choice, was blunt: "The bishops have brought their divisive, self-serving war to every parish in the country, but all the signs indicate it will be overwhelmingly rejected by Catholic voters."

Other pundits are uncertain how the issue will play out. *Washington Post* staff writer Scott Clement observed, "To be sure, there's little good news for Obama in a public challenge to part of his signature health-

care overhaul, especially from leaders of such a large voting group. But the lack of unity among Catholics on an issue that national leaders are pushing hints that it will have little impact on the election." But Mitchell Landsberg, writing in the *Los Angeles Times*, warned, "Polls suggest that Obama may be paying a price among Catholic voters, who formed a key part of his electoral support in 2008. A recent Gallup poll showed Obama and Romney in a virtual tie among Catholics."

The Economist weighed in: "American Catholics are becoming more polarized and diverse and remain a large and politically heterodox group." The journal's editors affirmed that "there is no coherent 'Catholic vote' that coalesces around distinct issues and cuts across ethnic lines." Hispanic Catholics, they noted, are even more Democratic than they were in 2008.

A final twist concerns the funding for the bishops' campaign. Steve Schneck, director of the Institute for

Policy Research & Catholic Studies at the Catholic University of America in Washington, asked openly, "What groups are paying for this, and what's the accountability for that money?" The two conservative archbishops who are masterminding the effort, William Lori of Baltimore and Charles Chaput of Philadelphia, were not specific about the groups providing financial resources, according to Religion News Service. ■



Youngest Voters: Less Religious, Politically Apathetic

A poll of 2,000 "millennial generation" voters aged 18 to 24 shows a decline in the number who identify with a particular religious tradition and a rise in those who say they have no religious affiliation. A fourth of those polled say they are unaffiliated, up from 11% who were unaffiliated in childhood.

Catholics rank second with 20%, though they have declined the most, since 28% say they were raised Catholic. White Catholics are especially prone to dropping out, while Latino Catholics show a modest decline. Only 64% of white Catholics still identify with the Catholic tradition, while 25% are unaffiliated, and 11% have switched to another religion.

Mainline Protestants have declined from 18% to 13%. They have the worst record of retention. Only 59% say they still belong to the mainline Protestant tradition, while 29% are unaffiliated and 12% have switched to something else.

But even evangelical Protestants have declined from 13% to 12%. So have Black Protestants and "other Christians," who are both down one percentage point, from 11% to 10%. Other religions have shown a slight increase from 5% to 6%.

Politically, the youngest voters are more likely to call themselves Independents (45%) than Democrats (33%) or Republicans (22%). When Independents who lean toward one party or the other are reconfigured, Democrats move ahead of Republicans 58% to 39%.

On specific issues the millennials are moderately liberal, though perhaps less so than expected. Gay marriage receives 59% support and abortion rights are supported by 54%.

Most Republican young voters consider themselves conservative (65%), while liberals barely edge out moderates 46% to 42% among Democrats. About 30% of Republicans call themselves moderates.

Only 60% of the youngest are registered to vote, and only 41% of Hispanic young people are registered, compared to two-thirds of whites and African Americans. About 46% of all say they are "certain" to vote in November. President Obama leads his GOP opponent by a modest margin, winning heavily among Black Protestants, the nonaffiliated and Hispanic Catholics, while the Republicans are favored by mainline and evangelical white Protestants. White Catholics are split evenly.

This survey, "A Generation in Transition: Religion, Values and Politics Among College-age Millennials," was conducted jointly by the Public Religion Research Institute and Georgetown University's Center for Religion, Peace and World Affairs. ■

Attention ARL Supporters

Would you prefer to receive ARL's *Voice of Reason* journal by email in PDF format? It would get the journal to you more quickly and would save ARL money.

Of course, those who prefer to continue to receive the journal in paper form through the Postal Service are free to do so.

If you would like to receive the journal by email, please send ARL your email address at arlinc@verizon.net, as well as your name and postal address. Thank you.

New Religion Data: Political Implications?

The decennial compilation of church membership, The 2010 U.S. Religion Census, shows both continuity and change. The same pattern from the 1970s has generally continued, with Catholics strongest in the Northeast, Midwest and Southwest, white Baptists in the South, Lutherans in the Midwest and Methodists in the central portion of the nation, from Delaware to Kansas. African American Baptists are strong in the South and in Northern cities. New religious movements are numerous in the West, particularly in the Pacific Coast area. Presbyterians and Episcopalians are rather evenly distributed, though both have declined, even in their historic strongholds of Pennsylvania and Virginia. Catholics have also declined in New England. The nonaffiliated are strongest on the two coasts, from Washington State and Alaska to upper New England.

The newly released data are based on findings from the Association of Statisticians of American Religious Bodies (ASARB) and only include official membership. This is a departure from the four previous studies, making direct comparisons difficult. This rather strict interpretation does not include inactive or occasional members and conflicts with exit poll data that will be highly revealing in the November election. (Many people still associate themselves with or define themselves as belonging to a distinct religious tradition but are not registered members of local parishes or congregations.)

Still, the new data have some findings that reflect religious change. In particular, 12 million Americans belong to nondenominational Christian churches, reflecting the growth of megachurches. Most, if not all, belong to the broad evangelical movement and are frequently linked to conservative and Republican political operations.

These churches, noted for big campuses and sprawling complexes, have spread throughout the land. Alaska and Indiana are the top two states, with 16% and 14% of their religious population, respectively, belonging to this relatively new religious sector. Even in this fast-growing religious environment, there is some continuity. Back in 1990, when only two million Americans were counted as members, Alaska and Indiana were the two states with the largest percentage of nondenominationalists. Close behind today are Washington State, North Carolina, and Maryland, where 12% to 13% of the religious population belong to this movement. Following closely are Colorado, Florida, Arizona, Georgia and Oregon. Other states that top 10% are Michigan, South Carolina, Texas, Virginia and West Virginia.

A few states have resisted this trend, including Mormon Utah and Lutheran North Dakota, where less than 1% belong to these churches. Other states with much below average memberships are largely Catholic Rhode Island and Massachusetts, as well as Nebraska, Kentucky, South Dakota, Vermont, Connecticut, Minnesota, and Wisconsin. All in all, these mega churches account for 8% of the U.S. religious population.

The new survey also has new counts of Muslims, estimated at 2.6 million, or nearly 2% of the religious population. The most Muslim state is Virginia, where 6% of the religious population is said to be Muslim. Following closely are Illinois (5%), New York (4%), New Jersey (3%) and Texas (3%). Rounding out the top ten are Michigan (3%), Florida (2%), and Delaware, California and Maryland (nearly 2%). Amazingly, Muslims are 23% of the religious population in the

booming, high income Washington, D.C. exurb of Loudoun County, Virginia. The small city of Emporia in Southside Virginia is 38% Muslim, according to ASARB researchers.

There are nearly a million Buddhists, just under 1% of the religious population. Unsurprisingly, most are found on the West Coast. Hawaii is 12% Buddhist, followed by 2% in California, Washington and Alaska, and a shade over 1% in Colorado and Oregon. Five West Coast or Pacific region cities have large Buddhist populations, including Honolulu (7%), San Francisco (6%), Anchorage (4%), Portland (3%) and Seattle (3%).

One of America's oldest religious communities, which has eluded statisticians over the years, is Eastern Orthodoxy. There are many branches, primarily Greek and Russian, but their count is now 817,501. The Oriental Orthodox churches from Egypt, Ethiopia and Syria constitute another 239,034, making the Eastern Orthodox Christians over a million strong, or just under 1% nationally.

Alaska, which was evangelized by Russian missionaries, ranks first with nearly 6% of its population belonging to the Orthodox Church in America, the former Russian Church. Its adherents rank first on Kodiak Island and the Aleutian Islands.

Other states with above average Orthodox (primarily Greek Orthodox) populations include Massachusetts (Remember Michael Dukakis?), New Jersey, New York, New Hampshire and Connecticut. Slightly above

average percentages are found in Illinois, Indiana, Maryland, Michigan, Nevada, Ohio, Pennsylvania and Washington State.

(If the District of Columbia were a state, it would rank second to Alaska, with 4% Orthodox, many from Egypt and Ethiopia).

Among U.S. counties, Pinellas (Florida), where the historic Greek town of Tarpon Springs is located, ranks first in the Orthodox share of the religious population.

In 2008, Muslims, Buddhists, and Orthodox Christians voted solidly for Obama, while nondenominational Christians supported McCain. These communities are well represented in Congress, which has three Buddhists, two Muslims, five Eastern Orthodox Christians and 26 nondenominational Christians in its membership. ■



Romney and School Vouchers

Romney is associated with three states—Massachusetts, Michigan and Utah—and yet the constitutions of all three states pointedly prohibit tax aid to sectarian private schools. It bears repeating that in these three states voters have rejected tax aid for sectarian schools a total of SEVEN times!

Before Romney spoke [on August 30] his mouthpiece former Florida governor Jeb Bush praised the governors of Indiana and Louisiana for getting school vouchers passed in their states, conveniently overlooking the fact that the constitutions of Florida, Indiana and Louisiana all prohibit tax aid to private sectarian schools.

What is clear from all this is that Romney and his party have no respect for the voters, or for the public schools serving 90% of our kids, and nothing but disdain for the religious liberty of Americans, the freedom of Americans from taxation for religion.

Edd Doerr, *Education Week* on line, August 31, 2012

Asian Americans Divided by Religion, Politics

Asian Americans, now 6% of the U.S. population and growing faster than Hispanics since 2010, are divided along political and religious lines, as are other Americans. Hindus, Buddhists and the religiously nonaffiliated lean Democratic while evangelical Protestants are the only Republican group among the Asian community. Catholics and mainline Protestants are almost evenly divided along partisan lines. Asian Americans thus reflect trends found in the broader U.S. society, according to a Pew Research Center report issued in July.

Among all Asian Americans, there is considerable religious diversity: 42% are Christian, with Protestants edging out Catholics 22% to 19%; 26% are unaffiliated with any religion, while 14% are Buddhist, 10% Hindu and 4% Muslim. (All other religions, including Christians who are not Protestant or Catholic, total 4%.)

Geographical ancestry is also correlated with religion: The Chinese ancestry subgroup is 52% unaffiliated, while Japanese Americans are divided between Protestant, unaffiliated and Buddhist. Most Filipino Americans are Catholic, and most Indian Americans are Hindu. Vietnamese Americans are divided mainly between Buddhist and Catholic, while Korean Americans are heavily Protestant and mostly evangelical.

Groups with the highest income and education are more Democratic and liberal than others. Hindus are far and away the wealthiest and most highly educated subgroup, and they lean Democratic by an 8 to 1 margin.

Women predominate among all religious groups, except among Hindus and Buddhists, who have more male adherents. Hindus and the religiously unaffiliated are the youngest group, while mainline Protestants are the oldest. Hindus and the unaffiliated are the most likely to be college graduates and to have a high family income. Asian Americans are more religiously observant than whites, African Americans or Hispanics, even in the same religion. All Asian Americans are also more likely to be college graduates and to have household incomes exceeding \$75,000 than other Americans.

Asian Americans are slightly more pro-choice than all Americans. Asians endorse the pro-choice position 54% - 37%, while all Americans do so by 51% - 43%. The unaffiliated are the most pro-choice group, while evangelicals are the least. Asian Americans are, however, slightly less sympathetic to gay rights than all Americans. Asian Americans born in the U.S. are more pro-choice and more pro-gay rights than those born in other countries.

Asian Americans also resemble other Americans in their “switching” patterns, since 32% have changed religion since childhood. The unaffiliated gained the most, while Buddhists lost the most. Protestants gained some, while Catholics declined by three percentage points. Inter-marriage is most common among the unaffiliated but is rare among Hindus. ■

Creationism Is Still Prevalent

American views on human origins have scarcely changed in 30 years, according to Gallup researchers. A 2012 poll found 46% of Americans believe the creationist view that “God created humans in their present form at one time within the last 10,000 years.” This is virtually identical to the 45% average over nearly a dozen surveys since 1982.

Gallup Poll manager Frank Newport noted, “Despite the many changes that have taken place in American society and culture over the past 30 years, including new discoveries in biological and social science, there has been virtually no sustained change in Americans’ views of the origin of the human species since 1982.”

Frequent churchgoers and Republicans are the most likely to endorse creationist views. Nearly two-thirds of those who attend church weekly endorse creationism compared to one-fourth of those who seldom or never attend church. Among political identifiers, 58% of Republicans, 41% of Democrats and 39% of Independents are creationists. But so are 46% of college graduates. (Only 25% of those who hold postgraduate degrees are creationists.)

Gallup found that 32% of Americans are “theistic evolutionists” who believe that “humans evolved, but with God’s guidance.” That view is predominant among those with postgraduate degrees. Only 15% say “humans evolved, but God had no part in the process.”

Newport added, “Highly religious Americans are more likely to be Republican than those who are less religious, which helps explain the relationship between partisanship and beliefs about human origins.” ■



Church and State in the Courts

A federal judge in Nebraska dismissed a lawsuit challenging the HHS contraceptive mandate under the Affordable Care Act. U.S. District Judge Warren Urbom ruled that seven Republican attorneys general lacked standing because they could not prove immediate harm to plaintiffs. Urbom wrote, “Although the rule that lies at the heart of the plaintiffs’ complaint establishes a definitive, final definition of ‘religious employer,’ the ACA’s contraceptive coverage requirements are not being enforced against non-exempted religious organizations, and the rule is currently undergoing a process of amendment to accommodate these organizations.” The states of Florida, Michigan, Nebraska, Ohio, Oklahoma, South Carolina and Texas had filed suit, charging the mandate violated religious freedom. Several other lawsuits advancing a similar claim are pending. A new suit was filed July 18 in the District of Columbia by Wheaton College, an evangelical university in Illinois, whose president Philip Ryken, said, “Wheaton College and other distinctively Christian institutions are faced with a clear and present threat to our religious liberty.”



South Carolina public schools may grant academic credit for off-campus religious courses. The June 28 ruling from the Fourth U.S. Circuit Court of Appeals will likely give the green light for expansion of elective religious courses taught by private educators. The appeals court

upheld a lower court's April 2011 ruling that the Spartanburg school district accommodated religion within the First Amendment. The Freedom From Religion Foundation (FFRF) and the parents of two Spartanburg students challenged the constitutionality of the state's "Released Time Credit Act."

FFRF is considering an appeal to the U.S. Supreme Court, which upheld released time religious programs off-campus in 1952. The High Court has never ruled on the permissibility of granting credits toward graduation for essentially unregulated off-campus courses of instruction.

The courses are not widely utilized, according to the *Charlotte Observer*. About 7,500 public school students across South Carolina went off-campus for Bible education classes offered by 21 private nonprofits. Only Spartanburg, Greenville and Myrtle Beach offer credits for off-campus high school classes on the Bible.

In this case, *Moss v. Spartanburg School District*, the appellate court held unanimously that "the program accommodates religion without establishing it, in accordance with the First Amendment." The court was convinced that "school district officials carefully maintained a neutral relationship with the Spartanburg Bible School, neither encouraging nor discouraging student participation." Granting academic credit "sensibly accommodates genuine choice," they observed.

Discovery found that the course, "Christian Worldview," was "academically rigorous," and grades were submitted through Oakdale Prep School, a private academy. The South Carolina law requires "secular criteria for evaluation," including required hours of classroom instruction, course syllabus review and certified teachers. Over three years only 20 of 1,500 students at Spartanburg High School chose to participate in the program.

The case engendered some national interest. The American Humanist Association supported the plaintiffs, while the National Association of Evangelicals and the Christian Legal Society filed amicus briefs on behalf of the state. Eight other states, including Alabama, Colorado, Florida, Louisiana, Michigan, Nebraska, Oklahoma and Virginia, supported South Carolina.



Embryonic stem cell research received another boost when a federal appeals court upheld the Obama administration's decision to fund the research. The August 24 decision by a three-judge panel of the U.S. Court of Appeals for the District of Columbia Circuit was unanimous. The ruling upheld a lower-court decision that threw out a challenge from researchers who charged that the National Institutes of Health project violated a 1996 congressional law. Chief Judge David Sentelle said the 1996 statute "permits federal funding of research projects that utilize already-derived ESCs—which are not themselves embryos—because no 'human embryo or embryos are destroyed' in such projects." He added, "The law of the case is established and we will not revisit the issue."



The twin cities of Colorado City, Arizona, and Hildale, Utah, have been sued by the U.S. Department of Justice for religious discrimination. On June 21 the Justice Department cited the two cities, which are dominated by the Fundamentalist Church of Jesus Christ of Latter-day Saints (FLDS), for violating the First, Fourth, and Fourteenth Amendments and the Fair Housing Act.

Specifically, the suit, filed in U.S. District Court for the District of Arizona, charges "a pattern of police misconduct and violations of federal civil rights laws" in relation to practices of the police departments and local utility providers. FLDS's influence has led to discriminatory treatment against non-FLDS residents.

The complaint is comprehensive. Its allegations include:

"The Colorado City Marshal's Office (CCMO), the cities' joint police department, routinely uses its enforcement authority to enforce the edicts of the FLDS; fails to protect non-FLDS individuals from victimization by FLDS individuals; refuses to cooperate with other law enforcement agencies' investigations of FLDS individuals; selectively enforces laws against non-FLDS; and uses its authority to facilitate unlawful evictions of non-FLDS, among other unlawful conduct."

The complaint also alleges that "the Twin City Water Authority and Twin City Power have denied or unreasonably delayed providing water and electric service to non-FLDS residents, and that the municipalities refuse to issue building permits and prevent individuals from constructing or occupying existing housing because of the individuals' religious affiliation."

Thomas E. Perez, Assistant Attorney General for the Justice Department's Civil Rights Division, commented, "Religious freedom is a cherished principle of our democracy. City governments and their police departments may not favor one religious group over another and may not discriminate against individuals because of their religious affiliation. No individual in the United States should be targeted for discriminatory treatment by a city, its officials or the police because of his or her religion."

The government seeks a court order prohibiting future discrimination, monetary damages for those harmed by the actions, and a civil penalty.

The FLDS Church, which practices polygamy, is not affiliated with the regular Mormon Church. Its members have settled along the Arizona-Utah border and completely dominate the local culture. Census data from 2010 reveal what an unusual place Colorado City is. The median age of its residents is 19.9, compared to a U.S. average of 37. The town's average household size is 6.77 persons, and its per capita income is \$9,795, barely a third of the national average. Only 7% of adults are college graduates compared to 28% of all Americans. And 25% of adults have no high school diploma.



Religious liberty claims cannot be used to protect religious bias. This is the essence of a federal court ruling in June. A former student, Jennifer Keeton, in the Augusta State University (Georgia) counseling program refused to treat gay patients in a professional, nonjudgmental manner. She said all gays have made an "immoral personal choice" and said she would not counsel them because of her personal religious views. The university maintained that it was not denying her religious views but said all students must adhere to guidelines of the American Counseling Association.

Judge Randal Hall found that university rules did not violate the rights of religious students. The university focused legitimately on how counselors would treat clients in the future. Hall concluded, "Keeton's conflation of personal and professional values, or at least her difficulty in discerning the difference, appears to have been rooted in her opinion that the immorality of homosexual relations is a matter of objective and absolute moral truth. The policies which govern the ethical conduct of

continued on page 10

Church and State in the Courts, *cont. from page 9*



counselors, however, with their focus on client welfare and self-determination, make clear that the counselor's professional environs are not intended to be a crucible for counselors to test metaphysical or moral propositions."

The student had been represented by a Religious Right legal advocacy group, The Alliance Defense Fund.



A federal judge in Nashville ruled on July 19 that a Muslim congregation could occupy their newly constructed mosque in time for Ramadan. U.S. District Judge Todd Campbell ordered Rutherford County authorities to issue a certificate of occupancy to the Islamic Center of Murfreesboro, vacant since May after a local chancery judge held up permission. That judge then ordered the county not to allow occupancy because the mosque was "an issue of major importance to citizens." The mosque then filed suit in federal court, joined by the U.S. Justice Department and the Becket Fund for Religious Liberty, which generally supports conservative Christian causes.

Acts of vandalism and arson had marred the mosque's construction since 2010, when a local group of residents claimed that Islam was not a real religion but was intent on overthrowing the U.S. Constitution. During the same time period, 20 Christian churches were granted building permits and certificates of occupancy. Imam Ossama Bahloul, the congregation's religious leader, hailed the ruling: "I think this is an opportunity for us all to celebrate the freedom and liberty that, in fact, exist in America and to teach our young people to believe even more in the U.S. Constitution," he said.

As it turned out, additional construction delays prevented the mosque from opening on time for the beginning of Ramadan.



A public school science teacher who was fired at least in part for his religious proselytizing will have his appeal heard by the Ohio Supreme Court. John Freshwater was terminated by the Mount Vernon School Board last year after repeated warnings about his insistence on introducing fundamentalist religion into classes, particularly in discussions about evolution. He insisted on keeping a visible Bible in his classroom.

Two lower courts upheld his dismissal, but Ohio's high court, by a four-to-three vote on July 5, surprisingly decided to hear an appeal. According to AP legal affairs writer Andrew Welsh-Huggins, "The court said Freshwater can argue that it is unconstitutional to fire someone without clear guidance on what teaching materials or methods are acceptable. Freshwater also can argue that it is unconstitutional to fire someone over the mere presence of a religious text like the Bible in the classroom."

Mount Vernon officials had asked the court not to take the appeal, calling the matter a routine administrative decision that had been thoroughly investigated. "This case is so fact-specific that it does not create an issue of public or great general interest because it would not provide any meaningful guidance to school boards, teachers or other courts," the board's attorneys argued in May.

New Hampshire municipalities may tax church property that is not used for religious purposes, according to a unanimous ruling by the New Hampshire Supreme Court. A church challenged the City of Concord's decision to tax 40% of its property in 2008, saying that a civil authority should not decide what part of a church is or is not religious. But the state's highest court held that "a church's assertion that a building constitutes a 'house of public worship' is [not] sufficient to place it beyond investigation." The City of Concord will tax the storage barn, parsonage, and garage and exempt from taxation the sanctuary, church office, child care areas, prayer room, kitchen, library and classrooms. New Hampshire law generally exempts from taxation "buildings used and occupied for religious training or for other religious purposes."

The opinion in *Liberty Assembly of God v. New Hampshire Board of Tax and Land Appeals* was issued May 22.



A Wisconsin school district violated the First Amendment by habitually holding its high school graduation ceremonies in a church auditorium. A July 23 decision by the full U.S. Court of Appeals for the Seventh Circuit said the actions resulted in government endorsement of religion. Writing for a 7-3 majority, in *Doe v. Elmbrook School District*, Judge Joel M. Flaum asserted, "We conclude that conducting a public school graduation ceremony in a church—one that among other things featured staffed information booths laden with religious literature and banners with appeals for children to join 'school ministries'—runs afoul of the First Amendment's Establishment Clause."

Elmbrook School District, a Milwaukee suburb, held its graduation ceremonies from 2000 to 2009 at Elmbrook Church, an evangelical megachurch that features many Christian symbols. Judge Flaum conceded, however, that some public school graduation ceremonies might be constitutional under certain circumstances.

The use of the church had been upheld by a federal district court and by a three-judge panel of the Seventh Circuit last year. The dissenters in this ruling all issued stern opinions, accusing the majority of expressing hostility toward religion.



Arizona will not be allowed to enforce its ban on abortions after 20 weeks—at least not yet. The U.S. Court of Appeals for the Ninth Circuit overruled U.S. District Court Judge James Teilborg, who said the law could go into effect August 2. The appellate court scheduled a hearing on the law's constitutionality for this fall. Arizona is one of 10 states that have enacted bans on abortion after 20 weeks, the period at which supporters claim fetal pain is possible (though definitive medical evidence is lacking). The U.S. House of Representatives tried unsuccessfully to enact a similar ban for the District of Columbia, before adjourning for the August recess. ■



The Voucher Watch

• A handful of billionaires and a network of right-wing think tanks are funding a massive campaign to transform American public schools into private schools. These groups have funneled \$17 million into voucher campaigns since 2006, according to an eye-opening report from Political Research Associates (PSA), a progressive think tank based in Somerville, Massachusetts. In “The Right’s ‘School Choice’ Scheme,” researcher Rachel Tabachnick revealed that two nonprofits, the Alliance for School Choice and Advocates for School Choice “provided over \$17 million in grants to 35 other national and state-level pro-privatization nonprofits from 2006 to 2010. These grants represented a significant portion of the total budgets for many of the state organizations.” She added: “This concentrated wealth is reaching into America’s classrooms state by state, promoting the transfer of public funds to private education through vouchers that allow parents to pay for tuition at private schools with public money. Promoting ‘school choice’ through privately run charter schools doesn’t go far enough for these billionaires. Today, ‘private school choice’ programs, as vouchers are called in the annual report of the Alliance for School Choice, are in place in 13 states and the District of Columbia. In 2011, a year when states across the nation slashed their education budgets, 41 states introduced 145 pieces of private school choice legislation.”

This campaign to “transfer the nation’s public school systems to the private sector” is both intense and increasingly successful, particularly in states where voters are given no choice in the matter. In states where they are, voters invariably reject school voucher schemes by large and decisive margins.

These right wing corporate entities hide their real objectives behind bland “school choice” claims that are often aimed at minority audiences. “The pro-corporate ideology behind school choice asserts that business style competition will be invariably good for education, and that putting school management and teaching into private (and nonunion) hands will make education less expensive, more efficient and more effective.”

Repeated studies in several states indicate that voucher students have not outperformed their public school peers. Still, “The private school choice juggernaut will roll on and the claims of privatization as the magic bullet will continue, no matter how baseless these claims may be. The multi-billion dollar budget for the nation’s schools is a rich prize for those who would profit from the privatization of public schools, and they are joined by equally determined anti-public education ideologues.”

The full report is available at: http://publiceye.org/magazine/v27n3/School_Choice.

• Louisiana’s expansive new voucher program has already run into snags when it was revealed that state education investigators have not thoroughly vetted prospective schools, most of them church-related. There appears to be little interest in oversight. In addition, a Muslim school’s application raised a firestorm of criticism. Rep. Valarie Hodges, a Republican from the Baton Rouge area, was outraged that “radical Islam schools” might participate in the program. She said that only Christian schools should be funded, claiming, “I actually support funding for teaching the fundamentals of America’s Founding Fathers’ religion, which is Christianity, in public schools or private schools.”

Another conservative Republican, Rep. J. Rogers Pope, was critical of the voucher scheme from the start, noting that students can be educated outside of any campus and that the law established no standards for educational achievement.

Only 9,300 students, scarcely 2% of those eligible, applied for vouchers by July. The schools had 7,400 open seats but only 5,000 were expected to be accepted. Orleans Parish, which has had a voucher pilot program since 2008, has not been particularly successful. “Test scores at the roughly two dozen private schools already in the program have varied widely,” reported Andrew Vanacore in *The New Orleans Times-Picayune* July 11. Since no academic standards have been established, there are no consequences for schools reporting low scores. State Superintendent of Education John White, a voucher supporter, is being pressured to develop academic standards for the new voucher schools.

• New Hampshire became the 11th state to enact tax credit legislation to aid private and religious schools. On June 27 both houses of its legislature overrode Gov. John Lynch’s veto of a bill providing tax credits to businesses that contribute to organizations granting scholarships to students who want to attend private schools. The scholarships are worth \$2,500 per student. Even home school students may receive \$650.

Businesses receive tax credits worth 85% of their donation, and the program is capped at \$3.4 million for the first year, 2014, and \$5.1 million in 2015. The cap could then increase by 25%. Families with annual incomes of up to 300% of the federal poverty line are eligible. The state education department estimated that 1,544 students will participate in the program in 2014 and 2,850 in 2016.

Other states with similar programs include Arizona, Florida, Georgia, Indiana, Iowa, Louisiana, Oklahoma, Pennsylvania, Rhode Island and Virginia.

ARL president Edd Doerr, in a letter to the *Manchester Union Leader*, said legislators ignored the state’s own constitution and weakened the state’s commitment to religious liberty.

• Pennsylvania legislators created a new tax credit program, which will allow businesses to receive a tax break from state taxes if they contribute to a private school scholarship program for students attending academically struggling schools.

The legislature also expanded a 2001 credit program which gives tax breaks to businesses that support private school attendance for students from families with low incomes. Lawmakers increased family income eligibility from \$60,000 to \$75,000 and raised the annual cap on the program from \$75 million to \$100 million.

Pennsylvania School Boards Association executive director Thomas Gentzel said lawmakers were on the wrong track: “Passing legislation that voluntarily diminishes the state tax revenue going into the state general fund in favor of private and nonpublic schools does not help school districts recover from drastic cuts. This is simply the wrong time for such a dramatic expansion of these tax credit programs.”

• A deal was forged in June between the Obama administration and Congress, allowing the D.C. voucher program to continue. In

continued on page 12

Voucher Watch, *continued from page 11*

addition, the number of students eligible for enrollment will increase from 1,615 to 1,700 for the coming school year. Education Secretary Arne Duncan said the compromise was reached in order to allow for a “statistically valid evaluation of the program” that Congress mandated. Critics of vouchers were not pleased, forcing Duncan to issue a further explanation: “The President and I are committed to ensuring that the education of the children currently in the D.C. Opportunity Scholarship program is not disrupted. Beyond the commitment, however, we remain convinced that our time and resources are best spent on reforming the public school system to benefit all students and we look forward to working with Congress in a bipartisan manner to advance that goal”

Voucher supporters, Speaker John Boehner (R-OH) and retiring Sen. Joseph Lieberman (I-CT), have kept up the pressure to continue and expand the program.

- Voucher programs have helped Catholic schools reverse long-standing declines in enrollment. *The Wall Street Journal* reported on June 9 that “Catholic education is showing signs of life for the first time in decades” because it is “benefiting disproportionately from the

use of vouchers and tax credit programs.” Reporters Stephanie Banchemo and Jennifer Levitz singled out the expansive program recently enacted by the Hoosier State. “The most impressive gains for Catholic education have happened in Indiana, where the nation’s largest voucher system rolled out last year. More than 2,400 children used state-issued vouchers to transfer from public to Catholic schools. Another 1,500 used vouchers to move to other religious or private schools.”

While Catholic schools claim education is the top priority, there is little doubt that strengthening religion and encouraging church school attendance are also priorities. *The Wall Street Journal* article added that “Catholic schools are targeting Hispanic parents across the country” in the expectation that “growing parochial schools could also help the U.S. Catholic Church boost the percentage of Catholics who attend church, which is well off levels from decades ago.”

Mark Gray, a researcher at Georgetown University, told the newspaper that “getting more students enrolled in Catholic schools is clearly one of the top priorities for the church as it tries to get more faithful back into the pews.” Despite these limited gains, Catholic school enrollment has declined nationwide by 22.4% over the past decade. Nationally, Catholic school enrollment has dropped from 5.5 million in 1965 to 2 million today. ■

Updates

Catholic Church Finances Reveal Mismanagement

The Economist (August 18) concluded that the American branch of the Catholic Church has “an unholy mess” in its finances, and its “financial mismanagement and questionable business practices would have seen widespread resignations at the top of any other public institution.”

The esteemed British newsweekly exhaustively investigated public records and court documents in bankruptcy cases to “quantify the damage” to the church’s internal functioning. The report found: “The management of money is often sloppy. And some parts of the church have indulged in ungainly financial contortions in some cases—it is alleged—both to divert funds away from uses intended by donors and to frustrate creditors with legitimate claims, including its own nuns and priests.”

Taxpayers are also involved in this maladministration. “The church is also increasingly keen to defend its access to public healthcare subsidies while claiming a right not to provide certain medical services to which it objects, such as contraception. This increased reliance on taxpayers has not been matched by increased openness and accountability.”

“Annual spending by the church and entities owned by the church was around \$170 billion in 2010.” Its constituent “organizations distributed \$47 billion to the poor in 2010, of which 62% came from local, state and federal government agencies.”

Several dioceses have raided pension funds for clergy to pay some of the \$3.3 billion in settlements for sexual abuse victims over the past 15 years. Eight dioceses have declared bankruptcy as a result.

Church leaders are “spending a substantial amount” of money lobbying state legislatures to keep the current statutes of limitations for reporting sexual abuse cases in place. Despite this, “Efforts are under way in the legislatures of Arizona, Illinois, New York, Florida, Wisconsin,

Minnesota, Colorado, Pennsylvania, Ohio and California (again) to extend statutes of limitations.”

These complicated financial matters could lead to greater government scrutiny.

Texas Charters Teach Religion

It’s a violation of the law. Charter schools, which are technically public schools, cannot advance or promote any religion. But some in Texas apparently haven’t gotten the word.

Patrick Michels wrote in the *Texas Observer*: “If you want to send your kid to a free, publicly funded school with a Christian flavor, you’ve got plenty of options in Texas. There’s no shortage of charter schools in the state with superintendents who double as pastors, or with classroom space leased from churches.”

The violations of the law are particularly egregious in the 15 charter schools run by the Shekinah Learning Institute. Michels discovered that they are “using taxpayer money to fund church operations, inviting speakers with Christian messages and offering religious Bible study and chapel services to students.”

Conservative Distrust of Science Increases

Self-defined political conservatives have a marked distrust of science as it relates to public policy, and that distrust has grown since 1974. A University of North Carolina researcher, Gordon Gauchat, studied demographic data from the General Social Survey from 1974 to 2010 and found that trust in science declined by more than 25% among conservatives.

Frequent church attendance has also contributed to the declining trust in scientific explanations and analyses. “This study shows that the public trust in science has not declined since the mid-1970s except among self-identified conservatives and among those who frequently

attend church. It also provides evidence that, in the United States, there is a tension between religion and science in some contexts. This tension is evident in public controversies such as that over the teaching of evolution,” Gauchat said.

Gauchat observed that this increasing rejection of scientific evidence by a large body of voters could have serious effects on public policy and legislation. “In a political climate in which all sides do not share a basic trust in science, scientific evidence no longer is viewed as a politically neutral factor in judging whether a public policy is good or bad.”

Gauchat’s study appeared in the April issue of the *American Sociological Review*.

Knights Turn Partisan

The 1.8 million members of the Catholic fraternal order the Knights of Columbus generally direct their efforts toward philanthropic enterprises and church-related projects. They are loyal supporters of the U.S. bishops and are generous in their contributions to the Vatican. They have rarely been seen as a political group and certainly not as a partisan one.

But Supreme Knight Carl Anderson has recently tried to steer the organization toward partisan, i.e. Republican, politics. In a June 23 speech to the Catholic Press Association, Anderson seemed to call for a Catholic bloc vote, something political scientists and historians say is highly unlikely in this large, diverse and politically divided community. Anderson thundered, “Catholic voters must insist that every candidate for public office respect the integrity and mission of the Catholic Church and its institution. We must refuse to support candidates who advocate policies that are intrinsically evil.”

Judging from recent polls, very few Catholics share Anderson’s parochial vision. But his comments, singling out abortion and gay marriage as heinous, can only be interpreted as an endorsement of the Republicans.

Missouri Okays Public Prayer

In what may be the most unnecessary referendum in the country, Missouri voters overwhelmingly approved (83%-17%) a constitutional amendment guaranteeing public prayer. Amendment 2, officially labeled the “Missouri Public Prayer Amendment,” carried every county on August 7. The Republican supporters claimed it was necessary to protect Christians, who are 80% of Missouri residents, from discrimination. Opponents noted that the right to pray is already guaranteed by the U.S. and Missouri Constitutions.

The amendment includes many provisions that will likely be challenged in court. It is clearly aimed at allowing sectarian or denominational prayer before school board or county council meetings, which numerous courts have disallowed or limited. The amendment provides that “school children have the right to pray and acknowledge God voluntarily in their schools.”

The “Fair Ballot Language,” that explained the proposal to voters, added that the “right to worship includes prayer in private or public settings on government premises, on public property and in all public schools.”

Amendment 2 was endorsed by Missouri’s four Catholic bishops and by the Missouri Baptist Convention, representing the state’s two largest religions. (The Missouri Catholic Conference expressed some reservations about the language.) Episcopal Bishop Wayne Smith was

opposed, saying that public school prayer “becomes the vehicle for a sectarian agenda, typically Christian and typically Protestant, in violation of the no-establishment clause of the U.S. Constitution’s First Amendment.” The Jewish Community Relations Council said the amendment would have “the net effect of sanctioning certain religions that tend to dominate in certain areas, and we find that alarming.”

The most controversial section said that “no student shall be compelled to perform or participate in academic assignments or educational presentations that violate his or her religious beliefs.” This will “surely be challenged in federal court,” said University of Missouri-St. Louis political science professor David Kimball.

Gay Marriage at the Polls

Four states—Maine, Maryland, Minnesota and Washington—will decide in the November general election whether to allow same-sex couples to marry in their states. All four are slightly different. Maine, whose legislature legalized it and governor signed it, fought a referendum in 2009. At that time voters by 53% to 47% repealed the law. This time pro-gay marriage advocates petitioned it to ballot. In Maryland and Washington State, opponents of same-sex marriage laws passed by the legislatures have mounted a repeal effort. In Minnesota opponents are seeking to amend the state constitution to ban it.

In any event, passage in any or all of these states will be historic. Writing in *The New York Times*, Katharine Seelye explained, “The fight has never been won at the ballot box. In states where same-sex marriage is legal now—Connecticut, Iowa, Massachusetts, New Hampshire, New York and Vermont, as well as in the District of Columbia—it has been made possible through court rulings or legislative action. In the 32 states, including California, in which voters have had a say, they have rejected it.”

Supporters of same-sex marriage hope that changing public opinion, borne out in several national polls, and President Obama’s endorsement, will help. All four states are considered more liberal than the nation and all have supported the Democratic presidential candidates over the past five elections.

In all four states, fundamentalist and evangelical groups are spearheading the opposition campaigns, joined by state Catholic Conferences in some areas. In Maine the Christian Civic League is leading the campaign. In Maryland evangelicals, African-American pastors, and the state’s Catholic Conference are involved. “Some money for the opposition campaign is coming from collection plates passed at churches,” observed *Times* reporter Seelye.

Religious Values Vary by Partisanship

A Pew Research Center survey on “core values” and “key religious beliefs and behaviors” reveals that Republicans are more conservative than Democrats and Independents and that the partisan gap has widened since the survey was first conducted in 1987.

Currently, 81% of Republicans, 62% of Democrats and 61% of Independents agree with the core religious values. This 20-point gap was only seven points a quarter century ago. Core values dealt with prayer, the existence of God, and the possibility of a Judgment Day.

Race plays a role in these differences. Pew researchers noted, “The gap between Republicans and Democrats increases dramatically when only white non-Hispanics are considered.” African Americans and His-

continued on page 14

Updates, *continued from page 13*

panics, while heavily Democratic, are more conservative on religious matters than non-Hispanic whites.

A poll on social conservatism shows similar results, though the partisan gap on these political questions is less than the one on religious values. Still, “As with religious values, Republicans are more likely than Democrats or Independents to hold socially conservative views.”

Historic Churches Rake in \$\$

Eight churches in Morris County, New Jersey, received \$2.1 million in June under the Historic Preservation Trust Fund. One church was given money to repair a church tower to “ensure continued safe public access to the church for worship,” while another was granted funds to “restore the original beauty and utility of this historic church.”

The issue has been battled around in numerous state courts for decades, with no definitive ruling on the constitutionality of such grants. In general, churches with an active congregation should not receive public aid, say separationists. In some instances, churches have been forced by city authorities to become historic buildings rather than to expand existing space. The issue briefly surfaced during the Carter presidency, when public funds went to Spanish Missions in Texas.

Christmas in July

Christmas came early this year in Virginia’s Loudoun County when the Board of Supervisors voted on July 17 to approve a Christmas display on the courthouse grounds. Technically, it is called a winter display that includes such clearly religious elements as a crèche and a menorah as well as a tree, Santa Claus and reindeer. The annual Christmas scene has been a decades-old tradition, but it sparked controversy in recent years after a local committee in 2009 urged the county to ban unattended displays. Instead, the governing board voted to allow up to 10 displays, some of which were controversial. In 2010 Virginia Attorney General Ken Cuccinelli, who is often accused of injecting his own preferences into opinions, determined that “the county is free to communicate its own recognition of holidays, including Christmas, as long as overtly Christian symbols are balanced with other religious and secular ones in a way that communicates to reasonable, informed observers that the county is not making a religious statement.”

The 6 to 2 vote this year may still lead to unwanted legal action. One of the two dissenters, Shawn Williams, voiced concern: “In terms of [the county’s] reputation, this committee recommendation will continue to make Loudoun a national spectacle of a First Amendment debate on which the law has been well-established.”

Americans Still Oppose School Vouchers

The annual PDK/Gallup Poll found that Americans opposed school vouchers for private and religious schools 55% to 44%. That’s the good news. The bad news is that support for vouchers rose 10 points over last year’s poll, which may reflect the intense pro-voucher activity in state legislatures dominated by Republicans. A number of states have adopted or expanded vouchers or voucher-like programs during the past year.

The poll of attitudes toward education found support for charter schools has declined from 70% to 66% over the past year. Nearly half

of those polled gave schools in their community an “A” or “B” grade, up a few points, and 77% rated their children’s school highly – an increase of 10 points over last year.

Lack of financial support is “the biggest problem public schools face in your community,” the poll found. Voters thought Democrats were “more interested in improving public education” than Republicans, by 50% to 38%.

International Updates

Addis Ababa: For six months Muslims have protested alleged government interference in the internal affairs of mosques. The government’s Islamic Supreme Affairs Council defended its actions as necessary to crack down on extremist movements, imported by Arab states and allegedly sympathetic to Al-Qaeda and to Wahhabism, the rigid Muslim sect that is dominant in Saudi Arabia. About one-third of Ethiopia’s population is Muslim. Most Christians belong to the ancient Coptic Church.

Cologne: A local court ruling that circumcision violates Germany’s constitutional protection of every person’s “bodily integrity” created an uproar among Jews, Muslims and Christians. Dieter Graumann, president of Germany’s Council of Jews, said the verdict would make Jewish life practically impossible. The court ruled that a boy’s right to inviolability overruled the religious rights of his parents. An international meeting of Jewish leaders in Berlin in July protested the ruling, and Graumann called on Germany’s parliament, the Bundestag, to clarify the issue and guarantee the right of circumcision as a religious freedom. A government spokesperson reassured Jewish and Muslim parents that circumcision will not be outlawed, and said the government is seeking a legal clarification of the ruling. Parliament passed a resolution calling on Chancellor Angela Merkel to draft a law guaranteeing the right of circumcision.

Istanbul: Prime Minister Recep Tayyip Erdogan told hospital administrators in Turkey’s largest city that abortion should be almost completely outlawed. Comparing abortion to murder, Erdogan proposed outlawing “all abortions that are not medically necessary and limiting medically necessary abortions to the first eight weeks after conception,” according to a May 30 report on NTV, a television news network. He also called for limits on Caesarean births and urged all married couples to have at least three children, since Turkey, he said, “needs a young and dynamic population.” Abortion has been legal since 1983 for up to 10 weeks and longer for medically necessary ones. Benal Yazgan, head of the Female Party Initiative, rebuked the nation’s leader, saying: “It is strictly for the woman to decide how she would give birth, or whether she would give birth at all or not—not the prime minister.”

Moscow: The Russian Orthodox Church has been quietly pressuring the government of President Vladimir Putin to oppose intervention in Syria and to continue its tacit support for the Assad regime. Patriarch Kirill I, who endorsed Putin in the recent election, warned that overthrow of the government could result in persecution of Syria’s Christian minority, which constitutes 10% of the population. The church seems to have its own foreign policy, say close observers of the scene. *New York Times* reporter Ellen Barry noted, “The Russian Orthodox Church regularly meets with the Russian Foreign Ministry to discuss its agenda outside Russia’s borders, and is seen by most experts as eager to render support to the Kremlin.” The church’s Department of External Church Relations monitors political and religious developments. Its deputy chairman, Rev. Nikolai Balashov warned, “Forming foreign policy without accounting for the religious factor could lead to a catastrophe, to the

deaths of thousands and millions.” For his part, Putin welcomes “support from Russia’s religious leaders, pledging tens of millions of dollars to reconstruct places of worship and state financing for religious schools,” writes Barry.

Oslo: Norway’s Parliament has amended the Constitution to remove the official status of the Evangelical Lutheran Church. The change was overwhelmingly approved in June by a vote of 161-3. The church was renamed The People’s Church. The payment for clergy services and maintenance of church buildings will be borne by local counties, not the national government. The government will no longer name bishops or deans of cathedrals. All religious organizations, including the Norwegian Humanist Association, will continue to receive funding, as will “other religious and belief-based societies.” The monarch, however, is still required to belong to the Evangelical Lutheran Church, and “the Norwegian Church will continue to have a special basis in the constitution and the state will be built upon ‘our Christian and humanistic heritage.’” These changes came into effect on June 15. The Norwegian Church claims about four million members out of 4.7 million inhabitants. The decision was called “historic” by the Church Education and Research Committee. The status of religious and ethical teaching in public schools will probably remain as is.

Rakhine, Burma: Violence between Buddhists and Muslims in a western region of Burma has left more than 80 dead, according to a report in a British newspaper, *The Independent*. At least 800,000 Muslims belonging to the Rohingya community have been threatened with expulsion. Burma’s president, Thein Sein, wants the UN refugee agency to assume jurisdiction and care of the group. Buddhist monks have emerged as a leading force in denying humanitarian aid to the Muslims, say aid workers. *The Independent* commented, “Monks who played a vital role in Burma’s recent struggle for democracy have been accused of fuelling ethnic tensions in the country by calling on people to shun a Muslim community that has suffered decades of abuse.”

Rio de Janeiro: Evangelicals continue to gain on Catholics, according to census returns published in July. Brazil, however, has the largest Catholic population of any nation, and Catholics constitute 65% of the population (down from 74% a decade ago). Evangelicals now claim 22% of the population. Those who say they have no religious affiliation increased slightly from 7% to 8%. Men are slightly more likely to be Catholic than women. Catholics are most numerous among those aged 40 and over, while evangelical strength is greatest among those under 20.

Sampang, Indonesia: East Java is riven by religious tensions, fueled by extremist Sunni Muslims who have attacked Shiite villages and schools. *New York Times* reporter Sara Schonhardt wrote in July, “In East Java, Sunni leaders are pushing the provincial government to adopt a regulation limiting the spread of Shiite Islam. It would prevent the country’s two major Shiite organizations from organizing prayer gatherings and sermons.... Intolerance has also led to attacks on Christians, whose churches have been closed under pressure, and on members of the Ahmadiyah, an Islamic sect many mainstream Muslims consider heretical.” A liberal Islamic research organization, The Wahid Institute, reported a 16% increase in cases of religious intolerance. The government is accused of ignoring the rise of Sunni-inspired discrimination. It is also responsible for decrees passed in 2008 that prohibit “proselytizing that creates disunity and animosity.”

Seoul: South Korea’s Ministry of Education has surrendered to creationist demands and will ask publishers to produce revised editions of textbooks that downplay evolution. Soo Bin Park, writing in *Nature* magazine June 5, lamented, “The anti-evolution sentiment seems to be winning its battle with mainstream science.” The campaign to remove

references to evolution was led by the Society for Textbook Revise, a branch of the Korea Association for Creation Research. *Nature* also reported a survey that found one-third of Koreans do not believe in evolution. “The roots of the South Korean antipathy to evolution are unclear,” writes Park, but suggested that the rise of evangelical Protestant Christianity in the nation may be a factor.

Toronto: The publicly-funded Catholic school system in Ontario province has come under unusually severe criticism for its opposition to an anti-bullying measure aimed at protecting gay and lesbian students from harassment. Writing in the *National Post*, Charles Lewis noted, “The Ontario government’s decision forcing Catholic schools to host anti-bullying groups called ‘gay-straight alliances’ has brought to the fore a deep divide between Roman Catholic teaching and secular society, even calling into question whether public funding for Catholic schools should continue.” Under a peculiar constitutional arrangement, Catholic separate schools in Ontario are funded by the government, but Protestant and Jewish schools are not. (A similar pattern exists in Alberta and Saskatchewan.) A poll conducted by Forum Research Inc. found opposition to public funding for Catholic schools had increased to 53%, with only 40% in favor. In a previous survey, opposition was 49% to 45%. While Cardinal Thomas Collins and local bishops have refused to accept the gay-straight clubs in schools, the Ontario English Catholic Teachers’ Association supported them, further isolating the hierarchy. ■

ARL in Action

ARL joined an amicus brief in a Ninth Circuit Court of Appeals case challenging pharmacists who claim they have a right to impose their religious views on patients. The case, *Stormans v. Selecky*, concerns the claims of pharmacists who object to providing emergency contraception to patients because such medical care violates their religious beliefs. A federal district court agreed with them, and a group of religious organizations, Protestant, Catholic, Jewish and Islamic, along with ARL and Planned Parenthood, have challenged this ruling in the U.S. Court of Appeals for the Ninth Circuit.

The brief argues, “Despite the differences in our faiths, we share a common and powerful devotion to freedom of religion – the freedom of people of all faiths and religions to choose their beliefs and to exercise those beliefs. From this common ground, we have a strong interest in the case before the Court because the free exercise of religion is nowhere more important than in personal health care, an area that requires people to confront intensely personal beliefs and decisions. In matters of faith, one person’s conscience ends where another’s begins.” In this case, “Plaintiffs assert that, to protect their religious freedom, the law must allow pharmacy employees to impose their beliefs on patients who seek certain medical care and to burden patients in deference to pharmacy employees’ religious views and choices.” But it is wrong to assert “that only one religious view is at stake in the regulation of health care and the dispensation of medical treatment.” It is our belief that patients “have the right and freedom to receive legally prescribed or approved health care consistent with their own beliefs, not as dictated by a health care provider’s individual conviction.”

The brief urges the appellate court to uphold Washington State regulations which “allow for accommodation of pharmacy employees’ personal beliefs while at the same time ensuring a patient is not denied timely access to lawfully prescribed or approved medication even when a clash of beliefs occurs.”



Book Talk

- The Vatican's role in international politics during the 1930s and 1940s continues to interest historians. Emma Fattorini's *Hitler, Mussolini and the Vatican* (Polity Press, 2012) emphasizes Pope Pius XI's increasing opposition to the German and Italian dictators, after initially viewing them as necessary bulwarks against Communism. The author, who had access to recently released Vatican archives, concludes that Pius XI, had he lived beyond 1939, would have issued stronger condemnations of Hitler's anti-Semitism than his successor, Pius XII, did. Gerald Steinacher's *Nazis on the Run* (Oxford University Press, 2011) indicts elements within the Vatican, along with the International Red Cross and American intelligence services, for helping Nazi sympathizers and war criminals escape justice after the war. He concludes, "Although Pius XII's portrayal as 'Hitler's Pope' is unfair, Pius did see 'godless' Communism as the main enemy of the church."

- Attacks on President Obama are escalating, especially from the Far Right's favorite publisher, Regnery. David Limbaugh, Rush's brother, lambasts the president in *The Great Destroyer: Barack Obama's War on the Republic*, which has already sold 250,000 copies. Coming soon from the same publisher is *No Higher Power: Obama's War on Religious Freedom* by Old Right warrior Phyllis Schlafly and George Neumayr. This one calls liberals and progressives enemies of religion. Another ultra-conservative, Dinesh D'Souza, adds his voice to the clamor with *Obama's America*. The Hard Right sees the 2012 election as a potential turning point in American history.

The Religious Beliefs of America's Founders: Reason, Revelation, and Revolution, by Gregg L. Frazer. University Press of Kansas, 2012, 299 pp., \$34.95.

The author of this consistently interesting study explores the religious belief system of four framers of the Constitution: James Madison, Alexander Hamilton, Gouverneur Morris, and James Wilson. In that respect his book differs somewhat from a number of recent studies devoted to the religion of the Founders, which concentrated on early presidents and Benjamin Franklin. Frazer, a professor of history and politics, also includes chapters on Adams, Jefferson and Franklin, but his main focus is on the above four.

Frazer takes an unusual approach to sources. "It is my conviction that private correspondence, diary entries, and personal memoranda are the most reliable sources because an author is freest to use candor when there is no threat of public disapproval....The bulk of the evidence presented here concerning the beliefs of the key Founders comes from private writings."

Frazer's book is unique because he advocates a new position. The Founders, he says, were not deists, who believed in a distant Supreme Being who was inactive in human affairs. Nor were they in any way evangelical Christians. They were instead "theistic rationalists," who combined elements of Christianity with a preeminent emphasis on reason as a way of approaching truth.

This political-religious viewpoint "was the political theology that influenced the three primary contributors to the Declaration of Independence" and shaped the Constitution's approach to religion. This shared theistic rationalism is the reason that the Founders assured that religious liberty would become a core political value of the new nation.

"The theistic rationalism of the key Founders made it natural and easy for them to grant religious liberty." The Founders stressed that civil and religious liberty were inextricably linked. This viewpoint resulted in the twin pillars of the First Amendment and the ban on religious tests for public office.

A new kind of civil religion was created. "The theistic rationalists' successful blending of elements of Christianity with rationalism was replicated in the civil religion that emerged from their political theology." This civil religion "undergirded" the political structure and became "a necessary support for a free society."

The author correctly rejects the Christian Nation thesis. "The fact that the Constitution makes no mention of God, much less the Bible, is in itself a telling refutation of the Christian America claim that the document was based on biblical principles and was meant to establish a Christian nation." He adds that "the religious language in the Declaration of Independence is neither Christian nor biblical" and notes that "there was precious little reference to God or the Bible in the Constitutional Convention debate."

The author is a bit off-base, however, when he equates the secular or separationist tradition with hostility toward religion. "The secular school argues that the Constitution's lack of religious language and prohibition of religious tests prove that the Founders were, at the least, nonreligious and more likely antireligious." This misrepresents the secular view that government should be neutral in religious matters, creating a level playing field for the religious and nonreligious alike, thus producing religious equality. Our balanced but primarily laissez-faire system of church-state relations has led to the remarkably pluralistic nation in which we now live.

One other position is problematic. He writes, "The American Founders believed that religion, by promoting morality, was a vital and necessary support for a government and society of free people. Imposition of religious belief or practices was unacceptable, but active support for religious efforts was not." If this means support for the free exercise of religion principle, he is correct. But "active support" by government may easily cross over into preferential territory and constitute establishment or acts approaching establishment.

Despite some reservations, I would say Frazer has developed a compelling explanation for how and why the Founding generation approached church-state relations in the way they did.

—Al Menendez

Red State Religion: Faith and Politics in America's Heartland, by Robert Wuthnow. Princeton University Press, 2012, 484 pp., \$35.00.

Kansas has been portrayed for decades as a bastion of ultraconservative religion and politics. Sociologist Robert Wuthnow explores the history of this idea, challenging some of its assumptions but essentially agreeing that a combination of historical traditions and demographic realities has created a solid red state.

The history of Kansas suggests that it is best seen as a moderately conservative state, where Methodists and Catholics shaped the culture, though Methodists and other mainstream Protestants were always dominant. Despite an outburst of populism in the 1890s, religious conservatism became the mainstream and was long associated with the Republican Party, which has carried the state in 30 of the 37 presidential elections since statehood.

Methodists and Catholics were “the dominant religious institutions in the region” that “encouraged the kind of institution building that shaped the region’s politics and inspired its civic sensibilities.” These churches “struggled to create a civic and moral system that conformed to their ideal of U.S. democracy.” Wuthnow adds, “The Protestant denominations became identified with the Republican Party, and these loyalties remained strong through the presidential election of 1960, which stirred long-held divisions with Catholics, but by the 1980s were challenged by demographic, economic, and cultural shifts. Only then was it possible for a new brand of religious-political conservatism to emerge.”

Prohibition became the great moral crusade led by Protestants and was applied in Kansas in 1880, four decades before the national experiment. School prayer and evolution were also issues of concern.

Wuthnow writes that General Dwight D. Eisenhower was the quintessential Kansan, representing “quiet conservatism” and relatively moderate values.

The abortion issue activated the Religious Right, but other concerns, including gay marriage and the place of evolution in public schools, broadened its agenda. “The Religious Right was increasingly expanding its reach to a wider portfolio of conservative causes.” There is some historical continuity at work here. “It was not unthinkable that a state in which Prohibition dominated public discussion for half a century would be a place where antiabortion activism would prevail as well.”

The Religious Right used parachurch groups as political vehicles and “had at its disposal several well-honed mechanisms for exercising political influence.” Its only real success so far has been the defeat of same-sex marriage and increasing restrictions on abortion.

A demographic factor is also central to the rise of the Religious Right, namely “a hefty influx of migrants from Oklahoma, Missouri, Arkansas and Texas,” which increased the conservative Protestant and evangelical population to 420,000 members. “The subsequent strength of the Religious Right cannot be explained apart from the demographic shifts that assisted in elevating to prominence conservative Protestant churches that had been of minimal importance throughout much of the state’s history.” Added to this was the traditional historical factor. “Kansans were predisposed to take a conservative position on most of the emerging issues by virtue of the state’s Republican heritage and the small-town roots of its churches.”

Wuthnow adds that “a pervasive skepticism toward big government” and the “heartland’s faith in associational grassroots democracy,” in which “family, churches, schools and community organizations were the core ingredients of civic life” predispose the state toward the political Right.

Red State Religion is a model of clarity and is surely one of the best books available on the intersection of religion and politics.

—Al Menendez

Religion and Foreign Affairs: Essential Readings, by Dennis R. Hoover and Douglas M. Johnston, Editors. Baylor University Press, 2012, 619 pp., \$55.00 paper.

This massive volume looks at how religion affects foreign policy, the international movement for religious liberty, economic development, conflict resolution, human rights and other related issues. Nearly 60 essays are included, from authors as diverse as Madeleine Albright, Peter Berger, Philip Jenkins, and Reinhold Niebuhr, among others.

It is impossible to do justice to such a wide-ranging book in a brief review, but two essays stand out.

In a detailed study of official religion-government interaction, Jonathan Fox and Shmuel Sandler found that the United States is the only country with no official government involvement in religion and the only nation that does not “directly fund” religious education, for which we should all be grateful. “Most Western democracies do not have full separation of religion and state. Only the U.S. has no government involvement in religion as measured by the variables used in this study.” Only Canada, Australia and the Netherlands come close. The Islamic world has the closest ties with religion, as well as repression of minorities. But not all Western democracies approach the U.S. model. “In sum, while Western democracies have more separation of religion and state than the more autocratic states of the Middle East, there is clearly a significant amount of government involvement in religion in Western democracies.” While Saudi Arabia and Iran have the closest ties between religion and government, Lebanon has fewer ties than twelve European countries. In Europe, Finland and Greece have the most official interactions between church and state.

Douglas Johnston traces the history of military chaplains to the Roman Army in the 5th century C.E. and adds, “The modern chaplaincy traces its roots to medieval Catholicism three centuries later when the Council of Ratisbon in 742 C.E. authorized the use of church officials to perform church rituals in a military setting.” The U.S. military chaplaincy began in 1775 when the Second Continental Congress authorized chaplains for the army. “Following World War II and into the Cold War, chaplains became increasingly involved in civil action and humanitarian assistance projects.” He also notes that Canada’s military chaplains are assisting the “commands to become more aware of, and thus prepared for, cultural, psychological, and religious factors that significantly impact military operations.”

This would be an exceptional required reading for a college-level international affairs course.

—Al Menendez

Mainline Christianity: The Past and Future of America’s Majority Faith, by Jason S. Lantzer. New York University Press, 2012, 188 pp., \$24.00.

The Mainline churches, once the dominant sector of American religious life, are almost forgotten today, particularly among historians and demographers of religion. And it is no wonder. Members of the Mainline churches averaged 267 members of Congress during the 1960s, reaching an all-time high of 273 after the 1962 election. Today, as the 112th Congress nears its end, there are only 135 members who belong to the historic Mainline groups that have given the U.S. a majority of its presidents, vice presidents and Supreme Court justices. What has happened?

The decline is unmistakable. The major Mainline churches had only 21 million members in 2009, scarcely 7% of the population (though adherents and hangers-on would probably add a few million more).

The author defines the Mainline as “the most culturally influential and demographically representative group of denominations at a given historical moment.” Like Dean Kelley a generation ago, in his influential book, *Why Conservative Churches Are Growing*, Lantzer thinks that these churches “stopped trying to shape culture via orthodox Christianity, and instead began to be shaped by it, liberalizing doctrine and theology in order to appear more welcoming.”

Unlike conservative religions, the Mainliners accept “a good deal of theological diversity and a good deal of political diversity as well.” In a polarizing era, this puts moderates at a disadvantage.

continued on page 18

Books and Culture, *continued from page 17*

The author suggests that the concept of Mainline needs to be redefined so as to include Catholics, Pentecostals, and evangelicals, especially since “evangelicalism remains the dominant force in American culture and religion, transcending both denominational and national boundaries.”

He concludes that “while they still hold a place of influence in American society, it is increasingly a historic influence, and that has opened the door to the question of whether a new Mainline has emerged.”

—Al Menendez

Reforming Hollywood: How American Protestants Fought for Freedom at the Movies, by William D. Romanowski. Oxford University Press, 2012, 298 pp., \$29.95.

There have been at least a half dozen books about the role of the Catholic Church in movie censorship published in the past decade. This book is a first look at Protestant involvement in campaigns to censor, or at least influence, films during the critical period of 1930-1960.

The author’s subtitle is a bit misleading, since Protestant media agencies did not really defend an unfettered cinema. They favored some level of censorship, but they did not want Catholics to do it, as the Legion of Decency later did. Protestant groups were also constantly complaining that Hollywood portrays Catholic institutions and events in a more favorable light than comparable Protestant ones. Some Protestants also wanted federal government intervention in the film industry to reduce bias and indecency. “The Protestant leadership perceived that movies were damaging to their public image,” and they were unhappy that “the bishops staked their claim as custodians of American morality and delivered yet another blow to the Protestant establishment.”

The author notes that changing community standards rendered the Production Code irrelevant and outmoded, even by the mid-1950s.

—Al Menendez

Cushing, Spellman, O’Connor: The Surprising Story of How Three American Cardinals Transformed Catholic-Jewish Relations, by Rabbi James Rudin. William B. Eerdmans Publishing Company, 2012, 147 pp., \$18.00 paper.

Rabbi Rudin, a specialist on interfaith relations, celebrates the 50th anniversary of the Second Vatican Council by remembering the contributions of three U.S. cardinals in convincing their colleagues that religious liberty and a conciliatory approach to other faiths, especially Judaism, were necessary to bring about religious peace and harmony. None of the three, Cushing, Spellman or O’Connor, was particularly known for supporting progressive causes (especially Spellman), but all led the fight for declarations on religious liberty, freedom of conscience,

and unequivocal denunciations of anti-Semitism.

While many fear that the present Vatican leadership is bent on restoring the status quo ante, this excellent little book shows that religious leaders can be as surprising as secular ones when the issue and the context overlap, i.e., when the timing is right. Rudin writes, “Although they would have denied it, these theologically conservative cardinals were, in fact, revolutionary leaders, because they were major participants in one of the greatest religious sea changes in human history.”

—Al Menendez

The Faiths of the Postwar Presidents from Truman to Obama, by David L. Holmes. The University of Georgia Press, 2012, 396 pp., \$29.95.

From time to time scholars try to assess how individual presidents think about religious matters and how this affects their personal behavior and their policies as president. It is no easy task, given the private nature of religious belief.

This book examines the religious views of the past 12 presidents. Unfortunately, the author’s biases and his profound dislike for President Kennedy render the final product disappointing. The book’s flaws greatly outnumber its merits.

Holmes seems to think churchgoing is the most important attribute of religiousness, saying that Barack Obama should attend services more regularly. “Yet in purely political terms, he should probably do more to show that he is a Christian.” He also criticizes the president for not raising his children in a strictly religious manner. “Irregular church attendance will also do nothing to fill any gap that may exist in the religious education of Obama’s daughters. To be sure, Sasha and Malia attend Sidwell Friends (or Quaker) school, but its weekly chapel service is essentially secular. Although they may receive private religious instruction, the girls do not attend Sunday school.”

While recommending more church attendance to the present occupants of the White House, he criticizes Richard Nixon and John F. Kennedy, saying that both “seem to have been inwardly skeptical of central Christian teachings but nevertheless maintained a fairly regular church attendance for political reasons.” There are many reasons people attend or do not attend church, and politics may have little or nothing to do with it.

There is entirely too much emphasis on President Kennedy’s personal life and too little discussion of important issues relating to church and state. The author could have noted that the first Catholic president opposed including parochial schools in federal education programs, endorsed the Supreme Court decisions against mandatory state-sponsored prayer and Bible reading in public schools, supported family planning in foreign aid programs and stopped the distribution of U.S. foreign aid funds through religious institutions overseas. He redefined civil religion and emphasized religious liberty in speeches at the U.N. Perhaps this is why the *Journal of Church and State* in 1964 concluded that the Kennedy administration’s record on church-state issues was the best since Jefferson and Madison. Cambridge University historian Andrew Preston wrote recently in *Sword of the Spirit, Shield of Faith* that Kennedy “deemphasized the role of faith in the presidency, broke one of the oldest and strongest cultural prejudices in America” and thus became “the agent of profound religious change.”

The author uses the words “Roman Catholic,” “Roman Catholics” and “Roman Catholicism” 187 times (I counted them!). While this may be technically correct, it becomes tiresome, and it is not the common usage in this country. It is clearly intended as a negative referent.

He calls the 1928 Democratic nominee Alfred E. Smith “a parochial

Sample Copy

We will be happy to send a sample issue of this newsletter to people you consider likely subscribers. Please send names and addresses to Americans for Religious Liberty, PO Box 6656, Silver Spring, MD 20916, or email to arlinc@verizon.net. They can obtain a subscription form at www.arlinc.org.

Join Americans for Religious Liberty!

PO Box 6656, Silver Spring, MD 20916

I want to do my part to help Americans for Religious Liberty halt the threats to religious, intellectual and personal freedom.

This is a: Renewal New Membership Extra Donation

\$25 Individual \$50 Sustaining \$500 Sponsoring
 \$35 Family \$100 Supporting \$1000 Patron
 \$15 Student and Low Income

If you would prefer your journal to be sent via email, please include your email address:

Enclosed is my/our check for \$_____.

Name: _____

Address: _____

City, State, Zip: _____

Contributions to ARL are tax-deductible. The ARL journal is sent to all contributors.

school dropout,” surely an inadequate characterization for a distinguished New York governor who received widespread support from liberals and intellectuals from H.L. Mencken to John Dewey. He says most Catholic politicians around 1960 were hacks like Mayor Richard Daley and Jim Farley, though he conveniently ignores Senator Eugene McCarthy of Minnesota, who gave the eloquent nominating speech for Adlai Stevenson at the 1960 Democratic convention.

He laments that “Billy Graham had essentially been shut out of the Kennedy administration.” It is not surprising that Graham was not welcomed with open arms since he had supported Nixon enthusiastically and had encouraged a religious bloc vote against Kennedy.

In the chapter on Truman, it is said that Truman’s association with a Kansas City political machine “brought him into a Roman Catholic World.” Truman was selected to “offset the Roman Catholic stigma that encumbered [the Pendergast] machine in a Protestant state.” Truman expressed “discomfort” about a Catholic president, we are told, but the reader is not informed that the former president campaigned for Kennedy in Baptist areas and denounced his co-religionists’ bigotry.

In the Clinton chapter we are told that the “Roman Catholic presence” in Arkansas came from “retired Mafia leaders and Irish gangsters.” The author sneers that Georgetown University was “infused with the teachings of Roman Catholicism,” that most professors were Jesuit priests or Roman Catholic laymen. One might expect this at the nation’s oldest Catholic college, founded when George Washington was president. He also says nothing about Georgetown’s long-time eminence in liberal arts and international studies, or that it is ranked consistently as one of the nation’s 25 greatest universities.

The author’s footnotes indicate no familiarity with two seminal books on Kennedy’s religion: T.S. Settel’s *The Faith of JFK* (1965), and Nicholas Schneider’s *The Religious Views of President John F. Kennedy* (1966). And there is no reference to James McGregor Burns’ classic 1960 biography of Kennedy, which includes a great deal of information about JFK’s religious views during his Congressional days.

The book includes several errors. Nixon was not a “former president” when he attended Harry Truman’s funeral in late 1972. He had just been reelected to a second term. Adlai Stevenson was more than just “a former presidential candidate” when he attended church with Lyndon Johnson in 1964. He was U.S. Ambassador to the United Nations.

The author’s judgmentalism pervades the text. He calls the Episco-

pal Church “worldly and ritualistic.” He says Supreme Court Justices Anthony Kennedy and Sonia Sotomayor are “non-practicing Roman Catholics” without any evidence to substantiate such a claim. Holmes’s text includes too much religious minutiae and too many irrelevant anecdotes.

The book could have been improved if the author had made a comparative analysis of differing presidential religious styles, as Robert Alley did in his excellent 1972 book *So Help Me God: Religion and the Presidency, Wilson to Nixon*, which emphasized such attributes as “pragmatic idealism” and “enlightened humanism.”

—Al Menendez

Menendez is author of two books on President Kennedy and his administration: John F. Kennedy: Catholic and Humanist (Prometheus, 1979) and The Religious Factor in the 1960 Presidential Election (McFarland, 2011).

This September marks the 225th anniversary of the adoption of the Constitution. The following is an excerpt from “A Shared Vision,” a statement adopted by ARL and an array of religious, civic and other groups on July 14, 1994:

The first sixteen words of the First Amendment form the backbone of the American experiment. Together they guarantee religious liberty for Americans of every faith as well as for those who affirm no faith at all. A profound belief in the free exercise of religion motivated the decision of the Founders to disestablish religion in the new nation. The connecting link between the two clauses is freedom of conscience.

While not divorcing religion from public life, the establishment clause separates the institutions of church and state. Grounded in the belief that (1) government should serve all citizens regardless of their religious belief or disbelief, and (2) authentic faith must be free and voluntary, the separation of church and state has been good for religion. This “lively experiment” has allowed American religions to flourish with unparalleled strength and diversity.



Americans for Religious Liberty

PO Box 6656

Silver Spring, MD 20916

NONPROFIT ORG.
U.S. POSTAGE
PAID
SOUTHERN, MD
PERMIT NO. 4004

RETURN SERVICE REQUESTED

What's Wrong with School Vouchers?

(Excerpts from “The Great School Voucher Fraud,” a 23-page position paper by Edd Doerr. Available in downloadable form on ARL’s website—arlinc.org—or in print for \$10 from ARL, PO Box 6656, Silver Spring, MD 20916.)

Combined with the drive to provide public funding for religious and other private schools has been an unprecedented tsunami of assaults on the public schools serving 90% of our K-12 students. These assaults involve wholesale slashing of public school budgets, layoffs of teachers and other school personnel, increases in class sizes, elimination of instructional and other programs, intense propaganda campaigns against teachers and teacher unions, and attacks on the very idea of religiously-neutral democratic public education. Together, this two-front war on religious freedom and public education constitutes nothing short of a major national crisis.

- Compelling taxpayers to support religion-related private schools, directly or indirectly, is about as serious a violation of religious freedom as can be imagined.
- By virtually every measure, a strong majority of Americans across political and religious spectra is opposed to school vouchers.
- Because of the pervasively sectarian nature of the 90% or so of nonpublic schools, voucher plans would fragment our school population along religious, ideological, class, ability level, and other lines.
- Vouchers tend, for obvious mathematical reasons, to favor larger religious traditions over smaller ones.
- The religious and ideological compartmentalization of education would lead to religious and ideological tests for hiring, firing and promoting teachers. Teaching would become an increasingly splintered and unattractive profession, especially as tenure, collective bargaining, and unions are frowned on by nonpublic schools.
- Most religious-based private schools are unfriendly to women’s rights, reproductive choice, and LGBT rights and interests. Vouchers would deal these interests a severe blow.
- Most religious-based schools are hostile to the teaching of evolution and the science of climate change. Vouchers would thus weaken science literacy.

- Given the vast array of competing religions and ideologies, vouchers could only adversely affect economies of scale. Administrative costs would rise, staff compensation would shrink.
- If public funds are available for private schools through vouchers or tax code vouchers, religious and other private interests will move into the education business. Children will be moved out of religiously and ideologically neutral democratic public schools, responsible to elected school boards, and subject to laws designed to protect the equal rights of students and staff.
- Vouchers, if not stopped and rolled back, will ultimately destroy public education, weaken religious freedom, shred our constitutional principle of separation of church and state, and negatively impact community harmony.

Akin Not Alone

Missouri Senate candidate Todd Akin created quite a stir with his public remarks about “legitimate rape” or “forcible rape” and an imaginary female reproductive shutdown in such cases. His party leaders tried to end his candidacy, not because he said something outrageously nonsensical, but because he articulated what his party’s leaders themselves think: That women should be denied the religious freedom and rights of conscience to terminate problem pregnancies. Of course, opinion varies widely in the matter of the propriety of abortion, but it all boils down to a question of whether Big Brother government or individual women will make decisions on reproduction.

— Teri Clifton, Washington, DC