



# VOICE OF REASON

The Journal of Americans for Religious Liberty

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## 70% of Americans Oppose School Vouchers

The American people overwhelmingly reject school vouchers, according to the 45th annual Phi Delta Kappa/Gallup Poll released on August 21. The question, "Do you favor or oppose allowing students and parents to choose a private school to attend at public expense?" found 70% opposition, a solid increase over last year's 55% rejection. This was "the highest level of opposition to vouchers ever recorded in this survey," the poll's authors observed.

"This shows without a doubt that Republican legislators who are enacting vouchers, tax credits or other schemes to aid church-related and other private schools are out of touch with the American people," responded ARL president Edd Doerr. "These results are dramatically similar to those from 27 statewide referendum elections, from Alaska to Florida and Massachusetts to California and states in between," he added.

A majority endorsed public charter schools, and 52% thought stu-

dents received a better education at a charter school than at other public schools. However, studies, such as the Stanford University-CREDO report in June, show that about three quarters of charter schools are no better or worse than regular public schools on educational achievement and quality.

A majority of Americans give the public schools in their community an A or B rating, "the highest rating ever recorded in this poll," but most give schools nationally a C or lower rating. This has also been true of PDK/Gallup surveys over the years, reflecting widespread attacks on public education.

Most Americans also believe that increased testing has not helped school performance, and reject using student test scores to evaluate teachers. One bit of good news for teachers is that 72% of Americans say they have "trust and confidence" in public school teachers. ■

## New Hampshire Tax Credits Unconstitutional

A New Hampshire program designed to aid private schools through credits against business taxes violates the state constitution's prohibition on tax aid to religious institutions.

The decision by the Strafford County Superior Court on June 17 was based on two state constitutional provisions. Part I, Article 6, states that "No person shall ever be compelled to pay towards the support of the schools of any sect or denomination." Part II, Article 83, reiterates that "No money raised by taxation shall ever be granted or applied for the use of the schools or institutions of any religious sect or denomination."

The court reviewed the history of these "No-Aid" clauses and rejected the charge made by supporters of the program that the provisions represented anti-Catholic bias on the part of the original framers. "The Court accepts that the No-Aid Clause was adopted while major tension existed between Catholics and Protestants in this State concerning, among other things, the degree, if at all, the State would provide aid to those citizens, particularly Catholics, who wanted to send their children to 'religious' schools. The Court also has no doubt that New Hampshire citizens of the era endured forms of serious religious bigotry, and suffered from very objectionable religious stereotyping. Yet, this being said, it is also the case... that a discernible major purpose of the No-Aid Clause, when enacted, was to promote and sustain public schools, which, over time, were losing their Protestant orientation."

The court noted that "a significant portion of the scholarships awarded under the program will inevitably go toward defraying students' education costs at nonpublic 'religious' schools." Furthermore, "It is established that these schools constitute a substantial percentage of New Hampshire's nonpublic schools, [and] they attract a significant percentage of those New Hampshire students who attend nonpublic schools." The constitutional infirmity is clear. "The program has been shown to have 'money raised by taxation' inevitably go toward educa-

tional expense at nonpublic 'religious' schools without restriction regarding how the money may be used. The benefit to 'religious' schools will be inevitably and obviously more than incidental or *de minimis*."

The court concluded that "nonpublic religious schools in New Hampshire generally imbue their curriculums and learning environments with religiosity."

The court firmly rejected the "child benefit theory." "New Hampshire students, and their parents, certainly have the right to choose a religious education. However, the government is under no obligation

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# HHS Mandate Finalized But May Head to High Court

The Obama administration issued its final rules on June 28 requiring that most employers provide insurance covering contraception at no cost to employees. Some religious organizations, primarily houses of worship, may exclude contraceptive coverage from their health plans for employees and dependents. But this accommodation does not apply to non-profit religious organizations such as church-related hospitals and universities. Despite intense pressure from these entities, HHS did not bend on its approach. HHS explained, "Under the accommodation these organizations will not have to contract, arrange, pay for or refer contraceptive coverage to which they object on religious grounds, but such coverage is separately provided to women enrolled in their health plans at no cost."

Both insured health plans and self-insured plans must provide birth control services through separate or third-party administrators.

"The health care law guarantees millions of women access to recommended preventive services at no cost," said Health and Human Service Secretary Kathleen Sebelius. "Today's announcement reinforces our commitment to respect the concerns of houses of worship and other non-profit religious organizations that object to contraceptive coverage, while helping to ensure that women get the care they need, regardless of where they work."

Lawsuits challenging the mandate are still expected. Some were recently settled. The Tenth Circuit Court of Appeals ruled on June 28 that evangelical-owned Hobby Lobby would suffer "irreparable harm" if it were compelled to provide contraceptives to its employees and sent the case back to a lower court. A Florida district court also ruled that a Baptist-owned small business, Beckwith Electric Company, is not required to provide birth control to its staff. The judge ruled that "corporations do have First Amendment freedom of religion protections."

The Hobby Lobby decision by the Tenth Circuit did not impress *Washington Post* editors. A July 13 editorial commented: "Hobby Lobby is not a church or a nonprofit organization affiliated with any religious group and so doesn't qualify for the compromise rules adopted for them. The ruling thus would allow for employees of for-profit corporations to be denied contraception coverage—and for those firms to impose the religious values of their management on employees.... The Justice Department should appeal this decision. The White House offered a fair compromise to religious groups. But private businesses should not be able to impose the religious views of management onto employees while calling themselves equal-opportunity employers."

A late summer ruling by the U.S. Court of Appeals for the Third

Circuit agreed with *Post* editors. The court held that a Pennsylvania cabinet-making company owned by a Mennonite family must provide contraceptive coverage to its 950 employees, even though the family opposes doing so. "Even if we were to disregard the lack of historical recognition of the right, we simply cannot understand how a for-profit, secular corporation—apart from its owners—can exercise religion," wrote Circuit Judge Robert E. Cowen, who was joined by Circuit Judge Thomas I. Vanaskie.

A third judge, Kent Jordan, dissented and argued, "There has never before been a government policy that could be perceived as intruding on religious liberty as aggressively as the mandate."

The sharp difference between the Third and Tenth Circuits means that the U.S. Supreme Court will probably resolve the issue eventually. The issue is a new one and could make precedent. Robert Barnes, *Washington Post* legal reporter, noted, "The justices have never said whether a secular corporation is protected by the Constitution or federal statute from complying with a law because of religious objections from its owners." ■

## New Hampshire, *continued from page 1*

to fund 'religious' education. Indeed, the government is expressly forbidden from doing so by the very language of the New Hampshire Constitution."

In reaching its conclusion, the Superior Court considered a number of state Supreme Court advisory opinions issued between 1955 and 1992. "New Hampshire Supreme Court advisory opinions announce that the New Hampshire Constitution allows no more than incidental benefit to go to, or reach, 'religious' schools through state aid, or tax money.... Significantly, these opinions reflect that a piece of legislation is not saved from a finding of unconstitutionality by virtue of the circumstance that the monies only get to 'religious' schools through the choice of parents."

The program, challenged by a group of taxpayers, went into effect this year. Nearly 60% of the initial applications went to faith-based schools, while 21% went to home-schoolers and 15% to nonreligious private schools. The rest went to students who attend "out of state" private schools.

The court allowed the program to continue for secular private schools and for home-schooling and noted that its decision in *Duncan v. New Hampshire* will likely be appealed to the state supreme court. ■

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# Remembering JFK: Five Reasons

As we approach the 50th anniversary of the assassination of John F. Kennedy, there are at least five good reasons why advocates of religious liberty and church-state separation should remember his all-too-brief presidency.

1. Kennedy emphasized the importance of separation of church and state as a key governing principle of the American ethos. In his Houston address to Protestant clergy in September 1960, he spoke these memorable words that still echo through history: "I believe in an America where the separation of church and state is absolute...an America where religious intolerance will someday end....This is the kind of America I believe in and this is the kind of America for which our forefathers died."

JFK believed that religion and government were powerful institutions that demanded allegiance and could, when combined, threaten the religious freedom of dissenters and minorities. "I would not look with favor upon a president willing to subvert the First Amendment's guarantees of religious liberty," he remarked to his Houston audience.

This belief, based on his study of history, underlay his policies. It was a factor not only in his opposition to public aid to religious schools, but in his halting the use of sending American foreign aid programs through religious groups in 1962.

His church-state record was praised by the *Journal of Church and State*, which called his presidency the greatest since Jefferson and Madison. "Not since James Madison has any American president so definitely expressed his own position in church-state relations in the American schema," wrote the editors of this prestigious magazine in 1964.

2. The president thought public aid to church-related schools was unconstitutional, and he refused to include these schools in his federal aid to education proposals. On the issue, Kennedy told the American Society of Newspaper Editors on April 21, 1960: "I am opposed to it. I believe it is clearly unconstitutional. I voted against it on the Senate floor this year."

A combination of sectarian special interests and Southern segregationists derailed his program, but his standing firm in 1962 proved



that he kept his word. It remained for his successor, Lyndon Johnson, to include church-run schools in his own 1965 program, which many observers thought unnecessary for passage of federal aid to public schools.

3. Kennedy opposed the opening of formal diplomatic relations with the Vatican, feeling that it would not be desirable for either party and would not advance good will between religions in the U.S. The Vatican may have agreed with that assessment. Ann O'Hare McCormick, longtime Vatican correspondent for *The New York Times*, noted in 1951, during the controversy over President Truman's attempt to exchange ambassadors, that the Vatican (and Pope Pius XII himself) thought the action might harm interfaith relations in the U.S.

Kennedy's visit to Pope Paul VI in 1963 was cordial but lacked the kind of fawning seen by later presidents. Richard Nixon appointed Henry Cabot Lodge his "personal representative" to the Holy See in 1970, and Ronald Reagan inaugurated the official ambassadorship in 1984, which was approved by the Senate.

Kennedy praised Pope John XXIII's encyclical on world peace, *Pacem in Terris*, a document widely heralded for its emphasis on peaceful negotiation and social justice as a prerequisite for peace.

The president's statement on the death of Pope John emphasized his universal characteristics, not just his leadership of one religion. "He was the chosen leader of world Catholicism, but his concern for the human spirit transcended all boundaries of belief or geography."

Kennedy noted in an address at Boston College that Pope John's document "closely matches notable expressions of conviction and aspiration from churchmen of other faiths and from outstanding world citizens with no ecclesiastical standing."

4. The Supreme Court's 1962 ruling against mandatory government-sponsored school prayer and religious exercises received a boost when JFK encouraged individual support for the decision as part of respect for rule of law, even if one disagreed with it. His statement contrasted with the self-serving denunciations of the decision by former presidents Eisenhower and Hoover. Kennedy's quick action may have defused the controversy somewhat. Future Congresses repeatedly refused to pass constitutional amendments to override that decision.

5. Kennedy saw religious liberty as "indivisible." A threat to the religious liberty of one religion could and usually did lead to the diminishing of the religious rights and freedoms of others. In his Houston address, he proclaimed, "Religious liberty is so indivisible that an act against one church is treated as an act against all." He said, "I believe in an America that is officially neither Catholic, Protestant, nor Jewish...and where no religious body seeks to impose its will directly or indirectly upon the general populace or the public acts of its officials."

His use of civil religion was cautious, rejecting the tendency of Eisenhower and Truman to invoke religion as an ally in the Cold War. "I do not regard religion as a weapon in the Cold War," he told a 1961 Prayer Breakfast.

JFK will be remembered for many things, including the Peace Corps, the Nuclear Test Ban Treaty, a successful resolution to the Cuban missile crisis and his televised addresses citing civil rights as a "moral issue" in response to the violence in Mississippi and Alabama. And, as the first Catholic president, he will surely be remembered for his actions regarding religious liberty and separation of church and state.

—Al Menendez

## **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.

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## Charter Schools Still Deficient

The vast majority of charter schools do not outperform regular public schools, despite modest improvements in the past four years. A study by Stanford University's Center for Research on Education Outcomes (CREDO) found that 56% of charter schools showed "no significant difference" in reading scores and 19% showed "significantly weaker learning gains." That means that three quarters of charter schools do no better than traditional public schools.

The same is generally true in comparing mathematic scores in 2013 with 2009. About 40% of charters showed no difference in math scores, while 31% were worse and 29% were better. Again, about 70% of state charter schools did not outperform public schools in math.

CREDO used data from 25 states, the District of Columbia, and New York City and compared the results to a similar study published in 2009.

There were small improvements over 2009 in both reading and math, but, as CREDO admitted, the "overall performance of charter schools was driven in part by the presence of more high-performing charters and closing of underperforming charter schools." Eliminating failed schools naturally affects the data.

The report found improvements in Louisiana, Massachusetts, Michigan, New Jersey, New York, Rhode Island and Tennessee. But "results were worse, in some cases significantly worse, in Arizona, Nevada, Ohio, Pennsylvania and Texas.

Perhaps the most noteworthy, and disturbing, aspect of the release

of the report on June 25 was the reporting of it in major newspapers. Almost all emphasized the marginal gains in charters, rather than their overall mediocre performance.

Only the *Deseret News* in Salt Lake City reported the bottom-line that "most charter schools perform equal or worse than traditional schools."

ARL president Edd Doerr was highly critical. "While the study does show that charter schools have shown some improvement since Stanford's 2009 study, the bottom line is that the vast majority of charter schools are actually worse than or no better than regular or traditional public schools. Further, the new study deals only with reading and math. So what about art, music, science, social studies? Still further, 'Labor Lawyer,' a frequent commentator on educational matter in *Education Week*, pointed out in that journal that charter schools serve a larger percentage of kids of more 'concerned/functional' parents than do regular public schools, thus giving them a 'skimming' advantage."

The National Charter School Study 2013 was based on testing data from 1.5 million charter students in 25 states, the District of Columbia, and New York City. Charter schools enroll 2.3 million students in 41 states, an 80% increase since 2009. CREDO said charter schools "are educating more disadvantaged students than in 2009" and urged "policymakers to raise performance and accountability standards for charter schools and to continue to close low-performing schools." ■

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## American Religion Remains Complex

Religious "moderates" outnumber religious "conservatives" and "progressives," as well as the nonreligious, a new survey, conducted by Public Religion Research Institute and the Brookings Institution, has found. Combining theological, social and economic outlooks shows that 38% of Americans are religious moderates, while 28% are conservatives, 19% are progressives (the new word for liberal) and 15% are nonreligious.

These new data show that religious labels, or denominations, are not the only defining point in expressing religious values. The 15% nonreligious percentage is lower than the 20% who call themselves nonaffiliated in other recent surveys. This suggests that some nonaffiliated individuals are really religious progressives and advocates of social justice who choose not to belong to any identifiable religious community. In fact, 18% of religious progressives are not formally affiliated with any religious tradition.

Religious progressives are "considerably more diverse than religious conservatives," the survey found, with 29% being Catholic, 19% main-line Protestant, 18% nonaffiliated, 13% other non-Christian faiths, 9% black Protestants, and only 4% evangelical Protestant.

Brookings senior fellow E.J. Dionne explained, "Religious conservatives are a known quantity and they play an important role in our politics. But this survey also shows that religious progressives are a more significant group than is usually assumed, and that there is a strong social justice constituency among religious Americans that cuts across labels."

Age and political affiliation are important factors in the data. Progressives are "significantly younger" than conservatives. Progressives and the nonreligious outnumber conservatives among those ages 18-33 (though moderates still rank first, as they do among almost all groups). Conservatives are nearly half of individuals over age 66, the only group in which they outnumber moderates. Only 12% of the elderly are progressives and 10% are nonreligious.

Among Democrats 42% are religious moderates, 28% are progressives, 17% nonreligious and only 13% conservative. Among Republicans, however, religious conservatives constitute an outright majority of 56%, while 33% are moderates, 6% are nonreligious and a mere 5% are progressives. The religious configuration among the two parties could not be more different. (Independents are close to the Democrats in religious orientation).

The survey authors write, "On questions related to economic policy and the role of government, religious progressives generally hold similar views to nonreligious Americans and religious moderates, while religious conservatives stand apart." ■

### Back Issues of *Voice of Reason*

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# Abortion Restrictions Multiply

The summer of 2013 has become a time for Republican governors and legislatures to step up their agendas to make abortion either totally illegal or mostly so. At least nine states have passed stringent measures to make abortion services difficult if not impossible and to restrict the access and availability of the procedure.

*The Christian Science Monitor* (August 1) put it in starkly realistic terms: "Abortion rights are under siege in states across America – and not just in those that are solidly red. So far this year, governors have taken action in nine states. Some are promoting new limits, others have already signed limits into law. This wave is in part a result of newly elected Republican majorities eager to move on an issue that is dear to social conservatives' hearts."

Here is a summary of newly-enacted laws:

**Texas** bans abortions after 20 weeks, requires upgrading of abortion facilities and requires clinic doctors to have admitting privileges at local hospitals.

**Ohio** requires admitting privileges, external ultrasounds, and defines life as beginning "from the moment of conception." The state has cut \$1.4 million in federal funds for Planned Parenthood but instead funds "crisis pregnancy centers" which discourage abortion.

**Wisconsin** requires ultrasound and admission privileges at local hospitals.

**Pennsylvania** bans abortion services in insurance plans offered on the health-care exchange (exception in cases of rape, incest and threat to the woman's life). Pennsylvania became the 20th state to prohibit insurance coverage of abortion in state exchanges.

**North Carolina** requires upgrading of abortion clinics to ambulatory surgical center standards, excludes abortion in state health plans and bans abortion coverage to state, city and county employees.

**Kansas** law says life begins at fertilization. The new law prohibits abortion clinic employees from teaching sex education in schools and requires clinics to give women information about alleged health risks connected to abortions.

**Alabama** requires admitting privileges and enhanced standards at clinics.

**North Dakota** bans abortion "when a fetal heartbeat is detected," effectively stopping all abortions.

**Arkansas** bans abortion after 12 weeks under its "Human Heartbeat Protection Act."

Several of the laws have been temporarily blocked by federal courts. Wisconsin federal judge William Conley issued an injunction against the Wisconsin law in July and extended it through November 25, when a trial on the law's merits is scheduled to begin. "Given the substantial likelihood of success on the merits and of irreparable harm, the public's interest is best serviced by imposing a preliminary injunction on enforcement of the admitting privileges requirement until this court can address its merits after trial," Judge Conley wrote.

Judges in Arkansas, Alabama and North Dakota have halted those states' new laws. Judge Daniel Horland said the North Dakota law is "in direct contradiction to a litany of U.S. Supreme Court cases addressing restraints on abortion." Legal challenges are expected in other states. The 20 or 18 week bans on the procedure have also been struck down by federal courts in Arizona, Georgia and Idaho. Juliet Eilperin told *Washington Post* readers that this "frenzy of legal action could determine how much access to abortion services American women have in the future."

The abortion controversy is returning to the national spotlight as a politically-charged wedge issue. National polls, from *Washington Post*–

ABC News and Pew Research show a majority of Americans (around 55% to 40%) want abortion to remain a legally protected option. By 54% to 40% voters also oppose making access more difficult.

Democrats and Independents are far more pro-choice than Republicans. (65% of Democrats said abortion should be legal in all or most cases while 58% of Republicans said it should be illegal.)

The *Post* poll found that "geography matters" since voters in red states are more likely to support abortion restrictions than those in blue states. Support for abortion choice was lowest in Mississippi, Utah, Arkansas and Louisiana—all Republican strongholds in recent presidential elections.

Congress is also getting into the act. The Republican-led House passed a bill to ban almost all abortions after 20 weeks. The June 18 vote was 228-196. Republicans voted 222-6 in favor of H.R. 1797, the so-called "Unborn Child Protection Act," while Democrats opposed it 190-6. The bill's sponsor was Rep. Trent Franks (R-AZ). The Senate is unlikely to approve this ban, though Sen. Marco Rubio (R-FL) is expected to introduce a version of it in the near future. ■

## Anti-Abortion Buddies

Thanks for Abby Scher's excellent "Anti-Abortion Forces on the March" (May issue).

But we should also note that the conservative/Republican drive to return women to medieval patriarchy is matched by their endless campaigns to have state and federal governments divert public funds through voucher and tax-credit schemes to church-run private schools, the vast majority of which indoctrinate kids with anti-choice ideologies.

Progressives need to fight both of these closely-linked campaigns.

Recall that both issues were on the ballot last fall in Florida and, fortunately, both lost.

— Edd Doerr, president of Americans for Religious Liberty. *The Progressive*, July 2013.

## The legal basis behind *Roe v. Wade*

Charles Krauthammer was wrong in knocking *Roe v. Wade* ["*Roe v. Wade*, revisited," op ed, June 28]. *Roe*'s recognition—not "invention"—of every woman's fundamental constitutional privacy right to terminate a problem pregnancy was based on the common law, the Bill of Rights, and the ninth and 14th amendments. Further, *Roe* built on the Supreme Court's precedents, including the *Griswold* (1965) and *Baird v. Eisenstadt* (1972) rulings.

Conservative legislators seeking to have government limit reproductive choice or impose on all women an unscientific, unbiblical, ahistorical "personhood at conception" ideology are attacking a fundamental right of more than half our population. Women who are opposed to abortion are under no obligation to have one.

— Edd Doerr, president of Americans for Religious Liberty. *Washington Post*, July 1, 2013.



# Church and State in the Courts

The U.S. Supreme Court has agreed to review a case involving prayers before a town council meeting. Last year a federal appeals court ruled that the town of Greece, a suburb of Rochester, New York, violated the First Amendment when it allowed consistently denominational or sectarian prayers before council meetings. Two residents objected to the Christian-only prayers and filed suit against the practice in 2008.

In a major surprise, the Obama administration chose to side with the town council. The predominantly Christian prayer practice “does not amount to an unconstitutional establishment of religion merely because most prayer-givers are Christian and many or most of their prayers contain sectarian references,” wrote U.S. Solicitor Gen. Donald Verrilli Jr.

Church-state separationists are disappointed with the administration’s brief, seeing it as a contradiction to the president’s own statements on religious liberty.

Two friend-of-the-court briefs were signed by 85 House members and 34 Senators, mostly Republicans, who urged the court to allow sectarian prayers and invocations. Civil liberties groups are expected to file amicus briefs urging the High Court to uphold the Second Circuit’s ban. *The Los Angeles Times* predicted, “The case could lead to a major change in the law on religion that would go well beyond prayers at council meetings.”

The case has drawn attention because several courts have reached different conclusions about prayers before government meetings. One of them was decided on July 23 when Judge James A. Beaty Jr. of the U.S. District Court for the Middle District of North Carolina issued a preliminary injunction ordering the Rowan County commissioners to halt their practice of opening government meetings with a prayer specific to one religion. The court ruled that the Rowan County Board of Commissioners is “hereby enjoined from knowingly and/or intentionally delivering or allowing to be delivered sectarian prayers at meetings.”

In March, the American Civil Liberties Union and ACLU of North Carolina Legal Foundation filed suit on behalf of three Rowan County residents who objected to the practice of beginning meetings with only Christian prayers.

Chris Brook, legal director for the ACLU of North Carolina Legal Foundation, said, “We are very pleased that the court reaffirmed one of the most basic principles of religious liberty—that all members of the community should be treated and welcomed equally by their government, regardless of their personal religious beliefs. Opening government meetings with prayers that are specific to only one religion not only alienates people of different beliefs but also clearly violates the Constitution’s protection of religious liberty.”



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Yoga will remain part of elementary school physical education programs in a California public school, a judge ruled on July 1. San Diego Superior Court Judge John Meyer rejected parental complaints that yoga classes represented government establishment of religion. Meyer admitted that yoga is rooted in Hinduism, but he said the practice has a legitimate secular purpose. The yoga classes in the Encinitas Union School District do not advance or inhibit religion. Meyer also rejected the argument that a \$533,720 grant to start the program from a private foundation represented excessive entanglement between government and religion. Meyer noted that the schools, not the foundation, supervise the program. The plaintiffs, who sued the school district in February, said they will appeal the decision.



A public school system cannot outsource students to a private faith-based school, a federal judge in east Tennessee ruled on July 25.

For years the Jefferson County school system has contracted out the teaching of troubled or disruptive students to Kingswood, a nonprofit Christian organization. The school board made the decision ostensibly in order to save money. According to a report in the *Knoxville News*, “The campus included a church. Scripture abounded in its décor. Nearly every document sent home to parents, including report cards and mandatory monthly forms, included Scripture.” Kingswood administrator Doug Moody added, “We’re unapologetically a Christian organization.”

The judge admitted that Kingswood did not require public school students to attend church services nor did it require religious instruction as part of the curriculum. But U.S. District Judge Thomas Phillips ruled, “Regardless of the board’s actual intent, the Establishment Clause is violated when government actions convey a message of endorsement of religion. Kingswood (and) the board took a hands-off approach toward the impermissible intermingling of church and state. (But) the presence of biblical quotes and Christian themes scattered around campus and on written correspondence suggests actual or perceived endorsement of the Christian faith. . .The appearance of governmental endorsement of the Christian faith is too pronounced and nonbelievers, or students of a different faith, would likely feel divorced from Kingswood, a well-intentioned but overtly-Christian school.”

Kingswood attorneys are appealing to the U.S. Court of Appeals for the Sixth Circuit.



A statue of Jesus that was erected in Flathead National Forest in Montana in the 1950s will remain, a federal judge ruled on June 28. U.S. District Judge Dana Christensen rejected arguments from the Freedom From Religion Foundation that the statue, erected by the Knights of Columbus, represented government endorsement of religion. Christensen held that “reasonable observers” would not conclude that the statue conveys a government stamp of approval. The judge wrote, “The statue’s secular and irreverent uses far outweigh the few religious uses it has served. The statue is most frequently used as a meeting point for skiers or hikers and a site for photo opportunities, rather than a solemn place for religious reflection.” ■



## ARL in Action

- ARL joined its allies in the National Coalition for Public Education (NCPE) in urging rejection of any amendments to S.1094, “Strengthening America’s Schools Act,” that would permit federally funded private school vouchers. NCPE, in a June 10 letter to Senators Tom Harkin and Lamar Alexander, said, “Vouchers run counter to the very purpose of the Elementary and Secondary Education Act (ESEA). Instead of providing equal access to high quality education or setting high standards and accountability, voucher programs have proven ineffective, lack accountability to taxpayers, and deprive students of rights provided to public school students.”

NCPE and ARL and sent a letter to all members of the U.S. House of Representatives on July 16 “expressing our strong opposition to any amendments to H.R. 5, ‘The Student Success Act,’ that would allow the expenditure of scarce federal funds on private school vouchers.”

ARL and its 50-plus allies said that “public dollars should remain invested in public schools,” and reminded House members that, “Voucher programs primarily fund private religious schools. To both protect the religious freedom of taxpayers and the autonomy of

religious schools, many of our coalition members object to taxpayer money being used to fund religious education.”

- ARL and its partners in The Coalition Against Religious Discrimination (CARD) welcomed Melissa Rogers as Director of the White House Office of Faith-Based and Neighborhood Partnerships. In a June 26 letter, CARD asked Rogers to work to “achieve effective reforms of the Faith-Based Initiative that will better protect religious freedom and civil rights.”

CARD asked Rogers’ office to end federally-funded employment discrimination, specifically “in hiring based on religion for positions funded with taxpayer money.” Agencies, beneficiaries and providers need “clear and uniform rules that strongly protect religious freedom.”

- ARL president Edd Doerr’s book review/article for *Liberty* magazine’s May/June issue praised Randall Balmer’s *First Freedom*. Doerr concluded, “The American experience with religious liberty stands as a beacon to the whole world.”



## The Voucher Watch

- A 2011 lawsuit alleging that Wisconsin voucher schools “tend not to admit or accommodate students with disabilities” was strengthened by a report from the Wisconsin Center for Investigative Journalism. The center’s Rory Linnane reported in July that “Students with disabilities are underrepresented in choice schools.” She added, “For the 2012-13 school year, Milwaukee choice schools self-reported on state tests that about 1.5% of their students had disabilities, according to the state Department of Public Instruction (DPI), while about 20% of MPS [Milwaukee Public School] students had disabilities. (Others say choice schools actually have more students with disabilities who are not identified or counted.)” She noted that “Nearly one-third of the 400-plus students who were tracked leaving Milwaukee choice schools for MPS in the first few months of the school year were students with disabilities, according to data obtained by Milwaukee Inner-city Congregations Allied for Hope, an interfaith organization.” Finally, “Although choice schools cannot deny enrollment to a student on the basis of disability, they do not have a legal requirement to meet a student’s special needs, as public schools do.”

- Despite repeated test results showing voucher schools are not superior (or even equal) to public schools, Wisconsin’s legislature narrowly approved an expansion of the program. Republican Gov. Scott Walker is expected to sign the budget bill, which will expand vouchers to the entire state. A 500-student enrollment cap is required for the first year, but that will double the following year. Already existing voucher schools in Milwaukee and Racine are exempt from the enrollment cap.

The bill also increases the amount of each voucher. In addition, the new budget allows tax deductions for families with children in private schools, a deduction that is available to people of all income levels. The tax deduction will cost the state treasury \$30 million in 2014-2015.

State School Superintendent Tony Evers blasted vouchers, which he called “academically unproven and financially reckless.” In a letter to the governor, Evers said, “Statewide expansion of the voucher program is nothing short of a massive new entitlement program, putting Wisconsin taxpayers on the hook for not one, but two publicly funded school systems.”

- South Carolina’s conservative legislature rejected tax credits for private school tuition. The 23-18 vote in the Senate on May 22 included nine Republicans, many of them heads of committees. The proposal would have given parents tax deductions of \$4,000 per child for private or faith-based schools and \$2,000 for home-schooling. The state economic advisory board said the proposal would have cost \$14 million plus \$25 million for nonprofit scholarship granting organizations. This \$39 million loss in revenue would have come at the expense of public schools. The South Carolina School Boards Association urged senators to oppose the proposal. The Palmetto State has 52,729 students in private, mostly faith-based schools, and 13,500 home-schooled pupils.

- On the other hand, South Carolina has established a tax-credit program for special education students. This is “the state’s first foray into vouchers,” observed *Education Week* writer Katie Ash. The program will cost taxpayers \$8 million in the form of tax credits given to businesses and individuals. They in turn will donate up to \$10,000 per pupil for private school “scholarships” to students with disabilities. Nonprofit agencies will distribute the funds to private schools. The legislature had rejected a more expansive tax credit scheme, but decided to limit the program to special needs students. About 12% of South Carolina students are eligible to participate.

*continued on page 8*

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## The Voucher Watch, *continued from page 7*

- In Louisiana, state academic performance tests revealed that only 40% of students at voucher schools scored at or above grade level compared to 69% for all students. Seven schools in the New Orleans area scored so low that they will be removed from the voucher program. Five are run by fundamentalist Protestants and two are Catholic. Since the voucher program was found unconstitutional (See front page of *VOR* 123), Republican Gov. Bobby Jindal and pro-voucher legislators are still seeking alternative financial resources for what any independent observers would call a failed program.

- Iowa's tax credit law will now allow businesses as well as individuals to contribute to the private-school fund, and the total cap has risen from \$8.75 million to \$12 million. Republican Gov. Terry Branstad signed the increase into law.

- Some Catholic school advocates are urging their supporters to take more advantage of existing voucher and tax-credit programs. There are "400,000 empty seats in Catholic schools nationwide, and approximately 36% (of them) are in states that have a school-choice program," observed John Schoenig, director of the University of Notre Dame's Program for Educational Access in *America* magazine's May 20 issue. The Jesuit weekly noted that 40 bishops met in Washington in January to "discuss school-choice options and how Catholic leaders can be more involved."

- Diane Ravitch's August 3 blog blasted the emergence of Jewish charter schools which are "Hebrew language schools usually based in religious facilities and led by clergy." They are also "funded by tax dollars." There are two associations: Ben Gamla, which maintains four schools with 1,800 students in Florida, and Hebrew Charter School Center (HCSC), which has two schools in New York with 600 students and plans to open four more in San Diego, Washington, D.C., New York City and Los Angeles over the next year.

Ravitch wrote that Ben Gamla founder Peter Deutsch says the pur-

pose of the schools "is to draw Jewish children who otherwise would attend regular public schools into an environment where their Jewish identity can flourish."

Ravitch adds that these schools violate "the long established principle of separation of church and state to spend public funds on an institution that promotes religion," and adds, "It asks taxpayers to bear responsibility for schools that are essentially religious. In effect, taxpayers are subsidizing families that have the freedom to choose a nonpublic religious school. If they want it, they should pay for it. Public responsibility is for public secular schools."

She concludes, "I write this as a Jew whose grandchildren (two of them) went to a Jewish day school. Let them thrive and flourish. But don't call them public schools. If the Jewish community is unwilling to support Jewish education, don't ask for public money to do it. It is a private communal responsibility. No subterfuge can hide that." Ravitch is author of *The Death and Life of the Great American School System*, reviewed in *VOR*, Issue 111.

- Alabama's tax credits law was challenged in federal court on August 19 by the Southern Poverty Law Center, a group which fights racism and nativism. The state law (the Alabama Accountability Act) offers generous tax credits to families who transfer their children from "failing public schools" to other public or private schools. The suit charges that the law "is unconstitutional because it creates two classes of students assigned to failing schools—those who can escape because of their parents' income or where they live and those, like our clients, who cannot." The suit adds that the law, enacted by a Republican legislature and signed by Republican Gov. Robert Bentley, "does nothing to improve public education."

The case, *C.M. v. Bentley*, was filed in the U.S. District Court for the Middle District of Alabama. (C.M. is a 13-year-old child living in the town of Camden in Wilcox County.) The Southern Poverty Law Center announced, "This is a civil rights action on behalf of economically disadvantaged students who reside in Alabama's Black Belt and are trapped in failing schools." ■

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## Updates

### House Rejects Non-Religious Military Chaplains

Furious Republican opposition killed a Democratic proposal to allow "persons who are certified or ordained by non-theistic organizations and institutions, such as humanist, ethical culturalist, or atheist," to serve as military chaplains. The amendment to the 2014 National Defense Authorization Act was proposed by Rob Andrews, an Episcopalian Democrat from New Jersey, and Jared Polis, a religiously unaffiliated Democrat from Colorado. Both pointed to Defense Department data that shows about a quarter of military personnel express no religious preference. Numerous Republicans argued that chaplains must be "ministers of faith."

The June 14 vote was 274-150 against the amendment. All 230 Republicans opposed it, while Democrats voted 150-44 in favor. Recent data show that 63% of chaplains are evangelicals and most of the others belong to mainline Protestant denominations. Amazingly, only 7% are Catholic, while 20% of military personnel are Catholic. Only 3% of chaplains belong to all other religious traditions.

Republicans strengthened their argument by approving an amendment that specifically disallows non-theists from serving as chaplains. A pet measure of Rep. John Fleming (R-LA), the amendment to the annual defense spending bill passed on July 23 by 253-173. Republi-

cans supported it 227-2 (all except Justin Amash of Michigan, a Greek Orthodox Christian, and Tom Cotton, a Methodist from Arkansas). Only 26 Democrats voted in favor, while 171 were opposed. Of the few Democratic supporters of the ban, 13 were Catholic and 11 Protestant. Also included were the only Mormon Democrat, Jim Matheson of Utah, and an African American Buddhist from Georgia, Hank Johnson.

### Religious Right Twists Religious Liberty

The Religious Right's propaganda campaign is using the hallowed concept of religious liberty in its ceaseless attempt to batter down the wall of separation between church and state. Major Religious Right organizations, especially those that specialize in litigation, are trying to convince the public and the courts that religious freedom is threatened by secularists and advocates of gay rights and reproductive choice.

These charges are made in a well-documented new study, "Redefining Religious Liberty: The Covert Campaign against Civil Rights," published by Political Research Associates, a progressive think tank based in Somerville, Massachusetts.

Report author Jay Michaelson writes, "The term 'religious liberty'



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has become a code for the larger culture wars. While religious belief and expression are valid and protected constitutional claims, religious liberty is not the freedom to discriminate and harm others.” He adds, “There is a confusing mix of fact and fiction in right-wing religious liberty rhetoric. There is a confusing mix of motives as well.”

The new Religious Right strategy has succeeded in convincing some moderates and liberals that its “martyr narrative,” i.e., that Christianity is under attack in the United States, has merit. But Michaelson warns, “The Christian Right campaign to redefine religious liberty focuses almost exclusively on gay rights, gay marriage and limiting reproductive choice. Religious conservatives have succeeded in reframing the debate and broadening support for their agenda. The campaign to redefine religious liberty aims not simply to win religious exemptions to the law but to contest the authority of secular law itself.”

The study also reveals that eight prominent Religious Right groups had a combined income of almost \$65 million in 2011.

## Holy See Battles Women’s Rights

The Holy See, as the Vatican is officially called in international law and diplomacy, continues its opposition to full equality for women. As a Permanent Observer at the United Nations since 1964, the only religious organization that enjoys such status, the Holy See “has played serious hardball against women’s human rights for nearly 50 years” and is “trying once again to take women’s rights out of the global dialogue,” writes Joanne Omang in *Conscience* magazine (Vol. XXXIV, 2013, No. 2, published by Catholics for Choice).

While the Holy See failed to advance its agenda at the 53rd meeting of the UN Commission on the Status of Women, it is expected to continue these efforts. Writes Omang, “Working with Iran, Russia and others, Holy See representatives tried to delete document language asserting that religion, custom and tradition are no excuse for allowing violence against women. The commission ultimately rejected this effort and the final document stands as a precedent against invoking any of these reasons to justify human rights abuse.”

The issues are always contraception and abortion. And the Holy See uses its influence to pressure predominantly Catholic countries to oppose efforts aimed at solving world population problems as well as reproductive rights issues. This brings the subtle influence of religion to bear on international public policy matters, says Omang, a former Washington Post reporter and editor. “The Roman Catholic Church has global influence via the UN that is unique among the world’s religions.” Consequently, “Some of the work opposing sexual and reproductive rights is accomplished by UN allies, with the Holy See preferring to remain behind the scenes.”

## Kansas Upholds Evolution

The Kansas State Board of Education adopted new curriculum standards that require students in all grades to learn about evolution and climate change as essential scientific concepts. The 8-2 vote on June 11 ratified the Next Generation Science Standards (NGSS), which has been developed by the National Research Council. NGSS has been adopted by more than two dozen states.

Since 2006 a majority of the Kansas board has supported scientifically accurate education. Before the 2006 election, creationists had dominated the board and in 2005 had deleted references to evolution.

## Drones for Christ

The liberal evangelical magazine *Sojourners* exposed Liberty University’s “Drones for Christ” program in its July issue. Author David Swanson charged that the Lynchburg, Virginia-based university, founded by evangelist Jerry Falwell in 1971, considers the military “a tool for Christian missionaries.” Liberty, which trains chaplains for all branches of the Armed Forces, includes a program called Unmanned Aerial Systems in its curriculum. Liberty, which has assets exceeding \$1 billion, specializes in online education. Currently, 60,000 students, including 23,000 in the military, study at the fundamentalist college, far more than the 12,000 students on campus. Its conservative bias is well-known, and “the school of government brags that Newt Gingrich helped develop its course on American exceptionalism,” writes Swanson, host of Talk Nation Radio.

## Louisiana Balks

The Department of Justice revoked its \$30,000 annual funding for two youth programs in Bossier Parish (county), Louisiana, because the programs require a pledge to God and allow prayer at meetings. Sheriff Julian Whittington, whose office runs the program, vehemently objected and withdrew his grant request. One of the youth groups is backed by the U.S. Marine Corps and is also used as an alternative to prison by a district court. The local Republican congressman from Northwest Louisiana, Rep. John Fleming, angrily told Fox News that the Obama administration “seeks to stamp out freedom of expressions, particularly religion and especially freedom of Christian expression.”

## Public Funding for Private Preschools Increases

More students in preschool and kindergarten attend private, often faith-based, schools at public expense. About one-third of students enrolled in state-financed preschool programs attend private or religious schools, according to the National Institute for Early Education Research at Rutgers University. The figure reaches 84% in Florida and 60% in New Jersey.

Nowhere is this trend more evident than in Chicago, where more than half of the 44,600 children in preschool attend nonpublic schools. Just over 10% attend those operated by faith-based groups. The Archdiocese of Chicago will increase its early education centers from 14 to 27 this fall.

This “preschool financing structure could set a precedent for the rest of formal public schooling,” according to *New York Times* writer Motoko Rich.

## FBI Expands Hate Crime Tracking

The FBI will soon compile data on hate crimes committed against “all self-identified religions” in the United States, an FBI advisory board decided on June 5. Years of pressure from civil rights groups and requests from 26 U.S. Senators and 100 House members resulted in the change, which will go into effect by 2015. Tracking began in 1990, after Congress passed the Hate Crimes Statistics Act. Hate crimes motivated by race, ethnicity, sexual orientation and gender are also compiled.

In recent years about 20% of hate crimes have been committed against religious groups. Jews and Muslims were the primary victims. Hate crimes based on race and sexual orientation are more prevalent

*continued on page 10*

than religion, but recent attacks on Sikhs, Hindus and Arabs have increased.

## State Department Opens Religious Outreach Office

The State Department has created a new office dedicated to global outreach to world religious leaders. It will be headed by Shaun Casey, a professor at Wesley Theological Seminary in Washington, D.C., and author of a book on John F. Kennedy's election. Casey said the new office will stress religion and development, conflict prevention and resolution, and international religious freedom. (There is already an office that monitors religious freedom at the state department). Casey also suggested that climate change may be the most immediate issue that needs addressing. Casey told *Washington Post* reporter Elizabeth Tenety that, "We ignore the political impact of religion at our peril." Casey pledged that the office will be "inclusive, constitutional, and transparent."

The State Department announced that the new office "will focus on engagement with faith-based organizations and religious institutions around the world to strengthen U.S. development and diplomacy and advance America's interests and values."

New guidelines will soon be developed to establish how the office will operate within the constitutional framework.

## Immigration Law Limits Religious Workers

The often confusing and out-of-date immigration policies and laws in the U.S. have resulted in a 60% decline in visas for religious workers and their families, according to investigative reporter John W. Kennedy in *Christianity Today's* July-August issue.

Since a 2008 revamping of the review and approval process for religious workers (generally clergy or personnel in church-based institutions), the number of R-1 and R-2 visas issued by the State Department declined from 13,001 in 2008 to 5,715 in 2012. R-1 visas are for religious workers and R-2 visas are for spouses and children.

In addition, new regulations require that a religious worker must have a definite salary, and forbids him or her to work a second job. The religious worker's spouse cannot hold a separate position. Also, writes Kennedy, "Under U.S. Citizenship and Immigration Service (USCIS) rules, an applicant must be a member of the participating denomination for the past two years." These rules, he adds, "can be particularly cumbersome for independent churches," which are among the fastest growing religious groups in the country.

Immigration laws also grant "immigration officers a great deal of discretion in rejecting R-1 visas." World Relief immigration attorney Kedri Metzger notes that, "The Catholic Church with its uniform, hierarchical institutional structure has a much easier time adhering to the U.S. government's R-1 visa standards." This differential treatment of religious groups smacks of potential discrimination but, laments Kennedy, "The immigration reform bill before Congress doesn't explicitly address these religious worker visa issues."

### Moving?

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

## International Updates

### Abortion in Latin America

The Guttmacher Institute reports that Latin America has the world's highest abortion rate, about 32 per 1,000 women aged 15-44. The vast majority of them are labeled unsafe. Africa is in second place, Asia third, Europe fourth, and the United States, Canada and Oceania have the lowest rates. Guttmacher estimated that 4.4 million abortions are performed yearly in Latin America.

The World Health Organization echoes this assessment, noting that 1,000 women in the region die yearly from unsafe procedures and more than one million are hospitalized.

This occurs despite or because of the widespread illegality. *The Economist* (June 8, 2013), notes, "At the urging of the Catholic Church, abortion is banned under all circumstances—including rape, and where the mother faces death—in Chile, the Dominican Republic, Haiti, Honduras, Nicaragua and Suriname, as well as in El Salvador. In most other countries it is highly restricted. Only Cuba, Guyana, Puerto Rico and Uruguay offer abortion on demand (so does Mexico City, unlike the rest of Mexico)."

Brazil, Argentina and Colombia allow abortion in certain cases, and Brazil's congress is considering some liberalization. But conservative anti-abortion rights forces are pushing for renewed bans. More than half of Mexico's states now define life as beginning at conception. *The Economist* notes wryly, "Latin America's strict abortion policies are certainly not pro-choice—but their results are hardly very pro-life either."

**Bogotá:** The debate over gay marriage is analyzed by Lina Cespedes-Baez, a lawyer and human rights activist, in *Foreign Affairs* (May 27, 2013), the journal of the Council on Foreign Relations. She notes that, "Colombia, Ecuador, and Brazil have recognized same-sex couples' right to form domestic partnerships and civil unions, and Argentina, Uruguay, Mexico City, and some Brazilian states have legalized same-sex marriage." This is largely due to judicial concerns for equal rights. Cespedes-Baez warns that Colombia's version of a Religious Right is still seeking to restore the old order in church-state relations. "Although the 1991 constitution put an end to more than one hundred years of state's confessional adherence to Catholicism in the country and granted freedom of religion and conscience, religious groups and conservative parties still claim that the state needs to offer special protection for Catholicism and other monotheist religions, particularly those with Christian roots."

She urges her fellow citizens to consider the far-ranging implications of the conservative backlash. "Colombians need to acknowledge that certain religious groups and conservative parties are using the same-sex marriage debate to challenge broader freedoms that were won two decades ago. For Colombia, where the state's abandonment of Catholicism as its official religion is a recent memory, debates such as these are challenging the very definition of the state. For that reason, it is important for Colombians to understand that the current discussion on same-sex marriage legalization is not only about LGBT rights but also about the separation of the state and religion, and the protection and enforcement of fundamental freedoms."

## Obituaries

### Helen Thomas



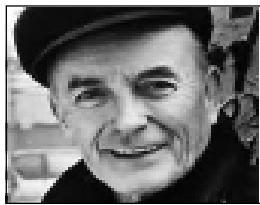
Helen Thomas, a Kentucky-born daughter of Lebanese immigrants, achieved many firsts in her 92 years. She was the first woman assigned by a news service to cover the White House, the first female officer of the National Press Club, and the first female member (and later president) of the White House Correspondents Association. She covered every president from Kennedy to Obama. In her later years, it was she who said,

“Thank you Mr. President,” at the close of every press conference.

Thomas was a strong supporter of church-state separation. ARL gave her a Religious Liberty Award on May 11, 2003, during which she said, “I believe strongly in the separation of church and state. Jefferson, Madison, the Founding Fathers, had it exactly right. We are to be a free people, free to worship as we choose, and even not to worship.”

She died on July 20, and will be greatly missed.

### Andrew Greeley



Andrew M. Greeley, a prolific author, scholar and Catholic priest, died on May 29 at 85. Greeley was considered a gadfly who punctured myths, and he did just that, particularly in his sociological writings. He argued that Irish Catholic Americans, and those of other ethnic groups, played a prominent and significant role in American history, though they were

often shunned by the white Protestant Establishment. He found that ethnic Catholic attitudes on a number of issues were more liberal than average Americans. His criticized many hierarchical decisions over the years, making himself virtually persona non grata in the archdiocese of Chicago, where he lived.

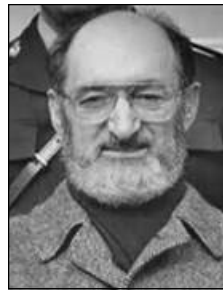
While he did not always agree with ARL's positions on some issues, he was a thoughtful and interesting exponent of ideas. It was often said that Greeley never had an unpublished thought, having written at least 160 books, including many popular novels.

I was delighted when Greeley wrote the preface to my 1979 book, *John F. Kennedy: Catholic and Humanist*, which he called “the first book in the reappraisal of John F. Kennedy.” I wrote a dust jacket praise of his book, *An Ugly Little Secret*, a brief history of anti-Catholicism in America.

In its obituary, *The New York Times* called Greeley “a priest, scholar, scold and maverick who could be exuberantly combative and scathing about the nation's Roman Catholic bishops.” He was that, and more.

—Al Menendez

### Henry Morgentaler



One of Canada's most distinguished citizens, Dr. Henry Morgentaler, died at his Toronto home on May 27 at the age of 90. As *The New York Times* noted, Morgentaler “was assaulted and imprisoned for defying the nation's restrictive laws on abortion” but his courageous actions “won the landmark Canadian Supreme Court decision that legalized abortion in 1988.”

Morgentaler, born in Poland in 1923, survived Nazi death camps at Auschwitz and Dachau and immigrated to Canada after the Second World War. (Most of his family died in the Holocaust). As a physician he fought for safe, legal abortions. He was arrested four times for performing illegal abortions but was acquitted each time by jurors in heavily Catholic Quebec. After an acquittal was overturned, he appealed to the Supreme Court, in effect challenging the constitutionality of Canada's federal abortion law. His victory there substantially advanced women's rights. Always controversial, this Jewish humanist was inducted into the Order of Canada in 2008, one of the nation's highest honors.

Dr. Morgentaler and ARL's Edd Doerr were good friends.

**Brasilia:** The rising power of evangelicals and Pentecostals in Brazil was symbolized by a huge June rally outside of Congress. Televangelist Silas Malafaia denounced gay marriage and abortion, two issues before the nation's lawmakers. Though Brazil has the largest number of Catholics of any nation, evangelicals comprise 25% of the population and exercise a growing political clout. There are 68 evangelicals in the Chamber of Deputies and three in the Senate. They have begun to act as a unified caucus on some issues.

Writes Reuters correspondent Anthony Boadle, “The rise of evangelical Christians as a conservative political force in Latin America's largest nation has put the ruling Workers' Party on guard and led President Dilma Rousseff—who is seeking re-election in 2014—to appoint an evangelical bishop to her cabinet.” Boadle noted that evangelicals are demanding and receiving key positions. “The evangelical presence in Congress has been very much in the public spotlight since one of its

members, a conservative preacher [Pastor Marcos Feliciano] known for his racist and anti-gay statements, was named chairman of the chamber's Human Rights and Minorities Committee.”

**Dublin:** Ireland's parliament voted 127-31 on July 11 to allow abortion under certain conditions. The Irish Constitution of 1936 had specifically banned all abortions for any reason. The bill allows abortion when a woman's life is in danger. It includes the risk of suicide as a possible threat to the woman's life. The contentious debate brought large crowds of demonstrators on both sides of the issue outside parliament. Prime Minister Enda Kenny was reviled by anti-abortion activists, and five of his party's members voted against the proposal.

A 1992 Supreme Court ruling that abortion should be permitted when a woman's life was in danger was never implemented by parlia-

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## International Updates, *continued from page 11*

mentary legislation. But the death of an Indian immigrant who was denied an abortion in Galway last year reopened the debate, as did a European Human Rights Commission criticism of Ireland.

The Catholic Church reemerged as a player in the drama, but lost decisively. Reuters' correspondents Conor Humphries and Sam Cane noted that the prime minister faced down the hierarchy. "He has also faced a concerted campaign by Ireland's once-powerful Roman Catholic Church, which urged parishioners to pressure their local members of parliament to vote against the bill. Some church leaders said that lawmakers' support of abortion could be grounds for excommunication. Rocked by a series of child abuse scandals, the Church has seen its public influence wane since the 1980s, and a younger, secular generation wants to end the practice of Irish women traveling to nearby Britain to terminate their pregnancies."

**Istanbul:** Political turmoil in Turkey has focused on economic issues, but religious and cultural ones simmer just below the surface. Prime Minister Recep Tayyip Erdogan's Islamic-oriented Justice and Development (AK) party forced through a bill restricting the sale and consumption of alcohol. (Erdogan reportedly said that anyone who drinks is an alcoholic, which is like saying that anyone who eats is obese.)

The restrictions limit the number of hours during which wine and beer can be sold, forbid liquor sales within 100 yards of a school or mosque, and prohibit the depiction of alcohol consumption on television or in newspaper and billboard advertisements. Erdogan increased alcohol taxes threefold and removed alcohol drinks on domestic flights of Turkish Airlines. Turkey's Association of Tourism said the new laws will damage the \$50 billion tourism industry by "conjuring up a fear of alcoholism that does not exist."

Perhaps most disturbingly, Erdogan has justified his actions by citing Islamic law. In a May 28 address to supporters, Erdogan warned, "If religion orders something, will you object?"

Religious instruction has been mandated in state schools, and Erdogan has denounced abortion and birth control and urged women to have more children. His Sunni-dominated government has discriminated against a small liberal Islamic sect called the Alevis. *The Economist* reports June 1 that the "obdurate prime minister has spewed out incendiary rhetoric" and has "cloaked himself in martyrdom with rousing speeches about the persecution of the pious by Turkey's erstwhile secular rulers."

**London:** On July 17 Queen Elizabeth II signed into law a bill legalizing same-sex marriage in England and Wales. (Scotland and Northern Ireland, the two other parts of the United Kingdom, have their own parliaments with jurisdiction over some issues.)

The legalization bill easily passed the House of Commons and was ratified by the House of Lords. The Church of England was initially opposed but was explicitly barred from performing same-sex marriages in the new law. The Catholic Church was also opposed, but *The Tablet*, a British Catholic weekly, noted that a majority of Catholic members voted for it. Prime Minister David Cameron proposed the legislation, though his action split his Conservative Party. Most Labour and Liberal Democrat members supported the bill.

Steven Fielding, a political scientist at the University of Nottingham, told Associated Press that the opposition "was restricted to the back benches of the Conservative Party." He added, "It was an issue whose time had come."

**Montevideo:** Uruguay's law allowing first-trimester abortions withstood a challenge on June 23, when opponents failed to attract enough votes to force a national referendum. The law, the most liberal in Latin

America except for Cuba, passed Congress last October. Conservative groups needed 655,000 voters to cast ballots calling for a referendum on repeal, but could only attract one-third of the required number. The group Woman and Health issued a statement saying, "The fact that it wasn't enough for a referendum clearly shows that the Uruguayan society is willing to continue moving forward." Uruguay's law requires consultation and a five-day waiting period before the procedure.

**New York:** A United Nations committee has requested that the Vatican "provide complete details about every accusation it has ever received of the sexual abuse of minors by members of the clergy," reported the Jesuit weekly *America* on August 5. The request came from the Committee on the Rights of the Child, which monitors the U.N. Convention on the Rights of the Child. The committee said the Vatican's "latest report on its compliance with the international obligations it accepted when it ratified the convention" was inadequate.

**Rangoon:** In an unprecedented move aimed at one religion, authorities in the western Burma state of Rakhine have imposed a two-child limit on Muslim families but not on Buddhists. Muslims are the majority in two townships that border Bangladesh but account for only 4% of Burma's 60 million people. Associated Press reported, "The unusual order makes Burma perhaps the only country in the world to impose such a restriction on a religious group and is likely to fuel further criticism that Muslims are being discriminated against in the Buddhist-majority country."

This action is part of a growing campaign orchestrated by Buddhist monks to drive Muslims from the country. Violence has been instigated by a radical monk who calls himself Wirathu, who tells supporters, "We must keep Myanmar Buddhist." Wirathu was jailed for seven years for inciting anti-Muslim pogroms in 2003, but the new government tolerates his activities. "Taking care of our own religion and race is more important than democracy," he told *Time* reporter Hannah Beech. Beech wrote, "Such hate speech threatens the delicate political ecosystem in a country peopled by at least 135 ethnic groups that has only recently been unshackled from nearly half a century of military rule."

In her *Time* article, "The Face of Buddhist Terror," Beech says sectarian animosity is spreading to other parts of Burma, including Christians in the north, who are victims of "the widening religious divide." ■



## Books and Culture

### Book Talk

The recent spate of anti-Christian violence in Egypt, resulting in 60 church burnings in August, makes this an appropriate time for mentioning some recent books on Coptic Christianity, a unique branch of the religion found only in Egypt and Ethiopia. *Fleeing Herod: A Journey Through Coptic Egypt* by James Cowan (Paraclete Press, 2013, 290 pp., \$21.00), a travelogue cum history that explores "places where memory, intellect and belief interact," adding, "Egypt was to become the place where significant events in the early development of Christianity would be played out against a backdrop of extreme antiquity, none other than the realm of the Pharaohs. The country has long been the crucible of Christianity, yet now it was an outpost, struggling to survive official disdain and the world's indifference."

Otto F.A. Meinardus was the internationally renowned expert on

Egyptian Christianity. Though he died in 2005, some of his books remain in print from The American University in Cairo Press. *Coptic Saints and Pilgrimages* (2007, 113 pp., paper, \$19.95) concentrates on the “dynamic popular or folk religion” that coexists with formal doctrine among “the Christians of the Nile.” Folk religion has many “roots in the religious heritage of Pharaonic Egypt,” which predates Christianity, while the “official religion is strongly influenced by Hellenistic or Alexandrian modes of thinking and speech.”

*Christians in Egypt: Orthodox, Catholic, and Protestant Communities Past and Present* (2006, 177 pp., \$24.50) shows the diversity among Egyptian Christians. The Copts, who claim succession from the Apostle Mark, author of what most historians believe is the first gospel, endured martyrdom and persecution under Roman Emperors Diocletian and Galerius, and have found a way to survive under the past 1,300 years of Muslim rule. The Copts base their uniqueness, in part, on traditions surrounding the three or four year sojourn of the Holy Family (Jesus, Mary and Joseph) in Egypt after fleeing death threats from King Herod. Many of their central beliefs are derived from apocryphal or alternative gospels that circulated during the third and fourth centuries of the Christian era.

Church-state relations are complicated. Meinardus explains, “Religious freedom and religious equality are relatively recent principles that are based upon the doctrine of the separation of church and state, a concept which is utterly alien both to Islam and Oriental Christianity.” But pragmatism has allowed the Copts to accept an inferior social and political status as long as there is a practical separation, which the author reminds us, “can only be executed by a sympathetic and religiously neutral state.”

The above books are available at [www.aucpress.com](http://www.aucpress.com) or from [www.amazon.com](http://www.amazon.com)

*Religious Freedom: Jefferson's Legacy, America's Creed*, by John Ragosta. University of Virginia Press, 2013, 293 pp., \$39.50.

Accelerating waves of attacks on religious liberty, church-state separation and public education in Congress, state legislatures and conservative media are met head on in historian John Ragosta's important new book on Jefferson, Madison and their contributions. In this refreshingly brisk, well documented work (35 pages of detailed endnotes), Ragosta meticulously traces the history of the struggles by Jefferson and Madison to write church-state separation into law in Virginia, our most populous and important state in the 1770s and 1780s, and how they were broadly supported by Baptists, Presbyterians and others in their efforts. Virtually the whole country followed their lead.

Ragosta shows how the work of Jefferson and Madison shaped the First Amendment and the subsequent history of church-state relations. He shows that the Supreme Court's 1879 *Reynolds* ruling correctly represented the American consensus in the 19th century and that the Court's 1947 *Everson* ruling accurately interpreted the First Amendment. He makes clear that the gradual “incorporation” of the First Amendment into the Fourteenth Amendment was precisely what Congress intended even though the U.S. Supreme Court in the early 1870s got it wrong in the *Slaughter-House* cases.

Finally, Ragosta appropriately shows the errors of Justices Rehnquist and Thomas, writers like Philip Hamburger and Daniel Dreisbach, and pompous pundits like George Will in trying to flush Jefferson and Madison down the drain.

Ragosta leaves no room to doubt that the Jefferson/Madison legacy of religious liberty through church-state separation is our country's most important single contribution to civilization, something we tamper with at our peril.

The book's appendix includes Jefferson's Virginia Statute for Establishing Religious Freedom, Madison's influential” Memorial and Re-

monstrance Against Religious Assessments,” relevant 1785 Baptist and Presbyterian resolutions supporting separation, and Jefferson's 1802 letter to the Danbury Baptists.

Ragosta's book is one of the most important of this or any other year.  
— Edd Doerr

*Change They Can't Believe In: The Tea Party and Reactionary Politics in America*, by Christopher S. Parker and Matt A. Barreto. Princeton University Press, 2013, 361 pp., \$29.95.

Two professors of political science at the University of Washington examine the modern Tea Party movement and find that it is not a constitutional conservative movement but a “reactionary conservative” movement that has more in common with the Know Nothings of the 1850s, the Ku Klux Klan of the 1920s and the John Birch Society of the 1960s. “Its emergence is simply the latest in a series of national right-wing social movements that have cropped up in America since the nineteenth century.”

Like status-anxiety politics in earlier eras, the Tea Party has a nostalgic view of an earlier America. Many people “are driven to support the Tea Party from the anxiety they feel as they perceive the America they know, the country they love, slipping away, threatened by the rapidly changing face of what they believe is the ‘real’ America: a heterosexual, Christian, middle-class, (mostly) male, white country. We think it likely that they perceive such change is subverting their way of life, everything they hold dear. They not only wish to halt change; if we are correct, Tea Party supporters actually wish to turn the clock back.”

Religion is a factor in this backlash movement. “Religious and secular fundamentalism, commensurate with Christian morality and economic conservatism, represent the suite of values, norms, and customs of the more traditionalist forces that are believed by their constituents to be under threat from forces associated with marginalized groups and modernity.”

The authors believe that Tea Party sympathizers and supporters number about 45 million people, which constitutes a substantial segment of the electorate.

President Obama seems to be the proximate cause for the movement's growth. “We believe that President Obama, by virtue of his position as president, and the fact that he's the first nonwhite person to hold the office of president, represents to some an assault upon a specific ethnocultural conception of American identity and everything for which it stands.”

Since Obama will be leaving office in 2017, the movement may have to redirect its efforts to other targets.

— Al Menendez

*Charter Schools and the Corporate Makeover of Public Education: What's at Stake?* by Michael Fabricant and Michelle Fine. Teachers College Press, 2012, 151 pp., \$25.95.

In June Stanford University's Center for Research on Education Outcomes (CREDO) published a major study of charter schools, concluding that three-fourths of them continue to be either worse than or no better than regular public schools. And this despite the fact that they enjoy such advantages over regular public schools as the ability to skim students from more “concerned/functional” families, to serve proportionately far fewer special needs kids, and ease in pushing out students they don't want.

Social scientists Michael Fabricant and Michelle Fine explore every angle of the two-decade-old charter school movement in this devastating, comprehensive analysis and critique. While charters were originally conceived as a small scale experimental reform run by professional educators and tied to local communities, the movement was soon taken over by interests aimed at private profit, undermining and defunding public

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## Books and Culture, *continued from page 13*

education, busting teacher unions, and pushing the country to the Right. Public attention has been distracted by a few good charters and a tsunami of propaganda veering to the political right, often the same forces behind the school voucher and tax-credit voucher drives to divert public funds to church-run private schools (as in Wisconsin, Ohio, Indiana, Louisiana, etc.).

Charters "churn" teachers far more than regular public schools, disrupt many public schools through locating charters in the same buildings, pay their non-union teachers less, force many public schools to be consolidated with consequent damage to the poorest communities, spend less per student on actual instruction, and provide a cushy deal for private profiteers.

The book defies facile summary despite being short. But it is must reading for all who care about good public education for all kids of every class, race and condition. A healthy democracy needs well-funded good public schools for all kids.

— Edd Doerr

*Religion, Politics, and Polarization: How Religiopolitical Conflict Is Changing Congress and American Democracy*, by William V. D'Antonio, Steven A. Tuch, and Josiah R. Baker. Rowman & Littlefield Publishers, Inc., 2013, 163 pp., \$28.00 paper.

Anyone who has ever been interested in how religious affiliation affects decision-making in Congress will find this book a valuable source of information and insight.

The authors focus on the last half century (1960-2010), noting how a changing religious demography has shaped the political culture. Mainline Protestants have declined dramatically, while Catholics, Jews, black Protestants and conservative Protestants have increased in membership and influence. This represents a major sea change. However, "Protestant beliefs, values, and attitudes dominated American society and continue to influence people of other religions and ethnicities, even as Mainline Protestantism itself with its own social gospel teachings continues to gradually lose members, political influence, and social sway."

Polarization between the parties has reflected and to some extent been caused by changes within the religious groups themselves. "The ideologies of both political parties are rooted in religion," the authors claim, explaining further, "The Democratic Party has a strong commitment to science and reason. These values are deeply rooted among Democrats, both voters and the people they elect to Congress, just as the values promoted by fundamentalists in the Republican Party are deeply rooted among their followers."

The authors look carefully at roll call votes on such issues as defense, taxes and welfare. But the abortion issue "has generated controversy and political upheaval that will impact American politics for years to come."

Over the years Catholic Democrats have grown much more pro-choice, moving from 30% pro-choice in the House at the beginning of the Carter presidency to 81% pro-choice at the end of the George W. Bush presidency. Among Mainline Protestant Democrats, the pro-choice vote rose from 65% to 90% over the same period. Republicans of all religions were solidly (and increasingly) anti-choice, as were conservative Protestants.

These researchers have a warning for pro-choice voters. "In framing public attitudes toward abortion since the 1980s, the pro-life movement led by Evangelicals and Catholic Church leaders has been more successful than the pro-choice movement in setting the terms of the public debate." This may explain why abortion restrictions have increased in the past decade, while the public remains at least moderately pro-choice.

They also predict that same-sex marriage "will be an issue around which religious groups will become increasingly polarized."

This book deserves a very wide audience.

— Al Menendez

*Barack Obama and the New America: The 2012 Election and the Changing Face of Politics*, edited by Larry J. Sabato. Rowman & Littlefield Publishers, Inc., 2013, 241 pp., \$24.95 paper.

Larry Sabato, director of the University of Virginia's Center for Politics, has assembled an anthology of 13 essays on the 2012 presidential election. The authors are a mix of academics and journalists. Just about every aspect of the last election is analyzed.

Several observers argue that the changing ethnic and cultural demography of the U.S. will place Republicans at a severe disadvantage in coming elections. Indeed, Obama's 80% support from the nonwhite 28% of the electorate overcame his 39% showing among the 72% of voters who are white. That population trend will continue and perhaps accelerate. Sabato writes, "If the 2008 election can be said to have set the nation's political course, then the 2012 election confirmed it. The demographics of the American electorate have changed significantly, and they will continue to shift in the same direction for the foreseeable future."

Religion will factor in all future elections, as Alan Abramowitz of Emory University observes, "The trend toward a more secular and socially liberal electorate seems likely to continue for the foreseeable future." When all is said and done, though, Democrats cannot count on demography alone to assure victory. Sabato notes, "Real events and actual performance in office could determine the future," and Sean Trende of RealClearPolitics says, "Elections are governed largely by short-term forces that are largely unpredictable."

The essays are compelling and most are buttressed by invaluable data.

— Al Menendez

*American Catholics in Transition*, by William V. D'Antonio, Michele Dillon, and Mary L. Gautier. Rowman & Littlefield Publishers, Inc., 2013, 202 pp., \$27.95 paper.

This report on a fifth national survey of American Catholic opinion shows both continuity and change. Internal church matters and public policy issues are considered. A decided preference for individual conscience over church authority and a continued decline in weekly church attendance (from 44% down to 31% since the previous survey) are notable.

Some of the data are startling. Only 17% of Catholic children attend Catholic elementary schools and 14% attend Catholic high schools. The percentage of Hispanics in the Catholic community has risen from 10% a quarter century ago to over a third today.

The reported political preferences differ somewhat from other national surveys. Catholics lean Democratic over Republican 57% to 40%, which is a good deal higher than their recent presidential votes. But when "Independent" is offered as an option, it ranks first and Democrat second, undoubtedly a factor in why the Catholic vote is usually pivotal. Interestingly, only 8% of Catholics say they "follow the bishops' guidance and instructions on political and public policy matters."

There is little difference between Catholic Democrats and Catholic Republicans on church attendance, while other national surveys have shown a high correlation between frequent church attendance and Republican voting for all religious groups.

The "gender gap" is disappearing among Catholics. "Women have reduced their commitment along key dimensions and have done so in ways that put them currently on a par with men's historically lower and relatively unchanging patterns of commitment." The sociologist-authors explain this change. "Our findings suggest that Catholic women,

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and especially younger cohorts, are less willing than in the past to live with the tension posed by loyalty to the Church while simultaneously being excluded from full participation in its practices.”

— *Al Menendez*

*In Freedom We Trust*, by Edward M. Buckner and Michael E. Buckner. Prometheus Books, 2013, 281 pp, \$18.00.

This "guide to religious liberty" is a spirited defense of church-state separation and secular (i.e. religiously neutral) government. On the one hand, the authors show that historically the US pioneered separation as the best possible way to protect individual religious freedom. They thoroughly debunk the anti-separation nonsense spewed by Newt Gingrich, David Barton, Sarah Palin, Michele Bachmann, and other champions of Religious Right theocratic ideology. They explore a number of the church-state controversies that have muddied the waters over the years.

On the other hand, the book is seriously deficient, essentially ignoring the three most important campaigns to tear down the wall of separation. It devotes a mere three skimpy, inadequate pages to the drive to divert public funds to religious private schools through vouchers and to undermine public education. As for the major drive to seriously undermine women's rights of conscience on abortion and contraception, the book is utterly, inexplicably silent. Equally silent are the authors on the growing problem of fundamentalist infiltration of and proselytizing in public schools.

Further, the book's bibliography ignores the work of such important church-state experts as Leo Pfeffer and other books on church-state issues by their own publisher, Prometheus Books. The authors also list only a few of the organizations on the firing line defending separation, omitting ARL and its many book-length contributions to the debate. Finally, the authors fail to adequately discuss the long list of important Supreme Court rulings on these vital issues. In short, this is only half the book it could have and should have been.

— *Edd Doerr*

*Bad Samaritans*, by Jerome R. Corsi. Thomas Nelson, 2013, 256 pp., \$24.99.

Corsi claims that Christianity and Christian values, or at least his crabbed version of them, are in grave danger of being destroyed by an all-out "War against God" being waged by the American Civil Liberties Union. This is nonsense. The ACLU is simply defending the principles of religious freedom and church-state separation set up by this country's constitutional founders, principally Jefferson and Madison. Corsi also

fails to mention the host of other mainstream religious, educational, civil rights and civil liberties groups that share the ACLU's concerns.

Corsi apparently believes that religion needs to be propped up by government. He wants public funds diverted to religious schools, wants the public schools to promote conservative religious positions, and insists that government impose on all women the fundamentalist ideology of "personhood at conception."

Corsi refuses to admit that most Americans do not buy into his far right agenda. Nowhere does he acknowledge that whenever voters have had to chance to express themselves on school vouchers or their variants they have voted them down by an average margin of two to one in 27 statewide referendum elections from coast to coast. He ignores the fact that such diversions of public funds to sectarian private schools occur only in states where voters have been denied the opportunity to decide, as in Indiana, Louisiana, Arizona, Ohio and Wisconsin.

In the wake of the 1962 and 1963 Supreme Court rulings against government sponsored devotions in public schools, conservative pressure on Congress to amend the constitution to allow such practices failed repeatedly. As for reproductive choice, mainstream America does not support outlawing abortion, restricting access to contraception, or imposing on all women an unscientific and even anti-biblical theology of personhood at conception.

Books like this remind us that there are still powerful reactionary forces out there working to set back the progress of humankind.

— *Edd Doerr*

*The Second Coming of Paisley: Militant Fundamentalism and Ulster Politics*, by Richard Lawrence Jordan. Syracuse University Press, 2013, 359 pp., \$39.95.

For the past half-century, no one has exemplified the misuse of religion and politics more than the Rev. Ian Paisley, leader of Northern Ireland's embattled fundamentalist Protestants. After a decade as an agitator and demagogue, he began a long political career in 1970, winning elections for both the British Parliament and the Northern Ireland Assembly. Then in 2007, he reversed course and agreed to work with his sworn enemies to achieve a degree of peace and stability in a tiny outpost of the United Kingdom that had been at war with itself for almost 40 years.

It is this latter transformation that constitutes the "second coming" in the title of this ably-documented and interesting new look at an individual who, in many respects, combined the worst of religion and the worst of politics.

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## Books and Culture, *continued from page 15*

When the chips were down, Paisley chose politics over religion, agreeing to serve as First Minister (equivalent to prime minister) of Northern Ireland in 2007. After opposing the Catholic civil rights movement, he agreed to serve with Catholics in a power-sharing government. Doing so caused him to sever ties with the Free Presbyterian Church, the fundamentalist, separatist group he founded. "Although Paisley's transformation has simultaneously fascinated and bewildered observers of Northern Ireland, it has dismayed his former supporters." His former allies turned on him because he was willing to work with others and to broaden his Democratic Unionist Party to include moderate Protestants and even secular voters.

The author emphasizes that Paisley moved from "premillennial" religion that stressed fundamentalism to "amillennial" politics that subordinated religion to political ends. "No longer did Paisleyism constitute a crusade against apostasy and ecumenicalism; it became a political movement working to prevent a British withdrawal from Northern Ireland, to thwart Catholic political gains and the unification of Ireland, and to defeat Republican violence."

The first half of this study shows how Paisley adopted the strategies of American fundamentalists of the Old Right, people like Strom Thurmond, Carl McIntyre, Billie James Hargis, and, especially, Bob Jones, whose South Carolina-based university feted Paisley. This American connection to the early days of Paisleyism makes this book unique and compelling. (Interestingly, Paisley's frequent U.S. trips were curtailed by visa denials under Republican presidents Nixon and Reagan.)

The author is certain that "without the influence of American militant fundamentalism, there would have been no Paisleyism." The book stands out in the vast literature on the Northern Ireland conflict.

—Al Menendez

*The Christian Century and the Rise of the Protestant Mainline*, by Elesha J. Coffman. Oxford University Press, 2013, 271 pp., \$27.95.

It is not often that a magazine that has never exceeded 40,000 subscribers is given its own history. But that is justifiable if it represents, or shapes, the sentiments of a larger group—in this case "mainline" Protestantism, which once claimed the allegiance of 25% of the U.S. religious population.

*The Christian Century*, founded in 1908 as a Midwestern voice of the Disciples of Christ denomination, soon became influential as an exponent of world peace and of Prohibition. It also became known, and saw

itself as, the exemplar of the cultural hegemony of Protestantism and often as a fierce critic of Catholic challenges to that hegemony. Its enthusiastic support of federal Prohibition, surely one of the most illiberal of crusades, was justified by the magazine's editors as a "progressive cause." The journal occasionally exhibited arrogance and hubris, as when it declared that it alone could help preserve Prohibition just before the "noble experiment" expired.

Liberal Protestantism was in many respects the cultural arbiter of the nation and, as the author notes, "enjoyed federally sanctioned preferential access" to the new medium of radio.

The magazine was consistently critical of the Catholic Church, claiming in 1946 that it was a "self-enclosed system of power." Coffman writes that the editors thought Catholicism "would not coexist with American democracy as Protestants had constructed it." The magazine endorsed Hoover in both 1928 and 1932, which is unsurprising but set it apart from other liberal journals.

Under the editorship of Charles Clayton Morrison, the *Century* also attacked "secularism" for trying to dilute Protestant control of public education. Even religious neutrality in the schools was denounced as either "overtly hostile to religion or ignorant of it and indifferent to it."

For a brief time after World War II, the editors generally supported separation of church and state, but this was not to remain a permanent interest or conviction.

While this history ends in 1960, it illuminates the important role of religious journalism in American public life.

—Al Menendez

## Preserve Virginia's Constitution

Virginia gubernatorial aspirant Ken Cuccinelli II ["Cuccinelli's K-12 plan would let parents take over failing school," Metro, August 14] wants to amend the state constitution to remove language prohibiting the diversion of public funds to religious institutions, i.e., sectarian private schools. That language was the foundation of the U.S. Constitution's First Amendment and should remain in Virginia law. Similar provisions in the majority of state constitutions, based on the Jefferson/Madison principle of church-state separation, guarantee the religious freedoms of all Americans.

—Ken Sandin, member of the board of directors of ARL. Letter published in the *Washington Post*, August 16, 2013.