



VOICE OF REASON

The Journal of Americans for Religious Liberty

2016, No. 3 [136]

The Party Platforms: Dramatic Differences

Republicans

To say the GOP Platform veers to the right is an understatement. It is the most extreme document, especially on matters relating to church, state and religion, ever adopted. It could have been written in an evangelical megachurch. Here are leading statements of principle.

Education

The platform endorses vouchers, education savings accounts, and tuition tax credits, calling them “innovative financing mechanisms.” It supports “home-schooling, private and parochial schools, and charter schools.”

The following are endorsed:

• “We support the public display of the Ten Commandments as a reflection of our history and our country’s Judeo-Christian heritage and further affirm the rights of religious students to engage in voluntary prayer at public school events and to have equal access to school facilities. We assert the First Amendment right of freedom of association for religious, private, service, and youth organizations to set their own membership standards.”

• “A good understanding of the Bible being indispensable for the development of an educated citizenry, we encourage state legislatures to offer the Bible in a literature curriculum as an elective in America’s high school districts.”

• “Parents have a right to direct their children’s education, care, and upbringing. We support a constitutional amendment to protect that right from interference by state, federal government, or international bodies such as the United Nations.”

• “We renew our call for replacing ‘family planning’ programs for teens with sexual risk avoidance education that sets abstinence until marriage as the responsible and respected standard of behavior.”

• “We oppose school-based clinics that provide referral or counseling for abortion and contraception.”

They also endorsed the “English First” approach to bilingual education and called for “the hiring of qualified veterans as teachers” whose “proven abilities and life experiences could make them more successful instructors than would any teaching certification.”

Nothing is said about the value or financing of public education.

continued on page 3

The Vice Presidential Candidates

Governor Mike Pence

Gov. Mike Pence of Indiana is the Republican nominee for the nation’s second highest office, though it is hard to see what he brings to the ticket. Indiana is likely to go Republican for president, as it has in 17 of the past 19 elections. Pence barely won the governorship in 2012 by three percentage points, and has been a controversial governor whose reelection was uncertain. But he is popular among evangelicals, whose faith he shares and has tried to advance in public policies.

Pence advocated and signed a so-called religious liberty law that would have permitted discrimination against the gay community and threatened to create widespread business and corporate exits from the state. He reluctantly signed a modification that pleased no one.

Pence had been a six-term Congressman noted for his rigid anti-choice positions on abortion and far-right views that were Tea Party before the Tea Party movement began in 2010. He unsuccessfully challenged John Boehner for Republican House leader in 2006.

As governor he worked hard to make abortion nearly unavailable, restricting access where possible. “This spring, Pence signed into law

continued on page 4



Inside:

| | |
|---|---|
| Trump Winning Over Reluctant Evangelicals | 2 |
| Supreme Court Quashes Abortion Restrictions | 5 |
| Seminaries Barred from State Funding | 5 |
| Religious Freedom Under Siege Abroad | 6 |

Regular Features

| | |
|--------------------------------------|----|
| Voucher Watch | 7 |
| Updates | 7 |
| International Updates | 9 |
| Church and State in the Courts | 10 |
| Books and Culture | 11 |
| Commentary: Aw, Canada | 16 |

Trump Winning Over Reluctant Evangelicals

GOP nominee Donald Trump continues to wow evangelical leaders, who largely opposed him during the primaries. Meeting in New York City's Times Square, Trump and a carefully selected audience (no press allowed) of 900 evangelicals held a tentative lovefest.

Trump assured his audience he would nominate only judges opposed to abortion rights, would change laws that restrict church involvement in partisan politics, and would encourage "Merry Christmas" in department stores. Ignoring questions of substance, he "left a lot of unanswered questions behind," said one attendee, J. Nick Pitts, a professor at Dallas Baptist University.

The event itself was billed as a "conversation about America's future with Trump and Ben Carson, a onetime opponent and now supporter." Said Pitts, "The event felt more like a cross between a revival meeting and a campaign rally, all guided by the moderator Mike Huckabee—a former Baptist pastor and Arkansas governor." Pitts added that "Huckabee proclaimed that Trump was 'God's man to lead our country.'"

The mogul promised to stop the persecution of Christians overseas and to destroy "radical Islam," phrases heard repeatedly but without specific plans to accomplish these promises. He also endorsed defunding Planned Parenthood.

He unveiled an evangelical advisory board, a group of 25 dominated by the "old guard religious right making a return," wrote editor Emma Green in *The Atlantic* on June 21. She noted that "the list reads like a who's who of conservative Christian leaders" but includes only three women and four men of color. "Most of the members are white megachurch pastors or televangelists, and one-third run churches or organizations in Texas or California."

The GOP nominee also hired a long-time foe of abortion rights, John Mashburn, as his policy director. Mashburn once worked for Sen. Jesse Helms.

Polls in late June showed Trump had the support of 63% of evangelicals, below the support level achieved by all recent Republican

candidates going back to Reagan in 1984. However, only 17% favored Clinton and 20% were undecided.

Not all evangelicals are on the bandwagon. Some will never be. Bush 43 speechwriter Michael Gerson wrote about the New York meeting in *The Washington Post* on June 24: "The whole event was taken—by the media, public and Trump campaign itself—as an evangelical Christian stamp of approval. Seldom has a group seemed more eager to be exploited....Evangelical Christian leaders, motivated by political self-interest, are cozying up to a leader who has placed bigotry and malice at the center of American politics."

RNS columnist Tobin Grant wrote on June 22: "These so-called leaders have now blatantly traded in their integrity for a seat at Trump's gold-plated table."

National homeschooling advocate Michael Farris lamented: "Today, a candidate whose worldview is greed and whose god is his appetites, is being tacitly endorsed by this throng....This is a day of mourning." Conservative Catholic Robert George, a Princeton professor, agreed, saying that Trump "will bring disgrace upon those individuals and organizations who publicly embrace him."

E.J. Dionne, fellow at the Brookings Institution, was indignant when Trump said he knew nothing about Hillary Clinton's faith. Dionne told readers of his *Washington Post* column on June 22: "Where religion is concerned, Donald Trump's bigotry is his biggest problem, but his ignorance comes in a close second." He added: "Trump's indifference to truth, to a basic decency toward the religious convictions of his opponents and to any seriousness about how religion should and should not be discussed in the political arena ought to terrify believers and non-believers alike."

The warming-up process did not take long. A Pew Research Center poll in July found 78% of white evangelicals planned to vote for Trump. Only 17% favored Clinton. Trump singled out evangelicals for per-

continued on page 4



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

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

Americans for Religious Liberty is a nonprofit public interest educational 501(c)(3) organization dedicated to preserving the American tradition of religious, intellectual, and personal freedom in a secular democratic state. Membership is open to all who share its purposes. Annual dues are \$25 for individuals, \$35 for families, \$15 for students and limited income. Our IRS ID number is 36-3118921. Donations are tax-deductible.

Board of Directors: Burton Caine, *Chair*; Joanne Goldsmith; T. Jer-

emy Gunn; William R. Murry; Susan Nogan; David J. Nolan; Amanda Poppei; Michael Prival; V.K. Sandin.

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

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

The Party Platforms, *continued from page 1*

Marriage and Family Life

The platform “condemns” the Supreme Court’s legalization of same-sex marriage but falls short of calling for a constitutional amendment to override it.

Wading into other areas of family life generally regarded as being outside the realm or purview of government, the platform says, “Children raised in a two-parent household tend to be physically and emotionally healthier, more likely to do well in school, less likely to use drugs and alcohol, engage in crime or become pregnant outside of marriage. We oppose policies and laws that create a financial incentive for or encourage cohabitation.”

This will supposedly reduce dependence on government. “Strong families, depending upon God and one another, advance the cause of liberty by lessening the need for government in their daily lives. Conversely...the loss of faith and family life leads to greater dependence upon government.”

In a strange, vague statement that critics say supports so-called gay conversion therapy, the platform says, “We support the right of parents to determine the proper medical treatment and therapy for their minor children.” This could just as easily apply to Christian Science opposition to medicine or Jehovah’s Witness rejection of blood transfusions.

Pulpit Politics

The GOP is quite upset over what it sees as restrictions on partisan political endorsements by the clergy. The platform calls for repeal of the Johnson Amendment, a 1954 law that prohibits tax-exempt houses of worship from endorsing politicians. “The IRS is constitutionally prohibited from policing or censoring speech based on religious conviction or beliefs.”

The problem with this is that the IRS has never (or rarely) enforced the ban. Only six years after its enactment, countless thousands of Protestant churches urged their members to vote for Richard Nixon over John F. Kennedy because of Kennedy’s Catholic affiliation. Politically partisan and religiously-inspired hate mail was widely available in churches but no one did anything about it. The issue resurfaced when the Religious Right enlisted churches to support Ronald Reagan and George W. Bush in their campaigns.

One scholar, Stephen F. Schneck of Catholic University of America, said the repeal “would be a huge mistake.” He added, “After so many decades, this has proven to be a smart and valuable part of the separation of church and state in the U.S. and we’d be making a big mistake to erode that.”

Abortion

The platform reaffirms its strong opposition to freedom of choice on abortion, saying, “The unborn have a right to life under the Fourth Amendment.” Planned Parenthood is condemned “so long as they provide or refer for elective abortions or sell fetal body parts rather than provide healthcare.”

Religious Liberty in the U.S.

The platform adopts the revisionist view that religious liberty for some groups must be protected by law, even if it results in discrimination against others. “We support laws to confirm the longstanding American tradition that religious individuals and institutions can educate young people, receive government benefits, and participate in public debates without having to check their religious beliefs at the door.”

Religious Liberty Overseas

The platform promises to ensure “all religious minorities are free to practice their religion without fear or favor.”

Democrats

The Democratic platform has relatively little to say about church-state issues but differed pointedly from the GOP on those that they addressed.

Marriage and Family Life

The platform endorses the Supreme Court’s 2015 decision that legalized same-sex marriage and opposes state “religious liberty” laws that would enable or authorize discrimination against the LGBT community.

Religious Freedom

“We support a progressive vision of religious freedom that respects pluralism and rejects the misuse of religion to discriminate.” The platform also rejects “attempts to impose a religious test to bar immigrants or refugees from entering the United States.”

Abortion Rights

The platform endorses a woman’s right to choose abortion and access to the procedure. “We believe unequivocally, like the majority of Americans, that every woman should have access to quality reproductive health care services, including safe and legal abortion – regardless of where she lives, how much money she makes, or how she is insured.”

The platform calls for the repeal of the 1976 Hyde Amendment, which bans the use of Medicaid funding for abortion except for rape or when a woman’s health or life is in danger. This would presumably require passage of a constitutional amendment since the Hyde Amendment’s constitutionality was upheld by the Supreme Court in 1977.

Religious Freedom Overseas

The platform pledges, “We will do everything we can to protect religious minorities and the fundamental right of freedom of religion.”

Education

Democrats support “high-quality public charter schools” but oppose “for-profit charter schools” and favor “increased transparency for all charter schools.”

Climate Change

“Climate change is an urgent threat and a defining challenge of our time. The United States must lead in forging a robust global solution to the climate crisis.” One way to achieve this goal is “to build a clean energy economy.” ■

Attention ARL Supporters

Would you prefer to receive ARL’s *Voice of Reason* journal by email in PDF format? It would get the journal to you more quickly and would save ARL money. If you would like to receive the journal by email, please send ARL your email address at arlinc@verizon.net, as well as your name and postal address. Thank you.

Vice Presidential Candidates, *continued from page 1*

one of the strictest abortion laws in the nation. Indiana is now the second state in the nation to ban abortions when the fetus has a disability, a law likely to be challenged in court,” wrote Amber Phillips in *The Washington Post*, July 14.

Pence signed the most expansive school voucher law in the country, funneling millions in public dollars to private, mostly church-run schools. “He pushed through the most significant increase in charter school funding in years,” according to education reporter Alyson Klein. As a congressman from 2000–2012, he voted against the No Child Left Behind Act and as governor he ended Common Core, the first state to do so.

Defeated for Congress in 1988 and 1990, he was elected in 2000 and served six terms before narrowly winning the governorship in 2012. In Congress, *Roll Call* said he had “a reputation as a culture warrior that was unsullied,” opposing federal spending on embryonic stem cell research, supported a constitutional amendment banning same-sex marriage, and supported a cut-off of federal funding for Planned Parenthood. (Before his election, he spent the 1990s honing his skills as a conservative radio talk show host and president of a think tank, the Indiana Policy Review).

Pence’s views on religion and politics changed dramatically in the 1980s and 1990s. Raised in an Irish Catholic Democratic family that idolized JFK, Pence cast his first vote for Jimmy Carter in 1980. But he soon drifted to the right in both areas of his life.

Once an observant Catholic and even a youth minister, he turned evangelical Protestant in college and law school and persisted in calling himself an evangelical Catholic until the 1990s when he and his wife officially affiliated with an evangelical church. They now attend an Indianapolis megachurch.

Personal religious change is not uncommon in America, of course, and recent surveys suggest that former Catholics may be the second-largest group in American religious life, though most are unaffiliated rather than evangelical. Pence would be the first ex-Catholic to become vice president (or a potential president).

This could cause problems in the uneasy relationship between evangelicals and conservative Catholics, but religious change is so widespread and accepted that it may prove irrelevant.

Senator Tim Kaine

Virginia Senator Tim Kaine, also a former governor, lieutenant governor, and mayor of Richmond, is a staunch and reliable supporter of public education. As Virginia governor, he championed early-childhood education and increased funding for public preschools. His wife, Anne Holton, is the daughter of the state’s first modern-era Republican governor, who integrated public schools in the early 1960s. The Holton children attended them, as did the three now-grown children of Tim and Anne.

In 2014 Anne Holton was named Virginia state education secretary, a cabinet position, where she has fought to reduce income and racial disparities in education achievement. *The Washington Post* noted on July 24, “Like most of her fellow Virginia Democrats, she has opposed the expansion of charter schools and other school-choice measures, and she has pushed for greater investments in public education, including teacher pay raises.”

Kaine, who attended Jesuit schools in Missouri, has been called “a Pope Francis Catholic” by Catholic University sociologist William D’Antonio. Kaine’s commitment to social justice and immigration re-

form is highlighted by his decision to take a year off from Harvard Law School to work as a missionary in Honduras, where he ran a program teaching carpentry and welding. He also picked up his fluent Spanish.

While personally opposing abortion, he has endorsed *Roe v. Wade* and repeatedly said, “The right rule for government is to let women make their own decisions.” Planned Parenthood gave him a 100% rating on abortion during his four years in the Senate.

He opposed capital punishment but let some state executions go forward, because Virginia law allowed it. “Following an oath of office is also a moral obligation,” he said.

Kaine has also endorsed same-sex marriage. “I believe all people, regardless of sexual orientation, should be guaranteed the full rights to the legal benefits and responsibilities of marriage under the Constitution.” He endorsed Pope Francis’ warnings about global warming and climate change.

Kaine may be an asset among Catholic voters, who are politically divided and often decisive in national elections. *The Daily Beast* opined on July 22: “Kaine’s old-school, social-justice, Jesuit-trained Catholicism is a refreshing break from the usual association of religiosity with conservatism. As such, especially if Kaine does attract moderate Republicans disenchanted with the extremism of Donald Trump, he has the potential to be a transformative figure.”

The liberal journal added that Kaine’s “quintessential progressive religious vision is not something we’ve heard much on the presidential campaign this year. Don’t believe the hype that Kaine is the safe, boring choice. He could be a game-changer.”

Elizabeth Drescher, author of *Choosing Our Religion: The Spiritual Lives of America’s Nones*, wrote in RNS on July 25 that Kaine’s “Jesuit spirituality may make him an ideal candidate for one crucial progressive Democratic constituency: the nones.” The nones, i.e. nonaffiliated, are “concerned for others” and have “an appreciation of the sacred within the ordinary.” This “relational, service-oriented Jesuit spirituality is likely to be appealing to nones.”

Support for civil rights and equality also define the concerns of the nones. Kaine’s early days as a civil rights lawyer and his family’s longstanding attendance at a predominantly African American parish in Richmond will surely be appealing.

Drescher commends Clinton for her choice of Kaine. “In choosing Tim Kaine, Hillary Clinton has shifted the religious narrative of the election away from the false equation of ‘religion’ and ‘Christianity’ with radical, conservative, evangelicalism. She’s found a way to speak spirituality to nones and also to lift up the moderate-to-progressive Christian faith of millions of religiously affiliated American voters.” ■

Trump and Evangelicals, *cont. from page 2*

sonal praise in his acceptance speech in an attempt to seal the deal.

Long-time Religious Right critic Damon Linker suggested in *The Week* on August 4, Evangelical support for Trump “follows directly from the constriction of social conservative ambition in recent years . . . and indicates that evangelicals are considerably less concerned about the personal moral and religious character of presidential candidates than many have typically presumed. Evangelicals are feeling desperate, and Donald Trump is perfectly poised to reap the electoral benefits.” ■

Supreme Court Quashes Abortion Restrictions

Abortion restrictions passed by the Texas legislature in 2013 were struck down by the U.S. Supreme Court on June 27. The 5-3 majority opinion written by Justice Stephen Breyer concluded that the restrictions “provide few if any health benefits for women, pose a substantial obstacle to women seeking abortions and constitute an ‘undue burden’ on their constitutional right to do so.”

Texas law (HB2) required doctors who perform abortions at clinics to have admitting privileges at nearby hospitals and said that clinics must meet hospital-like standards.

Justice Breyer wrote, “We conclude that neither of these provisions offers medical benefits sufficient to justify the burdens upon access that each imposes. Each places a substantial obstacle in the path of women seeking a previability abortion, each constitutes an undue burden on abortion access, and each violates the Federal Constitution.”

Justices Anthony Kennedy, Sonia Sotomayor, Elena Kagan, and Ruth Bader Ginsburg joined Breyer in the majority opinion. Justice Ginsburg added in a concurring opinion that the laws adopted in Texas and other states “do little or nothing for health but rather strew impediments to abortion that cannot survive judicial inspection.”

Matt Ford, associate editor of *The Atlantic*, said the decision “turned back one of the most significant challenges to abortion rights in a generation.”

Justices Samuel Alito and John Roberts would have returned the law to lower courts to adopt a less stringent requirement, while Justice Clarence Thomas thought the law was constitutional.

Abortion rights advocates were pleased with the outcome in *Whole Woman’s Health v. Hellerstadt*. Nancy Northup, president of the Center for Reproductive Rights said, “Today women across the nation have had their constitutional rights vindicated. The Supreme Court sent a loud and clear message that politicians cannot use deceptive means to shut down abortion clinics.”

The ruling has national implications and represents the third major pro-choice ruling, after *Roe v. Wade* in 1973 and *Planned Parenthood v. Casey* in 1992. It could directly affect 25 states that have at least one of the two restrictions deemed an “undue burden” by the High Court. (Utah, Missouri, and Tennessee enacted both restrictions.)

The decision could halt the massive anti-choice trend of the past half-decade. Linda Greenhouse, former Supreme Court reporter for *The New York Times*, wrote in “The Abortion Map Today” in her old paper on April 13: “Since 2011, 10 states, from the Canadian border to the Great Lakes to the Southwest, have each imposed 10 or more new barriers to access to legal abortion. An additional 21 states have enacted between one and 10 restrictions—the lower number in some cases simply reflecting a state’s creativity in having already adopted a long menu of anti-abortion measures. It comes as no great surprise that each of the top 10 states (Alabama, Arizona, Arkansas, Indiana, Kansas, North Carolina, North Dakota, Oklahoma, South Dakota and Texas—only four of which were part of the Confederacy) is headed by a Republican governor. Politics—political culture—outweighs geography.”

Amber Phillips noted in *The Washington Post* on June 1, “This year, antiabortion advocates passed some 30 laws in 14 states to make it harder for people to get an abortion.” She attributed “the seemingly never-ending abortion debate at the state level” to recent Republican election victories.

Both President Obama and Attorney General Loretta Lynch praised the ruling. The law’s practical effect in Texas is uncertain. The law

reduced the number of abortion clinics in the second largest state from over 40 to 19 and could have reduced it to nine if the ruling had gone the other way.

Anti-choice organizations announced they will continue their campaigns to reduce or outlaw the procedure, making the issue a central one in the political landscape for years to come. This, despite *The Washington Post*’s editorial on June 28 that said the Court had “re-cemented reproductive freedom’s status as a constitutional right.”

The Court’s decision reinforces already existing and intensified party divisions on abortion. Pew Research Center’s Hannah Fingerhut wrote, “The partisan divide on abortion is far more polarized today than it was two decades ago.”

Among all Americans, 56% think abortion should be “legal in all or most cases” while 41% say it should be “illegal in all or most cases.” Among Democrats, support for legal abortion is 70%, up 6% since 1995. Among Republicans only 38% favor legal abortion, down from 49% in 1995. Independents are closer to Democrats on this issue, with 60% favoring legal abortion.

Among activists and party leaders, the divide is even greater. On key abortion votes in Congress, 98% of Democrats are generally prochoice while 98% of Republicans want to restrict or end access to abortion. RNS writer Tobin Grant observed on May 10, “Partisanship is now a near-perfect predictor of how members of Congress vote on abortion-related bills.” ■

Seminaries Barred From State Funding

New Jersey is forbidden to grant \$11 million in state funds to two religious schools that specialize in training clergy. A state appeals court, the Superior Court of New Jersey, held on May 26 that Gov. Chris Christie’s administration erred in approving two grants for capital improvements to a yeshiva in Lakewood (over \$10.6 million) and to Princeton Theological Seminary (\$645,000).

ACLU brought suit after the grants were approved in 2013. “This is a victory for civil rights and a victory for New Jersey taxpayers, who should never have to subsidize institutions that discriminate or that exist to teach their particular religious doctrine,” said Ed Barocas, legal director for the ACLU-NJ. He added, “Everyone has a fundamental constitutional right to worship freely. At the same time, the government must respect the right of New Jersey taxpayers to know that their money will never be responsible for propping up particular sects’ religious ministries.”

The court found that a 1978 case from the New Jersey Supreme Court (*Resnick v. Board of Education*) “compels the invalidation of these grants of public funds to the Yeshiva and the Seminary.”

In *ACLU v. Hendricks* the Superior Court cited the pervasive nature of religion in the two grantees. The Beth Medrash Govoha Yeshiva “specializes in advanced Talmudic scholarship.” The Bachelor of Talmudic Studies requires twelve courses in Talmud and elective courses in “Ethics and Hebrew Language and Literature,” as well as numerous graduate programs, one of which leads to ordination of Orthodox rabbis. The court found that, by its own admission in the application

continued on page 6

Seminaries Barred, *Continued from page 5*

process, “admission to the Yeshiva is limited to qualified men” and “the faculty are all of the Jewish faith.”

The state of New Jersey’s secretary for higher education approved \$10,635,747 for construction of a new library and research center and renovation of other buildings.

In its application the Yeshiva said it has “over 6,000 undergraduate and graduate students that represent 59% of Lakewood’s families and 74% of Lakewood’s married couples.” (The town, in Ocean County, is heavily Orthodox Jewish and a Republican stronghold. The Yeshiva’s rabbi endorsed Romney, who received 70% of the town vote in 2012.)

The court also rejected Princeton Seminary, which has been training Presbyterian clergy for almost two centuries. The state grant would have “upgraded the library to allow for expanded historical and theological research.” The court noted, “As to religion, all degree students and faculty at the Seminary are expected to be of the Christian faith.”

The plaintiffs, which also included the Unitarian Universalist Legislative Ministry and three taxpayers, asserted in the 2013 suit that the grants violated Article I, Paragraph 3, of the New Jersey Constitution.

The relevant part says, “Nor shall any person be obliged to pay tithes, taxes, or other rates for building or repairing any church or churches, place or places of worship, or for the maintenance of any minister or ministry.”

The court ruled, “Article I, Paragraph 3 prohibits the use of New Jersey tax revenues for the maintenance of a religious group, regardless of whether such subsidies are provided on an equal basis to other organizations.”

The state claimed that the expenses were for classrooms and libraries, not religion. But the Supreme Court pointed out that this ban originated in the 1776 Constitution, and was retained in the 1844 Constitution. The court added, “A century later, the delegates at the Constitutional Convention of 1947 incorporated Article I, Section 3 of the Constitution of 1844 into the 1947 Constitution’s final draft, doing so with little discussion.”

Therefore, the court concluded, “Here, unlike other broad-based liberal arts colleges that received grants, both the Yeshiva and the Seminary are sectarian institutions. Their facilities funded by the Department’s grants indisputably will be used substantially, if not exclusively, for religious instruction.” ■

Religious Freedom Under Siege Abroad

Persecution of religious minorities, often leading to death or imprisonment, remains an international problem. The U.S. State Department released its annual religious freedom report on August 10, singling out Afghanistan, Iran, Mauritania, Pakistan, Saudi Arabia and Sudan as the worst countries for repressing religious minorities or dissenters. “Such laws conflict with and undermine universally recognized human rights,” it said.

Countries that maintain anti-blasphemy laws are among the worst. Iran executed 20 people last year for “enmity against God,” while Saudi Arabia penalizes blasphemy with long prison sentences. Nine people were sentenced to death by sharia courts in Nigeria, while mobs have killed alleged blasphemers in Afghanistan, Pakistan and Bangladesh.

U.S. ambassador-at-large for international religious freedom David Saperstein said that anti-blasphemy laws are “more prevalent in the Muslim world, where laws that exist are implemented.” One quarter of all nations, including a few in Europe and South America, have such laws on the books, he noted, including the U.S. states of Michigan and Massachusetts, where they are, of course, unenforced.

Other problems cited were government registration laws restricting religious minorities. “Around the world, governments continued to tighten their regulatory grip on religious groups, and particularly on minority religious groups and religions which are viewed as not traditional to that specific country.” Nations cited for this violation are Angola, Azerbaijan, Brunei, Eritrea, Myanmar, Russia and Vietnam.

The official report was influenced by the annual report of the U.S. Commission on International Religious Freedom (USCIRF), an independent advisory group created in 1998. In May USCIRF criticized Tajikistan for “cracking down on all independent religious activity” and denounced “rising anti-Semitic and anti-Muslim bigotry throughout Europe, the continuation of a ‘brutal legacy of persecution against Burma’s Rohingya Muslims’ and the ‘negative trajectory’ for Christians, Muslims and Sikhs living in India.”

A third religious freedom survey, by Pew Research Center, found that there was a marked increase in countries that experienced religion-related terrorist activities, from 37% of nations in 2013 to 41% in 2014. “Casualties from religion-related terrorist activities have been rising in recent years.”

Because some of the worst violations were found in high population countries, 74% of the world’s population lives in nations racked by religious hostility.

President Obama, in a May 4 proclamation, reiterated American support for religious freedom. “The United States will continue to stand up for those around the world who are subject to fear or violence because of their religion or beliefs. As a nation free to practice our faith as we choose, we must remember those around the world who are not afforded this freedom.” ■

To Safeguard the Future

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

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

Please contact us if you would like further information.

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



Voucher Watch

• The normally pro-voucher Brookings Institution has been having second thoughts about the suitability of vouchers for improving student academic performance. Mark Dynarski wrote on May 26 in “On Negative Effects of Vouchers” for the Brookings “Evidence Speaks” series: “Recent research on statewide voucher programs in Louisiana and Indiana has found that public school students that received vouchers to attend private schools subsequently scored lower on reading and math tests compared to similar students that remained in public schools. The magnitudes of the negative impacts were large. These studies used rigorous research designs that allow for strong causal conclusions.”

He added that “Our historical understanding of the superior performance of private schools is no longer accurate.” National data of educational assessment from 1990 to 2011 found that “public schools improved relative to private schools.”

Dynarski concluded: “A case to use taxpayer funds to send children of low-income parents to private schools is based on an expectation that the outcome will be positive. These recent findings point in the other direction.”

• Sen. Ron Johnson (R-Wis.), who is in a tight race for reelection, is trying to prevent the Department of Justice (DOJ) from investigating private voucher schools for alleged violations of the Americans with Disabilities Act (ADA). Johnson inserted prohibitory language into an appropriations bill that would prohibit Justice from using federal dol-

lars to enforce Title II at private schools that receive public funds.

Title II, a federal provision, covers fair access to buildings for disabled children and requires interpretation programs for hearing-impaired students. The ACLU and Disability Rights Wisconsin filed a federal civil rights complaint in 2011, alleging that Milwaukee’s voucher programs were denying admission to children with disabilities. The investigation continued for four years, until “the Obama administration quietly closed the probe in late 2015 without taking further action,” according to Emma Brown, who writes about education for *The Washington Post*. Brown added on June 28, “The amendment is the latest turn in a long-running fight over whether private schools receiving voucher funds should be held to the same non-discrimination standards under ADA as public schools. More than half the states in the nation now have some kind of publicly funded program to pay for students’ private-school tuition, programs that proponents hail as offering an escape from failing public schools, and that critics say are starving public schools of needed resources.”

In 2013, says Brown, “DOJ officials told Wisconsin’s state education department that the state’s decision to pay for children’s private-school education does not place those children ‘beyond the reach of the federal laws’ governing non-discrimination. DOJ also told state officials to make several changes to the program, including improving outreach to families of students with disabilities and establishing a new procedure for filing complaints about disability-based discrimination.” ■

Updates

Government Takes Action to Combat Religious Discrimination

Several U.S. government agencies announced new plans on July 22 to address religious discrimination. The U.S. Department of Education announced, “As part of ongoing efforts to encourage respect for students of all faiths and beliefs, the U.S. Department of Education today shared a series of actions that confront discrimination and promote inclusive school environments. The steps include a new website on religious discrimination, an updated civil rights complaint form, an expanded survey of America’s public schools on religious-based bullying, technical assistance for schools, and recent outreach on confronting religious harassment in education.” Technical assistance to public school districts trying to combat religion-based harassment and new data collection processes will be implemented in October.

Similar actions have been announced by the Equal Employment Opportunity Commission and the Justice Department’s Civil Rights Division as well as the Department of Homeland Security.

White House Office of Faith-based and Neighborhood Partnerships’ director Melissa Rogers praised the actions in a statement that addressed specific issues. “Protecting people and places of worship from religion-based hate crimes; addressing religious discrimination in employment; combating religious discrimination, including bullying, in education; and addressing unlawful barriers that interfere with the

construction of houses of worship. Federal agencies have jurisdiction to address religion-based discrimination in each of these areas, and these are areas where many religious and other community leaders have raised specific concerns.”

Catholic Hospitals Expand

Of the ten largest non-profit health care systems in America, six are associated with the Catholic Church and impose a medical code designed by the U.S. Conference of Catholic Bishops. These health-care directives forbid contraception, abortion, sterilization, and all “contraceptive interventions.”

According to Merger Watch, an advocacy group, these hospitals increased in number by 8% from 2001 to 2016, and the number of beds in such hospitals increased 18%. One out of six acute-care beds is in Catholic-affiliated hospitals. Over 40% of hospital beds are in the Catholic sector in Alaska, Iowa, Nebraska, South Dakota, Washington and Wisconsin, while Colorado, Kentucky, Missouri and Oregon have 30% to 40% of beds in Catholic hospitals.

Problems occur in rural areas where there are often no alternative hospitals that would provide a full range of reproductive health care services. University of Virginia law professor Douglas Laycock, an expert on free exercise of religion, told *The Economist* on June 25, “One has a presumptive right to live by one’s own moral commitments. One does not have a right to use a monopoly position to block others from exercising the same liberty.”

continued on page 8

Muslim Nations Block Gay Groups from U.N. Meeting

An international U.N. conference on ending AIDS will not include 11 gay and transgender organizations, after 51 Muslim states (The Organization of Islamic Cooperation) objected to their participation. Egypt wrote to the president of the General Assembly expressing opposition to these groups. This move was protested by the United States, Canada, and the European Union.

David Gray reported in Reuters on May 17, “The issues of LGBT rights and participations in events at the United Nations have long been contentious. U.N. Secretary-General Ban Ki-moon has advocated for LGBT equality but faced opposition from African, Arab and Muslim states as well as Russia and China.” He added, “In 2014, Ban said the U.N. would recognize all same-sex marriages of the staff, allowing them to receive its benefits. Russia, with the support of 43 states including Saudi Arabia, China, Iran, India, Egypt, Pakistan, and Syria, unsuccessfully tried to overturn the move last year.”

The culture wars, apparently, have come to the United Nations.

Cable News Dominated by Anti-Choice Views

America’s three leading cable news networks are “weighted toward anti-choice speakers, which resulted in widespread misinformation on the topic,” according to a study by the research group Media Matters.

The organization studied 14 months of evening cable news from Fox News, CNN, and MSNBC from January 1, 2015 through March 6, 2016. The group concluded, “Of the three networks, Fox News aired the largest number of inaccurate statements about the most prevalent abortion-related myths, and MSNBC was the most accurate.” Research focused on “segments featuring a substantial discussion of abortion or organizations that support or discourage reproductive rights.”

The study was exhaustive, identifying 1,554 appearances made by 432 individuals. Not surprisingly, conservative Fox News was overwhelmingly anti-choice while liberal MSNBC was the most pro-choice. But neutral CNN had “three times the number of anti-choice guest appearances as prochoice” and “aired more statements containing abortion-related misinformation than accurate ones.”

When data from all networks are combined, “40% of all appearances on all three networks were made by people who either identify as anti-choice or who consistently or mostly made anti-choice statements, [while] 17% of all appearances on all three networks were made by people who either identify as pro-choice or consistently or mostly made pro-choice statements.”

Back Issues of *Voice of Reason*

Since 1982 Americans for Religious Liberty has published 136 issues of its journal, the *Voice of Reason*. All of these issues are now available in downloadable PDF format at our website, www.arlinc.org.

If for any reason you should need an original printed version, these are also available from Americans for Religious Liberty at:

ARL, PO Box 6656
Silver Spring, MD 20916

Muslim American Community Liaison Appointment

The Obama administration has established a new position of liaison to the Muslim American community under its Office of Public Engagement. The White House announced in June its appointment of Zaki Barzinji, formerly a staffer of Virginia Gov. Terry McAuliffe. Barzinji told *The Huffington Post* that his outreach office would also include Sikhs, Buddhists and Hindus. “A big part of this role is making sure the national conversation about these communities is not framed through a single lens, but covers the full range of issues that Muslims and other Americans face.”

White House advisor Valerie Jarrett announced: “This appointment is a further extension of this Administration’s commitment to America’s tradition of religious pluralism. As we continue to lift up the contributions of Muslim Americans and celebrate our nation’s rich patchwork heritage, we also continue our work to combat discrimination, harassment, and attacks on community members, and address the challenges these communities and our nation are currently facing.”

Pulpit Politics?

In a surprise finding, Indiana University researchers found the number of churches that participated in at least one type of political activity decreased from 43% in 1998 to 35% in 2012. Data were obtained from the National Congregations Study. The Bloomington, Indiana, *Herald-Times* reported, “In 1998, nearly 20% of evangelical churches distributed voter guides, while only 11% did so in 2012.”

Baptist Joint Committee editor Don Byrd observed, “Any kind of decrease in election-related activity by churches is a good development. Churches should absolutely speak out on the issues of the day, but picking sides in an election divides congregations and jeopardizes tax-exempt status.”

On the other hand, a Pew Research Center survey conducted in June and July found that 64% of adults “who attended church services in the past few months” heard references to social or political issues from the pulpit. (That includes only the 40% of all Americans who reported attendance “at least once or twice in the few months before the poll was conducted.”) But only 14% “heard their clergy speak directly in support of or against a specific presidential candidate.” Just 7% say their clergy “often” speak out on social or political issues.

White Evangelicals reported hearing about religious liberty, homosexuality and abortion, while Catholics mostly heard the need to welcome immigrants and protect the environment. Black Protestants were likely to hear about economic inequality and endorsements of Clinton. Mainline Protestants were the least likely to hear any partisan political rhetoric.

Amish, Muslims Targeted by Politicos

An unusual political action committee, called Amish PAC, is aiming at turning out Amish voters for Donald Trump. Ads placed in Amish newspapers and highway billboards have started to appear in Pennsylvania and Ohio, key battleground states. The ads emphasize Trump “truly family-run businesses,” his “strong work ethic,” and his promise to appoint “pro-life Supreme Court justices who protect religious liberty and individual freedom,” issues thought to resonate in Amish Country. In a curious throwback to the 1920s, the ad stresses that “Trump abstains from alcohol and has never had a drink.”

The problem with this effort is that few Amish register to vote. Their separatism generally discourages voting or participating in military service. Their more moderate cousins, the Mennonites and Brethren communities, do vote and are historically Republican. All three groups are particularly strong in Lancaster County, Pennsylvania, and Holmes County, Ohio.

These communities did turn out in large numbers to vote against John F. Kennedy in 1960 because he was a Catholic and against Adlai Stevenson in 1952 because of the latter's Unitarianism.

Meanwhile, "U.S. Muslim leaders hope to register a million voters from within their community to help combat what they say is the anti-Muslim stance of Republican presidential nominee Donald Trump," according to Reuters correspondent Mana Rabiee on July 20. The Council on American-Islamic Relations (CAIR) said their records indicate that 300,000 Muslims had registered to vote since November. The Muslim vote may be critical in Virginia and Florida, two tossup states. Only 11% of Muslims supported Trump in a recent Pew poll, but "American Muslims for Trump" has been launched by a Baltimore businessman Sajid Tarar.

Satanists Join Christians in School

The Satanic Temple is seeking to open a new front in the church-state wars (or skirmishes) affecting religion in public schools. The group announced in August that it wishes to establish an after school Satan Club in an elementary school in Tucson, Arizona, and perhaps in other places as well.

Co-founder Lucien Greaves noted that the school, Roskrige Bilingual, allows a Good News Club after school. The Good News group was founded to propagate fundamentalist Protestant Christianity among elementary school students and has spread to 5% of all schools nationwide, according to an RNS report.

Many church-state legal experts, including Ira Lupu, emeritus professor at George Washington University Law School, said this could be a new test for the limits of religious liberty. "Either the Satan Club is in, or the Good News Club is out," Lupu told *The Washington Post* on August 5.

Muslims May Sue Over Election Site

The removal of an Islamic Center from the location of voting sites in Palm Beach County, Florida, has caused controversy and may end up in court. The Islamic Center of Boca Raton was included by the county's election department but was removed after about 50 anonymous complaints protested the site. Islamic and human rights groups said the decision was discriminatory and will lead to legal action. While a majority of precincts vote at non-religious locations, about 80 Christian churches and five synagogues are assigned as polling stations, according to AP.

International Updates

Athens: The first mosque in the Greek capital in 150 years will be built and financed by the government. Parliament approved plans on August 4 to build a mosque at a cost of \$1 million. Athens had been the only European Union capital without a mosque. About 300,000 Muslims now reside there. Many are refugees from the Balkans. *The*

Atlantic noted on August 4, "The project has faced heavy opposition from conservative and right-wing groups, like the neo-Nazi Golden Dawn party, as well as the Greek Orthodox Church, the official religion of the Mediterranean country. The Greek government attempted to build a mosque in 2006, but the project was set aside because of legal appeals."

Geneva: The U.N. Human Rights Committee concluded on June 9 that Ireland's ban on most abortions violates the U.N. International Covenant on Civil and Political Rights. AP reported, "Ireland's abortion ban subjects women to discriminatory, cruel and degrading treatment and should be ended immediately for cases involving fatal fetal abnormalities." Irish Health Minister Simon Harris said the present government favors reforming the law but cautioned that the process could take several years and has to face a national referendum.

London: Britain's vote on June 23 by 52% to 48% to leave the European Union drew a record turnout of more than 33.5 million voters. The close result showed a bitterly divided nation. The leave side won decisively in the Northeast, Northwest, the Midlands, Wales and Cornwall, and in much of rural England. The remain side won the heaviest support in Scotland, Greater London, and Northern Ireland.

The outcome seems to strengthen William Butler Yeats's century-old argument that "The Centre Cannot Hold," as left-leaning and right-leaning areas swamped the moderate center. Economically declining regions, working class and rural constituencies with low levels of education, and intense opposition to immigration carried the day.

Support for the EU was strongest in cosmopolitan, prosperous and multicultural areas like London (75%), Edinburgh (74%), suburban London (70%) and in university towns (Cambridge 74%, Oxford 70%).

Religion was a factor in the vote, particularly in Northern Ireland, where Catholics voted strongly in favor of retaining EU membership (78% in Londonderry and 74% in West Belfast), while Protestants were generally opposed. In Ian Paisley's old constituency of North Antrim, 62% voted to leave. *The Economist* reported on June 24 that Ulster's "hard-line Protestants supported leaving Europe as a matter of eschatology, as a playing out of religious prophecy."

But even in this province, income and education mattered. Wealthy North Down and South Belfast, where Queen's University is located, voted 2 to 1 to remain.

Arthur Keefer, writing in RNS on June 22, said that "faith matters" in the referendum. Religious communities are highly influenced by their past and by their relationships to Europe. "Roman Catholics tend to promote partnership with the EU, while the majority of Protestants want to leave."

Religious leaders, including the Archbishop of Canterbury, endorsed a remain vote, but religious conservatives have long been isolationists. "A vote to leave by a Protestant Christian, for instance, might communicate a lack of support for the unity of Roman Catholic and Protestant traditions. For those aiming to reconcile the long-standing divorce between these two traditions, a vote to remain may bring them one step closer to remarriage. For members of these communities, the decision is not simple, it's complex, and it involves matters of theology and history that exceed the immediate factors of finance and employment."

(A striking result came in Gibraltar, a British overseas territory that does not send a member to Parliament, but was allowed to vote on this referendum: 96% voted to remain in the EU on an 84% turnout.)

continued on page 10

International Updates, *continued from page 9*

Luxembourg: European employers may ban Muslim female employees from wearing a head scarf at work if the office policy applies to all religious garb and does not specify one religion. This opinion, released May 31, by Juliane Kokott, an advocate general of the Court of Justice of the EU, says the ban “does not constitute direct discrimination based on religion if that ban is founded on a general company rule prohibiting visible political, philosophical and religious symbols in the workplace, and not on stereotypes or prejudice against one or more particular religions or against religious beliefs in general.”

The case originated in Belgium, where a Muslim receptionist was fired when she asked to wear a headscarf. She had worked for the company for three years. The Belgian Court of Cassation asked for a preliminary ruling from the European Court of Justice before it issues a ruling.

The European Court admitted that the ban “may constitute indirect discrimination based on religion,” though that would be “justified in order to enforce a legitimate policy of religious and ideological neutrality.” The Court also conceded that “in practice, the rule is capable of putting individuals of certain religions or beliefs—in this case, female employees of Muslim faith—at a particular disadvantage by comparison with other employees.”

Most European national constitutions and the European Union lack a free exercise of religion provision found in the United States’ First Amendment. Critics say this decision really means that if you can violate one religion, you can violate all of them and face no punishment.

Moscow: Russian President Vladimir Putin signed legislation on July 7 that greatly restricts religious freedom under the guise of fighting terrorism. According to Reuters, the new laws “make it illegal to preach,

proselytize or hand out religious materials outside of specially designated places. The laws also give the Russian government wide scope to monitor and record electronic messages and phone calls. . . . [and] require a government permit to engage in proselytizing activities and ban those activities outside any registered religious organization, such as a church. Russia has numerous ‘house churches’—groups that meet in people’s homes—and those are now illegal under the new law.”

Violations could result in fines of \$780 for an individual and up to \$15,265 per organization. Evangelical Protestant churches and other minority religions appear to be the main target.

The U.S. Commission on International Religious Freedom was critical. “These deeply flawed anti-terrorism measures will buttress the Russian government’s war against human rights and religious freedom,” Thomas J. Reese, a Jesuit priest and chair of the commission, said.

Seventh-day Adventist leaders responded, “It is impossible for believers to comply with the requirements not to express their religious beliefs and to be silent even in their own homes as required by the legislation.”

Mormon Church leaders told *The Salt Lake Tribune* on July 11 that they will not withdraw their 30 missionaries. Mormons number 22,720 in Russia.

A Russian evangelical media spokesperson told the National Religious Broadcasters, “This new situation resembles the Soviet Union in 1929. These anti-terrorist laws are some of the most restrictive laws in post-Soviet history.”

Some have suggested that the Orthodox Church is behind the moves. Journalist David Aikman told *Christianity Today*, “The Russian Orthodox Church is part of a bulwark of Russian nationalism stirred up by Vladimir Putin. Everything that undermines that action is a real threat, whether that’s evangelical Protestant missionaries or anything else.” ■



Church and State in the Courts

Religious schools cannot participate in a county voucher program, U.S. District Judge Marcia Krieger ruled on June 9. The Douglas County (Colorado) School District voted in March to include only nonsectarian schools in its voucher program, called the “School Choice Grant Program.” Plaintiffs for three families that wanted to use the money to send their children to Valor Christian High School claimed their right to free exercise of religion was violated.

However, Judge Krieger ruled that the families had not shown that they would be “irreparably harmed” by the exclusion. She noted that only a handful of students had shown an interest in the program and that no schools had yet agreed to participate in the voucher program. Krieger added that “the law in this area is extremely unsettled.”

The Colorado Supreme Court ruled in 2015 that public money cannot be spent on religious education. The original program, introduced in 2011, had 17 of 23 participating schools affiliated with religious groups.

Denver District Judge Michael Martinez ruled that the Douglas County School Choice Grant Program was not substantially different from its predecessor. On August 3 Martinez ordered the school district to suspend a program that allowed public funds to be used for vouchers at private schools.



The controversial Mississippi law allowing people holding “sincere religious belief” to deny services to gays, lesbians and others whose lifestyle they consider offensive was struck down by U.S. District Judge Carlton W. Reeves on July 1.

The law called “Protecting Freedom of Conscience from Government Discrimination Act” was a far-reaching attack on individual religious freedom, despite its lofty title. Authored by State House Speaker Philip Gunn, a Republican, the law was aimed at the Supreme Court’s legalization of same-sex marriage. Gunn said the ruling was “in direct conflict with God’s design for marriage as set forth in the Bible.” It was passed by a Republican-dominated legislature and signed into law April 5 by Republican Gov. Phil Bryant.

The law went further than in any other state, even making single motherhood and cohabitation grounds for denial of services. *The Atlantic’s* Emma Green explained: “It provides that religious organizations can refuse to rent out their social halls for a same-sex wedding, for example, and that clergy can refuse to perform a same-sex marriage ceremony. These groups can also fire a single mother who gets pregnant, or, in the case of religious adoption agencies, decline to place a child with a same-sex couple. Doctors and psychologists can refuse to get involved with gender-reassignment procedures or take cases that would violate their religious beliefs. Schools and other public agencies can create ‘sex-specific standards’ for dress code, bathrooms, and more.

State employees can also refuse to sign same-sex-marriage licenses, and they can't be fired for saying they believe homosexuality is wrong, for example."

Judge Reeves, in a 60-page ruling, issued an injunction stopping enforcement of what he deemed a clearly discriminatory and unconstitutional act that violated both the First and 14th Amendments. Quoting Justice Sandra Day O'Connor, in part, Reeves wrote, "The State has put its thumb on the scale to favor some religious beliefs over others. Showing such favor 'tells nonadherents that they are outsiders, not full members of the political community, and...adherents that they are insiders, favored members of the political community.'"

He also concluded that the Equal Protection Clause is violated by the law's "authorization of arbitrary discrimination against lesbian, gay, transgender, and unmarried persons."

Gov. Bryant said he will pursue an "aggressive appeal" to a higher court.



A Nevada judge upheld the state's new voucher plan (called Education Savings Accounts), denying that it violates a state constitutional ban on using taxpayer money for religious purposes. Las Vegas District Judge Eric Johnson's May 18 ruling conflicts with a January ruling from a Carson City Judge striking down the program. As a result, "The Nevada Supreme Court is expected to schedule hearings in an appeal of that case soon," wrote Neal Morton in the Las Vegas *Review-Journal* on May 19.

The ESA program expends \$5,100 per student for private school tuition expenses, or home-school expenses. ACLU, which brought suit, found that 27 of the 48 schools applying to participate are religiously-affiliated. Nevada ACLU legal director Amy Rose criticized the ruling. "Nevada's voucher program allows private religious schools to use taxpayer dollars to indoctrinate and discriminate against students on the basis of religion, sexual orientation, gender identity, disability, and other grounds. Taxpayer funds should not be used for these discriminatory purposes."

Article 11, Section 10, of the Nevada Constitution clearly states,

"No public funds of any kind or character whatever, State, County or Municipal, shall be used for sectarian purpose."



On its last day before summer recess, the U.S. Supreme Court declined to hear a challenge to a Washington State law requiring pharmacies to dispense emergency contraceptives to women. The decision not to review the Ninth Circuit's ruling in *Stormans Inc. v. Wiesman*, upholding the regulations, provoked an unusual written dissent from Justice Samuel Alito, joined by Chief Justice John Roberts and Justice Clarence Thomas. It takes four justices to accept a case.

The Court's pro-choice majority was clear when it also declined to review lower-court decisions that blocked abortion restrictions passed in Mississippi and Wisconsin.



Bensalem Township in Pennsylvania's Bucks County has long refused to grant a permit to build a mosque. As a result, the Justice Department filed suit in U.S. District Court in Philadelphia on July 21 charging the municipality's leaders of religious discrimination. Local Muslims have been seeking a site since 2008. The Civil Rights Division at Justice announced, "Our Constitution protects the rights of religious communities to build places of worship free from unlawful interference and unnecessary barriers."



An Indiana law scheduled to take effect July 1 was blocked by a federal judge. The law would have banned abortion for genetic abnormalities. U.S. District Judge Tanya Watson Pratt said the state does not have the authority to limit a woman's reasons for terminating a pregnancy. Pratt's ruling also stopped a requirement that aborted fetuses be buried or cremated. The decision leaves North Dakota as the only state that prohibits abortion because of genetic abnormalities. ■

Books and Culture



School Choice: The End of Public Education? By Mercedes K. Schneider. Teachers College Press, 2016, 204 pp., \$35.95.

Public education in America is under attack by the diversion of massive amounts of public funds to special interest private schools and for-profit charter schools, thanks to their political enablers. Experienced educator Mercedes Schneider provides a devastating critique of this sabotage in this well researched, documented book.

The book deals with the growth of the charter school movement, which departed from its original concept as a teacher-led system cooperating with local elected school boards, but instead morphed into a virtually unregulated operation not answerable to taxpayers and increasingly into a profit source for private gain. Schneider's book is in sync with the finding of the 2014 Stanford CREDO study that nearly 40% of charters are worse than regular public schools, while fewer than 20% are any better, and that due very largely to their various forms of selectivity. One chapter is devoted to the Gulen schools, the largest

charter network in the U.S., connected to the exiled Turkish Muslim cleric Fethullah Gulen living in Pennsylvania.

Two chapters deal with the school voucher movement, showing how vouchers were originally developed as a device for evading school desegregation in the South. The book then shows how economist Milton Friedman concocted the much touted school voucher plan, most extensively implemented in Chile, where it was imposed by the brutal Pinochet military dictatorship.

While this book clearly rates five stars, its section on vouchers could have been improved by showing that vouchers and their variants have been rejected by voters from coast to coast between 1966 and 2014 in 28 state referenda by an average margin of 2 to 1, and shown to be opposed by 57% to 31% by the 2015 Gallup education poll. It could also have shown that the vast majority of voucher-aided private schools are religious institutions, which means channeling public funds to them

continued on page 12

Books and Culture, *continued from page 11*

violates every taxpayer's religious liberty right not to be compelled to support religious institutions.

Vouchers fund schools that fragment the student population along creedal and other lines. Vouchers and charters mean that school "choices" are something made more by the schools than by the parents.

— Edd Doerr

The End of White Christian America, by Robert P. Jones. Simon & Schuster, 2016, 309 pp., \$28.00.

This compelling book argues that "White Christian America—a prominent cultural force in the nation's history—has died." Based on extensive data from the Public Religion Research Institute (PRRI), of which Jones is CEO, and other sources, he traces the decades-long decline in the percentage of white Christians (now 47%, including white Catholics, and 32% if one counts only Protestants). This is due largely to "young adults' rejection of organized religion," who are 34% of those aged 18-29. Changing demography adds to the decline.

White mainline Protestants began to decline in the late 1960s and 1970s and have continued on a downward path. But the powerful evangelicals, the center of national attention since 1976, have declined over the past decade by one percentage point. (Southern Baptists recently reported the ninth straight year of membership decline.) White evangelicals have slid from 21% to 18%. White Catholics have shrunk numerically over the past two decades. The only thing keeping evangelicals and Catholics afloat is the rise of the Hispanics, since 8% of the population is Hispanic Catholic and 4% is Hispanic evangelical.

This dramatic change "has the potential to reconfigure and revitalize national politics." The Republicans have already become the white evangelical party while the Democrats are increasingly secular, a trend the author deplors.

The response to this change has led to a politics of nostalgia and loss by many evangelicals. "More than anything else, the death of White Christian America has robbed its descendants of their security of place and beliefs" and "has left many with a haunting sense of dislocation."

He argues that "the new religious liberty battles are best understood as a rearguard insurgency that is specifically designed to secure in isolated strongholds what White Christian America has lost on the field." He warns conservative evangelicals: "Their greatest temptation will be to wield what remaining political power they have as a desperate corrective for their waning cultural influence. If this happens, we may be in for another decade of closing skirmishes in the culture wars, but white evangelical Protestants will mortgage their future in a fight to resurrect the past."

Based on present trends, the author's interpretation seems reasonable. But religious and political trends are never irreversible. And white Christians still have considerable influence in Congress and the state legislatures and will probably cast 55% of the vote in November, possibly making the author's conclusion premature.

— Al Menendez

The Presidents and the Constitution: A Living History, edited by Ken Gormley. NYU Press, 2016, 702 pp., \$45.00.

With what may well be our most crucial election looming in November, this new book could be the most important to hit the bookstores this year. Four dozen top scholars examine the histories of all 43 Presidents of the U.S. with commendable objectivity and fairness. In addition to short biographical sketches of each President these experts examine the particular constitutional issues each one had to deal with

and how each one's decisions and precedents influenced his successors. The final summary by the editor, and author of the section on Bill Clinton, shows how the presidency evolved.

Perforce a very compact yet sweeping volume, the book contains only a half dozen pages on church-state and religious liberty issues, with brief comments on Jefferson, Madison, Hays, Harrison, Kennedy and Nixon on these matters.

Possibly the most critical thing to take away from this book is the documented fact that each and every one of the men who served as President, from the greatest to the worst, was more well qualified and experienced than the oafish narcissist likely to be this year's Republican candidate.

This book is a bargain at \$45.00. It rates five stars and a hearty thanks to NYU Press. And don't be afraid of the length; it's an easy read.

— Edd Doerr

Faith in the New Millennium: The Future of Religion and American Politics, edited by Matthew Avery Sutton and Darren Dochuk. Oxford University Press, 2016, 302 pp., \$24.95 paper.

This anthology of essays by 16 historians on the intersections of religion and politics is impressive in many ways. Many topics are included. Four stand out. Andrew Preston's examination of religious influences on U.S. foreign policy argues that "religion has rarely determined U.S. foreign policy, but it has helped shape the contours of America's role in the world." At times "religion has provided much of the ideological glue holding U.S. foreign policy together."

Religion had a considerable influence under McKinley, Theodore Roosevelt and Wilson while "Franklin Roosevelt, Harry Truman, and Dwight Eisenhower significantly deepened and extended the role of religion in American foreign policy." Then, "from John F. Kennedy to Jimmy Carter, presidents and their advisers deliberately sidelined religion from foreign policymaking and sought to downplay its rhetorical and symbolic importance." In fact, "Kennedy and Carter publicly argued that there was no place for religion in their administrations." But "Lyndon B. Johnson, Richard Nixon, and Gerald Ford often paid political lip service to religion's place in American public life, but they did little to encourage its role in foreign policy... After a deliberate hiatus under Carter, religion once again became a central feature of U.S. foreign policy under Ronald Reagan."

While George H.W. Bush and Bill Clinton "both paid lip service to religious values but mostly ignored them in foreign policy making—the top-down religious influence reached its apogee under George W. Bush, who invoked religion in the name of America's global mission with unusual force."

Today Barack Obama emphasizes religious liberty, religious pluralism and detente with Islam as "a potential framework for peace and stability" and has adopted "Christian realism" as his "worldview." Preston concludes that "religious influence in American war diplomacy is changing in ways that are historically profound."

Another excellent essay is Mark Chancey's study of how religion has influenced the "Social Studies Standards" approved by the Texas State Board of Education (SBOE) in recent years in radically different ways. The idea of a "distinctively Christian nation with laws and government based on the Bible is simply absent from all Texas guidelines from the previous one hundred years. The Republican majority in the 2010 SBOE succeeded in introducing into the curriculum elements of the larger Christian Americanist historical narrative that had never before appeared in official state guidelines."

Matthew S. Hedstrom argues that the decline of Christian identification and the rise of the nonaffiliated is "an act of political protest

against the alliance between churches and the Republican Party on social issues.” He says that “this politicizing of Christianity...portends good times ahead for the Democratic Party” and predicts, “If present trends continue, the nones may well become the foundation of an enduring Democratic majority.”

Kevin M. Schultz is convinced that “religious pluralism has clearly carried the day” and that the Religious Right will never be able to turn the clock back. Its efforts “will be just as fictional as the history to which those cultural monists aspire.”

In an “afterword” Amanda Porterfield says readers should conclude “that religion has long been an active force in American politics, and the more one looks for religion in the political events of the past, the more religion one finds.” Religion is also more than “theological belief” and “the meanings attached to ‘religion’ and ‘politics’ have changed over time, as have American understandings of where one stops and the other begins.”

— *Al Menendez*

The Burger Court and the Rise of the Judicial Right, by Michael J. Graetz and Linda Greenhouse. Simon and Schuster, 2016, 468 pp., \$30.00.

This brilliant, outstanding five-star book traces the meandering to the political right of the Burger Supreme Court, 1969 to 1986, on such major issue categories as crime, civil rights, abortion and gay rights, business, education, and the Nixon presidency. Yes, the Burger Court did hand down blockbuster rulings on abortion rights (*Roe v. Wade*) and tax aid for church-run private schools (*Lemon v. Kurtzman*), but it also started the disastrous slide toward wrecking the First Amendment’s church-state separation principle. As someone who has been personally involved in a number of Supreme Court church-state cases, I am chagrined by the Court’s drifting away from the strong separation position so well-articulated by the Court in the 1947 *Everson* and subsequent rulings.

Graetz and Greenhouse conclude that the Burger Court set the stage for the depredations of the Rehnquist Court. This eminently readable “must read” book, possibly the most important to come off the press this year, highlights the importance of our electing a President and Senate in November who will prevent the Court from drifting any further to the right.

— *Edd Doerr*

Future Right: Forging a New Republican Majority, by Donald T. Critchlow. St. Martin’s Press, 2016, 242 pp., \$27.99.

The author, a history professor at Arizona State University and an ardent Republican, charts a course he thinks could be successful in making the GOP a permanent governing party. With scads of data he concentrates on certain voting groups (women, minorities, the middle class, millennials, boomers, and religious voters) that may hold the key to future political victories.

He challenges the widely held view that demography will lead inevitably to Democratic triumphs in the future. He argues that “political beliefs can change over time” and that “social trends favor a revived conservative movement.” But other interpretations of the same data could suggest a movement in the opposite direction.

Some of his presuppositions seem wrongheaded. He notes correctly that Asian Americans are an immense success story, with the highest percentage of college graduates and managerial and professional workers of any ethnic category, including whites. But Asian Americans have moved in a steadily Democratic direction, giving Obama a higher percentage of their votes than Hispanics. After opposing Bill Clinton

twice, they have supported the last four Democratic presidential candidates. His belief that people who move to the middle or upper middle class will become Republicans is problematic.

Critchlow makes some good suggestions about strategy. “Angry campaign rhetoric against illegal immigrants might rally the base, but it does little to win other voters....The key to whatever success Republicans have enjoyed comes down to a single point: giving minority groups a place at the table is critical to winning the Hispanic vote for the GOP.”

The GOP must “reach out to independents and moderates,” but “should not moderate their views.” This seems inconsistent and will be extremely difficult to achieve.

His chapter on “religious voters” recognizes that conservative Christians and other committed religious voters are declining, and that secular attitudes regarding culture and society are in the ascendant. “Past politics undermines the argument that evangelical Christians can carry a presidential candidate to the Promised Land....while evangelical voters constitute an important bloc in Republican primaries and are essential in a general presidential election, they are not enough to win the White House for a Republican candidate who makes social issues the primary focus of a campaign.”

Using religious issues alone to win elections is counterproductive. “Although social issues should not be dismissed as unimportant, they rank low as priorities that concern Americans....Politicians in both parties should keep this in mind when going after the religious vote.”

It seems to me that the author’s call for principled pragmatism has already been squandered by the nomination of an unprincipled demagogue.

— *Al Menendez*

Brown Is the New White: How the Demographic Revolution Has Created a New American Majority, by Steve Phillips. The New Press, 2016, 247 pp., \$25.95.

Using much of the same Census, economic and political data as Donald Critchlow (see above), this author comes to dramatically different conclusions. He believes that demography is, indeed, destiny, in terms of the U.S. political future, and that the continued increase in the nonwhite population has already led to a “New American Majority” that will advance a progressive political agenda.

This new majority, if properly energized, can insure a national progressive government without appealing to white swing voters, he says. Arguing that “economic inequality is a defining issue of our time,” he argues for criminal justice reform and a renewed commitment to public education. “The New American Majority has the political power to make high-quality public education for all a true national priority.” He calls vouchers and charters “ideologically inspired and educationally ineffective.”

But the author’s confidence is tempered. “Progressives have a small and shrinking window to secure the support of the New American Majority. If they fail to act quickly, an unprecedented opportunity will be lost....Conservatives are keenly aware of the political potential of the growing population of color and they’re actively working both to slow its influence and shift its partisan preferences.”

Books like those of Critchlow and Phillips are intriguing and soundly argued interpretations of existing trends and data. But elections are never foreordained. The character and personality of the candidates, as well as unforeseen events, can alter the outcomes, and frequently do.

— *Al Menendez*

continued on page 14

Books and Culture, *continued from page 13*

The Devil You Know: The Surprising Link Between Conservative Christianity and Crime, by Elicka Peterson Sparks. Prometheus Books, 2016, 320 pp., \$27.00.

Criminologist Sparks (Appalachian State University in North Carolina) cites the fact that the U.S. has the highest rates of both violent crime and incarceration of any advanced democracy. She links this to the growth of what she refers to as “Christian nationalism,” a broad though ill-defined religious fundamentalist movement which she describes as “pro-life, pro-capital punishment, vaguely anti-contraception, and anti-gay. They are proponents of religious instruction, including creationism, and prayer in public schools. They seek the greater inclusion of [their narrow versions of] Christianity in law and government as a guiding principle. They are against extramarital sex, and they spawned abstinence-only education and virginity-pledge movements as means to that end. While fighting to expand [their versions of] the role of Christianity in public schools, they also support voucher programs for private schools, many of which have religious curriculums. Overall, the belief system of Christian nationalism has a tremendous impact on the culture, institutions, and political life of the United States.”

The author adds that fundamentalist parents are far more likely to use corporal punishment on their kids than mainstream Christians, that “less religious societies tend to have lower rates of both murder and suicide,” and that marriage failure rates for fundamentalists are the same as those of the general population. She urges more research on “the impact of Christian nationalism on crime,” and among her final recommendations are these: “Protect the division between church and state” and “Educate yourself about the amount of government money flowing into these faith-based institutions.”

In addition to this book’s 185 pages of text are 130 pages of notes and bibliography. A recommended read.

— Edd Doerr

Family, Religion and Law: Cultural Encounters in Europe, edited by Prakash Shah. Ashgate, 2015, 241 p., \$119.95.

Religiocultural diversity and mobility have been on the increase both within and among increasingly secular European countries in recent decades, especially with greatly stepped up immigration from outside western Europe. This book by an assortment of European scholars focuses narrowly on developments in some western European countries with regard to law and custom on marriage, divorce, annulment, and dowries. The situation is bewilderingly complex.

Unfortunately, the book does not get around to such important related issues as adoption, child custody, reproductive choice, education, “honor killings,” or female genital mutilation (FGM), not uncommon in some Middle Eastern and African countries and their immigrants to Europe.

On balance this book, part of the Religious Diversity and Secular Models in Europe project funded by the European Commission, is both overpriced and of limited utility.

— Edd Doerr

It’s Dangerous to Believe: Religious Freedom and Its Enemies, by Mary Eberstadt. HarperCollins, 2016, 158 pp., \$25.99.

The theme of this book is the endlessly repeated mantra that vast hordes of ill-defined, largely unidentified “secularist progressives” are virulently attacking the shrinking numbers of Christian believers. How? By allegedly seeking to destroy faith-based institutions, by trying to

end homeschooling, by threatening the livelihoods of believers, by demonizing “wrong” opinions on birth control and abortion, by “interfering with religious education.”

Totally unmentioned are the huge wins that the Religious Right, a term not used in the book, have scored in recent years, such as: the diversion of billions of dollars in public funds to faith-based private schools through vouchers and tax credits, despite 50 years of referenda and polls showing strong majority opposition; the growing swarm of legal impediments to reproductive choice and women’s freedom of conscience enacted by Congress and state legislatures; the diversion of federal and state public funds to faith-based charities and institutions that practice various forms of discrimination in hiring and serving clients; the years of bombings of family planning clinics and murder of clinic personnel. These are the elephants crowded into the room that the author willfully ignores.

What the author terms attacks on faith-based institutions are actually efforts to end discriminatory policies exercised by organizations receiving massive amounts of public dollars paid by qualified people who are the victims of discrimination in hiring and aiding. The alleged attacks on homeschooling are really efforts to see that vulnerable children are taught by people qualified to teach.

The serious omissions, surely intentional, mean that this sorry book, this newly bottled old wine, is apparently meant to divert attention from the very real threats to religious freedom, rights of conscience and church-state separation posed by the clericalist, authoritarian Religious Right rooted in the more conservative sectors of the U.S. Catholic and Protestant traditions. The very real threats to religious freedom are the compelling of all taxpayers to support religious institutions they would not support voluntarily and the drives to have government impose sectarian values on everyone. We live in a religiously diverse country in which every person is free to follow his or her own religion or life stance as long as that does not interfere with anyone else’s equal rights. Kids can pray in school, people may join and support the religion of their choice, no one is required to use a contraceptive or have an abortion against her will, and churches have long enjoyed exemption from taxation.

It is puzzling that a respected major publisher would put its name on this piece of paranoia-producing propaganda.

— Edd Doerr

Missionaries of Republicanism: A Religious History of the Mexican-American War, by John C. Pinheiro. Oxford University Press, 2014, 240 pp., \$47.95.

There have been numerous historical debates about religious causes and effects of U.S. wars, including the Revolution, the Civil War, the Spanish American War, the two World Wars and Vietnam. But this solid, heavily-researched volume appears to be the first that examines the religious factors in the Mexican-American War. “The religious history of the Mexican-American War of 1846-1848 is the story of how anti-Catholicism emerged as integral to nineteenth-century American identity as a white, Anglo-Saxon, Protestant republic.” He adds, “By intention the scope of this book is concerned with what the interplay between religion and the war tells us about mid-nineteenth-century America.”

Anti-Catholicism intensified during the 1830s, resulting in church burnings and riots in Philadelphia on the eve of the Mexican War. Issues such as “Manifest Destiny” and territorial expansion were linked to religion and to a desire to extend American-style “republican” government to the West and to benighted places like Mexico. The Democrats under President James Polk were the expansionist party but were

Join Americans for Religious Liberty!

PO Box 6656, Silver Spring, MD 20916

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

This is a: Renewal New Membership Extra Donation

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

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

Enclosed is my/our check for \$_____.

Name: _____

Address: _____

City, State, Zip: _____

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

also supported by the growing number of Catholic voters. The Whigs were anti-expansionist but generally nativist and at least mildly anti-Catholic.

As the war progressed, "President Polk and Secretary of State James Buchanan acted immediately to prevent the war from taking on an anti-Catholic character." Polk appointed two Catholic chaplains to U.S. troops, for which he was roundly condemned by Protestant and evangelical clergy, including from his own Presbyterians. The author concludes, "The Mexican-American War had been fraught with religious connotations from the start. . . . For its part, the Polk Administration formulated policies toward the Roman Catholic Church that looked toward ensuring victory in the war while at the same time preserving Catholic support for the Democratic Party." He also concludes that Polk's "concern for religious freedom was genuine."

Protestant leaders saw an opportunity to send missionaries to Mexico to crush Catholicism and end what they called theocratic despotism. These groups condemned the president for his stated "policy of respecting Mexico's religion and churches." This policy was not entirely successful, since vandalism and looting by soldiers were widespread, though a desire for wealth was probably a stronger motivation than religious bigotry.

The author mentions the San Patricio Battalion, a small number of Irish immigrants who defected from the U.S. Army to Mexico. They were recaptured and even though prisoners of war were cruelly executed, an act that would have been labeled a war crime today. He concludes, "The evidence suggests that while religion was involved in the defection, the San Patricios had originally deserted more because of intense abuse by nativist officers than love of Mexico or the Catholic Church."

The war and the annexation of Mexican territory did little to improve relations between Catholics and Protestants, which continued to deteriorate into the Know Nothing crusade a few years later. For their part, "Evangelicals continued to refocus their missionary efforts as they sought to take advantage of the American victory."

Pinheiro's treatment of this subject makes for an outstanding, indeed seminal, book.

— Al Menendez

Passing On the Right: Conservative Professors in the Progressive University, by Jon A. Shields and Joshua M. Dunn Sr., Oxford University Press, 2016, 241 pp., \$29.95.

The political leanings of college professors have long been a subject of investigation, going back four decades when voting behavior scholars found unusually strong support for Sen. George McGovern in the 1972 election, when he lost in a landslide to President Richard Nixon. Studies since then have shown a continued preponderance of Democratic and liberal (now called progressive) sentiments in academia.

These two conservative professors report the findings of their interviews with 153 professors who identified as conservatives at 84 public and private (a few religious ones) universities. Conservative professors are minorities almost everywhere and in every discipline, especially in the social sciences and humanities. They are somewhat more prevalent in engineering and economics.

Conservatives come in many varieties—economic, social and neoconservative foreign policy hawks. Religion plays a significant role in differentiating conservatives from liberals. "Approximately half of the professors we interviewed are Christians who attend church regularly. . . . A third of our sample, in fact, comprises observant Catholics. And approximately 23% of our subjects identify as 'born-again Christians,' a group that is mostly though not exclusively Protestant."

Libertarians, however, are quite different. "These professors are far more liberal on social questions than even most Americans, with large majorities supporting abortion rights and same-sex marriage. They are also less religious than nonlibertarian professors. While only 30% of libertarians attend religious services regularly, about 60% of all other conservative professors do so."

Most of the right-of-center professoriate lean toward the Republican Party but they are not wild about today's GOP. "Conservative professors are also very displeased with the anti-intellectual tendencies of populists inside the Republican Party." They are uncomfortable with the party's anti-immigration policies. "Our professors' views on immigration place them in the mainstream of the Democratic Party."

While conservative academics have a tough time in some universities, most seem to fit in. "Conservatives can survive and even thrive in the liberal university."

Shields and Dunn also reject the often-made complaint that colleges indoctrinate their students toward the left. "And while it is true that college graduates tend to be more liberal than other Americans, recent research suggests that this tendency may have little to do with the liberalism of college courses."

— Al Menendez



Americans for Religious Liberty

PO Box 6656

Silver Spring, MD 20916

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

RETURN SERVICE REQUESTED

Aw, Canada

A recent poll in Ontario found that Ontarians oppose tax support for Catholic schools by 52% to 38%. Ontario Education Ministry spokesperson Liz Sandals, however, said that Ontario will continue to provide full tax support for four separate school systems—English language public, French public, English Catholic and French Catholic. The church-run schools get more per student public funding than the two public school systems. Protestant, Jewish and other private schools in the province get zero public funding. This system goes back to Canada's constitution, the British North America Act of 1867, which created modern Canada. Only four provinces require public funding for Catholic schools—Ontario, Saskatchewan, Alberta and British Columbia. Predominantly French and nominally Catholic Quebec ended Catholic school funding in 1999. Newfoundland, which had only tax-supported church-run schools—five systems of them—switched to public schools only in two sweeping referenda in the 1990s.

In March Canadian columnist Samantha Emann wrote that it's time to "put out the fire" in the burning debate over Catholic school funding. Changing the constitution requires only the approval of the House of Commons and the Senate and, importantly, only the province that is affected. Emann notes that this is what happened in Quebec in 1999.

"Publicly funded Catholic schools," Emann writes, "are unfair to Canada's many other religious groups and cultures. Funding all religious schools would be a logistical nightmare, and in my view, public services should be affirmatively secular." She adds, "As should be apparent to anyone who has been following the news for the past year, some Catholic schools boards, trustees, teachers and advising clergy have a record of discriminatory, socially regressive efforts to hinder advances made in the interest of student safety and learning.... In Ontario there was opposition from Catholic leaders to the much-needed, recently updated sex-education curricula."

Emann continues: "That deficit-plagued province [Ontario] recently asked voters for ideas online for ways it could save money in its budget. Here's an idea. According to a 2012 report from the Federation of Urban Neighbourhoods, merging Ontario's Catholic and public school boards would save the province more than \$1 billion."

The 2016 poll was conducted by Forum Research. Its president, Lorne Bozinoff, said that "If it were ever put to a public referendum, Catholic school funding would lose, fair and square." Just as it has in the U.S. in 28 referendum elections.

In related news, Ontario-based Civil Rights in Public Education organization (CRIPEweb.org) reports that the Ontario Human Rights Tribunal will consider a complaint "about the treatment one student [non-Catholic Claudia Sorgini] has received from Roman Catholic school board personnel when she applied for an exemption from religious courses and programs in one of the board's high schools." The complaint is based on the Ontario Human Rights Code and the Canadian Charter of Rights and Freedoms which are supposed to provide protection from religious or creed-based pressure. — Edd Doerr

Vouchers, charters hurt public education

The Thursday [May 26] Dispatch editorial "charter schools' purpose forgotten" was spot-on. The 2014 Stanford University CREDO study found that nearly 40% of charters nationwide are worse than regular public schools, while fewer than 20% are any better, and that is mainly because of their selectivity.

And it's the same for voucher-aided private schools. Studies in Milwaukee, Washington, D.C., and elsewhere show they offer no improvement over public schools. University of Illinois education professors Chris and Sarah Lubienski spell this out in their 2014 book, *The Public School Advantage: Why Public Schools Outperform Private Schools*.

In short, vouchers and charters are part of a pernicious campaign to undermine and privatize the public schools that serve 90% of America's kids. Further, vouchers tend to fragment the student population along religious, ethnic, class, and other lines. In 28 state referendum elections, voters have rejected diversion of public funds to private schools by 2 to 1.

— Edd Doerr, President, Americans for Religious Liberty
Columbus (Ohio) Dispatch, June 2, 2016