



VOICE OF REASON

The Newsletter of Americans for Religious Liberty

2005, No. 1 [90]

Religious Right Pushes National Agenda

Christian conservatives, convinced that they were the major factor in George W. Bush's reelection and Republican gains in Congress, are pushing their agenda furiously: Enactment of a constitutional amendment to ban same sex marriage, further restrictions on abortion access and services, enhanced support for abstinence-only sex education programs, and judicial appointments that are likely to approve more religious practices in public settings.

A note of triumphalism emerged among religious conservatives early in the second Bush administration, beginning with a "Christian Inaugural Eve Gala" that drew 800 activists to Washington's Ritz-Carlton Hotel. Numerous White House operatives, including political guru Karl Rove, White House Public Liaison Tim Goeglein, Republican National Committee Chairman Ken Mehlman and outgoing Attorney General John Ashcroft, appeared at the event. Evangelist Billy Graham, the main speaker at a prayer service at Washington National Cathedral the day after the inauguration, told President Bush and 3,200 other worshippers that "God had granted Bush a second term."

In South Carolina, Bob Jones III, the soon-to-be retired president of fundamentalist Bob Jones University, told Bush in an open letter, "In your reelection, God has graciously granted America – though she doesn't deserve it – a reprieve from the agenda of paganism. You have been given a mandate . . . Don't equivocate. Put your agenda on the front burner and let it boil. You owe the liberals nothing. They despise you because they despise your Christ. . . . Undoubtedly, you will have opportunity to appoint many conservative judges and exercise forceful leadership with the Congress in passing legislation that is defined by biblical norms regarding the family, sexuality, sanctity of life, religious freedom, freedom of speech, and limited government. You have four years – a brief time only – to leave an imprint for righteousness upon this nation that brings with it the blessings of Almighty God."

The outlook in Congress is somewhat more promising for the Religious Right and its allies. Holly Hollman, general counsel for the Baptist Joint Committee for Religious Liberty, warned that a bill to allow churches to engage in partisan politics while retaining their tax-exempt status may progress because a moderate Republican opponent of the proposal, Rep. Amo Houghton of New York, retired and is no longer chair of the subcommittee that considers such legislation. Several bills that would strip federal courts of their jurisdiction over church-state issues are certain to be introduced and may pass the House. Bush's faith-based initiatives and abstinence-only sex education programs are likely to receive even more funding, she suggested. Already, two federal education grant programs promoting only abstinence have been shifted to a federal agency now led by a proponent of the concept. Wade F. Horn now oversees the Administration for Children and Families within the Department of Health and Human Services. Horn will administer \$154 million in special programs that promote sexual abstinence without offering alternative sources of information. Rep. Henry A. Waxman (D-CA) recently criticized the program for mixing science and religion and for teaching erroneous information about sexually transmitted diseases and contraception.

Meanwhile, the Democrats are being urged to "get more religion" to blunt the GOP's image as the religious party. Senate Democrats, led by Majority Leader Harry Reid of Nevada, invited Jim Wallis, the liberal evangelical founder of *Sojourners* magazine and author of the new best-seller *God's Politics* to a private session in January. Wallis, a registered Democrat and advocate of "Religious Left" politics, which clothes progressive values in biblical language, said, "The Democratic Party has increasingly had a problem as being perceived as secular fundamental-

continued on page 7

Church and State in the Courts



The U.S. Supreme Court will hear oral testimony on March 2 in cases involving the display of the Ten Commandments on public property. (The cases are *McCreary County, Kentucky v. ACLU*, NO. 03-1963, and *Van Orden v. Perry*, No. 03-1500. The High Court is expected to resolve conflicting rulings from appeals courts. This is the first time in a quarter of a century, since 1980's *Stone v. Graham* decision, that the nation's highest court has revisited the Commandments controversy.

Observers say it is not a moment too soon. Courts continue to issue contradictory or inconclusive decisions. Some communities are taking the law into their own hands and erecting new Commandments plaques,

continued on page 4

In This Issue:

Religious Right Pushes National Agenda . . .
Church and State in the Courts . . . Evolution
Update: Victory in Georgia . . . Religion a Key
Factor in 2004 Vote . . . *ARL in Action* . . . Charter
Schools: Not the Panacea Many Predicted . . .
Special Feature . . . Voucher Watch . . . Library of
Congress Gets It Wrong, Again . . . Post-Holiday
Perambulations . . . Update . . . Books and
Culture . . . ARL Religious Liberty Library

Evolution Update: Victory in Georgia

A federal judge ordered the immediate removal of stickers placed in high school biology books in Cobb County, Georgia, public schools that referred to evolution as “a theory, not a fact.” The January 13 decision by U.S. District Judge Clarence Cooper says the placement of the stickers by school board officials constituted “an unconstitutional endorsement of religion.” Cooper added, “Adopted by the school board, funded by the money of taxpayers, and inserted by school personnel, the sticker conveys an impermissible message of endorsement and tells some citizens that they are political outsiders while telling others they are political insiders.”

A number of parents of Cobb County students brought suit with the backing of the American Civil Liberties Union. Attorney Michael Marelly hailed the ruling as “a great day for Cobb County students” and noted, “They’re going to be permitted to learn science unadulterated by religious dogma.”

On January 17, the Cobb County School Board voted 5-2 to appeal the ruling in *Selman v. Cobb County School District*. Board chair Katie Johnstone called the decision “an unnecessary judicial intrusion into local control of schools.” The appeal will go before the Eleventh U.S. District Court of Appeals.

The *Atlanta Journal-Constitution* was livid. “The appeal represents either a sop to the creationists who insisted on the disclaimers in the first place, or, even more troubling, an endorsement by school board members of teaching religious creed under the guise of science.”

An earlier editorial hailed Judge Cooper’s decision, saying he had “safeguarded religious freedom by halting the campaign by creationists to convert public school classrooms into indoctrination chambers.”

In Cobb County itself, the local paper, the *Marietta Daily Journal*, editorialized, “The Cobb school board would do well to leave the teaching of science to the science teachers and the teaching of religion-based scientific theories to those in the pulpit.”

Kenneth Miller, a Brown University biology professor and co-author of a widely-used textbook that was targeted by critics, expressed approval of the ruling. Miller is now consulting with attorneys in Philadelphia who are preparing a case against the Dover, Pennsylvania, school system over the required teaching of “Intelligent Design.”

In the Dover case, the school board in a small York County town of 3,600 students has mandated the teaching of the theory of “Intelligent Design,” an alternative explanation of the origins of the universe that has no credibility in the scientific community.

“As a parent and a person of faith, I want to share my religious beliefs with my own children, . . . But as a teacher, it would be a great disservice and fallacy to teach students that a perfectly valid faith constitutes scientific knowledge.”

— Bryan Rehm, Dover resident, high school physics teacher, and a plaintiff.

The Dover board was clearly acting in concert with locally dominant conservative religious views. Board member William Buckingham told a June, 2004, meeting that “Jesus died on the cross for us and someone has to take a stand for him.” Several board members say they believe God created the earth in the past ten thousand years. Newly appointed member John Rowand, an Assemblies of God pastor, said, “If the Bible is right, God created us. If God did it, it’s history and it’s also science.” At an open hearing, Buckingham said the school’s textbooks were “laced with Darwinism,” and noted, “Our country was founded on Christianity and our students should be taught as such.” In October the board passed a resolution stating, “Students will be made aware of gaps and problems in Darwin’s theory and of other theories of evolution including, but not limited to, intelligent design.” Several board members resigned in protest, and were replaced by conservatives, including a fundamentalist preacher and a home-schooler who rejects public schools for religious reasons, according to the *York Daily Record*:

Eleven parents have joined an American Civil Liberties Union-Americans United lawsuit filed in federal district court in Harrisburg on December 14. The suit seeks a reversal of the policy on the primary ground that intelligent design is a religious belief dressed in the garb of science and therefore cannot be constitutionally taught in public schools.

In January the Dover Area School District issued a modification to its policy by deciding that teachers do not have to read the statement endorsing Intelligent Design but that administrators or principals will do so when science teachers are unwilling. Students can be excused from listening to it if their parents object. The compromise pleased no one.

continued on page 7

Voice of Reason is the quarterly newsletter of Americans for Religious Liberty, PO Box 6656, Silver Spring, MD 20916 (telephone 301-260-2988; fax 301-260-2989); e-mail: arlinc@erols.com; website: www.arlinc.org). The newsletter is sent to all contributors to ARL.

Senior Editor: Edd Doerr
Editor: Albert J. Menendez
Production Editor: Teri Grimwood
Canadian Correspondent: John Clubine

Americans for Religious Liberty is a nonprofit public interest educational organization dedicated to preserving the American tradition of religious, intellectual, and personal freedom in a secular democratic state. Membership is open to all who share its purposes. Annual dues are \$25 for individuals, \$35 for families, \$15 for students and limited income.

Board of Directors: Burton Caine, *Chair*; Herb Blinder; Louise Gallun; George Kaplan; Susan Nogan; John Nugent; Michael Prival.

National Advisory Board: M. David Alexander; Francisco Ayala; Rev. Charles Bergstrom; Walter Breuggeman; Rev. John Buehrens; Bob Chase; Joseph Chuman; William Sloane Coffin; Denise Davidoff; Norman Dorsen; Niles Eldredge; Edward L. Ericson; Joseph Fahey; Rev. Carl Flemister; Keith Geiger; Laurie Godfrey; Morris Goodman; Frances Kissling; Paul Kurtz; Rev. James Lawson; Rev. Barry Lynn; James T. McCollum; Rev. Jack Mendelsohn; Rev. O. Eugene Pickett; Alan Powell; Howard Rades; Rosemary Ruether; Rev. William F. Schulz; Eugenie Scott; Lynn Silverberg-Master; Rev. Bruce Southworth; Rev. A. Knighton Stanley; Philippa Strum; Ruti Teitel; Sister Margaret Traxler; Rev. David D. Van Strien; Edward O. Wilson; Rabbi Sherwin T. Wine; Walter Wink.

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

Religion a Key Factor in 2004 Vote

A survey released on February 3 by the Pew Forum on Religion and Public Life showed major differences among religious groups in the 2004 presidential election. The new poll's findings are similar to exit polls and previous studies at the University of Akron, but are more refined in their breakdown of religious positions.

What the poll calls "Traditional Evangelical Protestants" gave 88% of their votes to Bush, followed by 80% of "Other Christians," which includes Mormons, a key Republican voting block. Bush received the support of 72% of "traditionalist Catholics" and 68% of "traditional mainline Protestants," a group that includes Methodists, Presbyterians and Lutherans of a conservative stripe. Bush also won the backing of 64% of "centrist evangelical Protestants," a new term for more moderate religious believers. The Catholic equivalent was 55% for Bush, and the centrist mainline Protestant equivalent was 58% for Bush.

A somewhat surprising finding was that 63% of Hispanic Protestants supported Bush's reelection, while a narrow majority of the same group supported Democrat Al Gore in 2000. Bush's Hispanic gains came from the Protestant sector of the Latino community, which is primarily Pentecostal and evangelical in orientation. Only 31% of Hispanic Catholics backed Bush, a figure virtually unchanged from 2000.

Senator John Kerry received the support of 83% of black Protestants, 77% of those who belong to "other faiths" (Muslim, Hindu, Buddhist, New Age, Native American), 73% of Jews and 70% of secular voters.

The Massachusetts senator was backed by 78% of "modernist mainline Protestants," 69% of "modernist Catholics," 63% of "unaffiliated believers," a category of Christians who rarely attend church and are not members of a local congregation, and 82% of atheists and agnostics.

Within every category, voters who defined themselves as traditionalists were more supportive of the Republican ticket than were the middle of the road centrists and the modernists, who called themselves liberals and progressives. Even among evangelicals, for example, Kerry won 52% of the modernists. Centrist evangelicals went 64% for Bush.

In a comparison to the 2000 election, Bush made his largest gains among Hispanic Protestants, traditional Catholics who rejected the first Catholic nominee in 44 years, black Protestants and "other" Christians. Moderate gains for Bush came from Jewish voters and centrist Catholics. Kerry, on the other hand, ran stronger than Gore, and Bush's support declined, among modernist Catholics, mainline Protestants of all kinds, and atheists and agnostics.

John Green, director of the Bliss Institute of Applied Politics at the University of Akron, which conducted the survey of 2,730 adults just after the election, said, "There was strong polarization not only between different religions as was common in the past, but also within the major religious traditions – a relatively new phenomenon."

Overall, 47% of respondents said that religion was an important influence on their presidential vote. Social issues, such as abortion and gay marriage, were strong vote-getting issues among Bush's top four constituencies. Among all voters, foreign policy and economic issues took top billing, though the culture issues were also important.

Religious Group	% for Bush	% for Kerry	% of All Voters	% Turnout
Traditional Evangelical Protestant	88	12	15	69
Other Christians	80	20	3	60
Traditionalist Catholic	72	28	6	77
Traditional Mainline Protestant	68	32	6	78
Centrist Evangelical Protestant	64	36	9	52
Hispanic Protestant	63	37	2	49
Centrist Mainline Protestant	58	42	8	68
Centrist Catholic	55	45	7	58
Modernist Evangelical Protestant	48	52	2	65
Unaffiliated Believers	37	63	3	39
Modernist Catholic	31	69	6	70
Hispanic Catholic	31	69	3	43
Secular	30	70	7	55
Jewish	27	73	3	87
Other Faiths	23	77	2	62
Modernist Mainline Protestant	22	78	6	71
Atheist, Agnostic	18	82	4	61
Black Protestant	17	83	8	50

Ernst Mayr, 1904-2005

Dr. Ernst Mayr, one of the original sponsors and National Advisory Board members of Americans for Religious Liberty and a consistent supporter, died on February 3



in Bedford, MA. His last book, *What Makes Biology Unique?* (Cambridge University Press), was published last August, one month after he turned 100.

In his nine decade career, Dr. Mayr became the most important evolutionary biologist of the 20th century. He was the architect of the evolutionary "modern synthesis," which the late Stephen Jay Gould, another member of ARL's National Advisory Board, called "one of the half-dozen major scientific achievements in our century." He reconciled Darwin's work with the newer science of genetics. He is also credited with creating a philosophy of biology and founded the field of the history of biology.

Dr. Mayr was the first scientist to win biology's "Triple Crown," the 1983 Balzan Foundation Prize, the 1994 Japan Society for the Promotion of Science International Prize for Biology, and the 1999 Royal Swedish Academy of Sciences Crafoord prize. He won the U.S. National Medal of Science in 1970 and has been named one of the 100 most influential scientists of all time.

Dr. Mayr's 2001 book, *What Evolution Is*, was reviewed in the summer 2002 issue of this newsletter, No. 79.

Church and State, *continued from page 1*

as happened in November in Haskell County, Oklahoma. The ceremonial unveiling of a granite Commandments monument at the Haskell County Courthouse in Stigler was attended by all members of the county commission, even though the monument was financed by local church youth groups. In Allegany County, Maryland, a similar monument was relocated from the courthouse grounds, where it had been located since 1957. But an uproar from local citizens, spurred on by many churches, caused the county commissioners to return the 1,600-pound monument to the courthouse. The commissioners had originally removed the monument on Columbus Day last year in an effort to head off a threatened lawsuit by an emergency room physician at the Western Maryland Health System. It now remains in limbo, awaiting the Supreme Court's decision, which is expected by the end of June.

On January 3, a U.S. Seventh Circuit Court of Appeals panel handed down a decision upholding the city of La Crosse, Wisconsin's sale of land containing a Commandments monument to the Fraternal Order of Eagles. The 2-1 ruling allows the monument to remain in a public park. The dissenting judge called the ruling a "sham."

The narrow ruling allowed the city to keep the monument in Cameron Park, as long as it is on "private land" with two fences around it and a disclaimer that the city does not endorse the religious messages conveyed. The majority held that the sale to the Eagles and the disclaimer signs were sufficient to differentiate the private (20 feet by 20 feet) area from the public parkland surrounding it. The court invoked the reasoning of a similar case in Marshfield, Wisconsin.

Both challenges had been brought by the Freedom From Religion Foundation on behalf of several citizen plaintiffs. (The same Seventh Circuit had ruled that religious monuments at the Indiana State Capitol in Indianapolis and a municipal building in Elkhart were unconsti-

tutional.) This case was decided on a more narrow issue. City officials in LaCrosse could have avoided the lawsuit, since both the Eagles Club and Christ Episcopal Church offered to put the monument on private property.

The city was represented by a Religious Right legal advisory group, Liberty Counsel, based in Orlando, Florida. Its founder, Matthew D. Staver, argued the case, and will represent the Kentucky and Texas defendants at the U.S. Supreme Court. Liberty Counsel distributes a book claiming that display of the Commandments is constitutional. It also sponsors a Center for Constitutional Litigation and Policy on the campus of Rev. Jerry Falwell's Liberty University School of Law in Lynchburg, Virginia.

Several other court cases resolving church-state disputes have appeared recently. Among them are the following:

- A federal judge rejected California activist Michael Newdow's attempt to bar prayers by clergy at the inauguration of President Bush. The January 14 ruling by U.S. District Judge John D. Bates of the District of Columbia concluded that any harm to Newdow from hearing religious messages did not reach the threshold of irreparable harm. He said, "The balance of harm here, and particularly to public interest, does not weigh strongly in favor of the unprecedented step of an injunction against the president." Bates added, "That would be consistent with the inclusion of religious prayers or references in every inauguration commencing with the first inauguration of President Washington in 1789. To do otherwise, moreover, would at this eleventh hour cause considerable disruption in a significant, carefully-planned, national event, requiring program and other adjustments."

Both the Justice Department and the Presidential Inauguration Committee, in urging the court to reject Newdow's claims, argued that prayers have been part of every presidential inauguration since that of Franklin D. Roosevelt in 1937, and that the inclusion of religious

Van Orden v. Perry

ARL has joined a brief *amici curiae* to the U.S. Supreme Court in *Van Orden v. Perry*, the Ten Commandments case from Texas. The brief, representing the American Jewish Congress, the American Jewish Committee, the Jewish Council on Public Affairs, the Union for Reform Judaism and the Central Conference of American Rabbis, was written by Marc D. Stern, the counsel of record. ARL Board chair Burton Caine is listed as "of counsel."

In urging the Supreme Court to overturn the Fifth U.S. Circuit Court of Appeals decision sustaining a display of the Ten Commandments at the Texas Capitol, the brief makes a number of arguments. Among these are:

- "The monument at issue adopts a view of the Commandments rooted in the Christian tradition, and within that broad tradition, the Protestant tradition;
- The text of the Commandments is taken from the Protestant King James Bible;
- The enumeration of Commandments is that of most Protestant Christians, except Lutherans. The Catholic tradition numbers them differently;
- The Sixth (or Fifth) Commandment as translated by Jews bans murder, but Protestants read it as a ban on all killing;
- The very fact that the Commandments are singled out for display as a 'foundation of American law' reflects a Christian emphasis on the unique and lasting import of the Commandments as law, a view wholly alien to Jews;
- Moreover, the Commandments are alien to the religious tradi-

tions of American Buddhists, Hindus and Native Americans, to say nothing of atheists;

- The monument reflects Christian, indeed Protestant Christian, understandings. It is thus not a generic, undenominational statement of 'civic religion,' but a profoundly sectarian statement. Therefore, the sectarian statement speaks for itself. . . . as an endorsement of one set of religious beliefs over others."

Stern's brief continues,

- "This Court confronts a permanent display by government of an unambiguously religious symbol. . . . The purpose and effect of the display [is] to urge reverence for, and compliance with, the Ten Commandments."

Stern notes that "Ten Commandments displays do not have a long pedigree." "Officially sanctioned and permanent displays of the Ten Commandments on public property are a relatively recent addition to the official American landscape." The Commandments themselves, particularly the first four, are "ineluctably religious" and are concerned with "the religious duties of believers." Furthermore, "There is no merit to the claim that the Commandments are the foundation of American law." The Commandments "have none of the attributes of civic deism" but "are intensely sectarian statements, amounting to a binding dogmatic statement of faith and morals." Finally, "The validity and meaning of these commands divide religious groups . . ." and are "a form of forbidden, albeit passive, proselytizing."

references is more of a “free exercise” than a “no establishment” concern.

Newdow filed a similar complaint in 2001 with the U.S. Ninth Circuit, but was rejected on the technical ground that he could show no personal injury since he was not planning to attend the Inauguration. Newdow had obtained tickets for the 2005 event.

The U.S. Constitution remains silent about presidential inaugurations, except for the 35 words of the prescribed oath of office. The celebratory nature of inaugurations has developed over two centuries, and most, but not all, of the funding comes from private sources.

- A federal judge ruled on January 12 that federal funding of a Phoenix prison mentoring program violates the First Amendment’s prohibition on advancing or promoting religion. U.S. District Judge John Shabaz’s ruling prohibits the Department of Health and Human Services from funding Mentor Kids USA in the future. The group had received a \$225,000 grant in 2003 but \$75,000 was suspended in December 2004 by HHS after evidence showed the group used the funds to support religious instruction for the families of inmates. The successful court challenge was initiated by the Freedom From Religion Foundation.

- A bill sent to Governor Bob Taft of Ohio in late December would excuse the Amish from jury duty for religious reasons. The Amish strictly interpret the Biblical injunction, “Judge not, that ye be not judged,” as reason for refusal to serve on juries. About 40,000 Amish live in Ohio, mostly in Holmes and Geauga Counties.

- The U.S. Court of Appeals for the Eleventh Circuit upheld a Florida public school’s decision to order a student to paint over murals with explicit religious messages. A high school in Boca Raton, in the Palm Beach County school district, had asked students to decorate walls during a construction project. Sarah Harris, a member of the Fellowship of Christian Athletes, drew murals of the Crucifixion. Her mother sued the school district after the school’s decision, but a three-judge panel ruled against her, and the appellate court sustained that decision. The Court held the painting project to be a school-sponsored curriculum activity that was subject to school rules, one of which was to avoid government endorsement of any religion.

- A California teacher filed suit in November in U.S. District Court in San Jose, claiming that his free speech rights had been violated when his principal tried to limit his constant invocations of religious positions in a fifth-grade public school class. The teacher, Steven J. Williams, of Stevens Creek Elementary School in Cupertino, has required his students to read a variety of historical documents that mention God. In May he read President Bush’s National Prayer Day exhortation. The Alliance Defense Fund, a conservative Christian group based in Arizona, has taken his case, and Williams has become a folk hero on conservative talk radio shows. *New York Times* reporter Dean E. Murphy called him “a star in the culture wars.” Murphy wrote, “One strategy

ARL in Action

ARL has joined efforts by the Coalition Against Religious Discrimination to block a bill reauthorizing the Workforce Investment Act (HR 27) unless and until provisions protecting civil rights and religious liberty are returned to the bill. This is the first faith-based battle in the 109th Congress. (See letter on page 12.) Floor action in the House is expected in February and March.

ARL also signed a January letter to the Democratic and Republican leadership in the Senate and house requesting hearings on the abstinence-only programs that Congress has been lavishly funding during the Bush years, despite any evidence of success. Reproductive health organizations are leading the effort for a review of the program’s effectiveness and its demonstrated lack of scientific and medical integrity and factualness. ARL president Edd Doerr has spoken to a number of audiences in the Chicago area, Maryland, and Virginia. He also appeared on CBS radio. Menendez did interviews with KURV in Edinburg, Texas and with AP.

has been to find ways of introducing religion into the curriculum through the backdoor. Primary historical documents are a favorite vehicle because many states, including California, place a great emphasis upon them in their curriculum standards.”

- A virtually unknown case before the U.S. Tax Court in Los Angeles could open a Pandora’s Box of litigation over the deductibility of tuition for religious education, which is presently not allowed. Michael and Marla Sklar have filed another suit – they lost a similar case in 1997 – claiming that he is entitled to a deduction of \$3,200 in taxes for the \$15,000 tuition he paid for his children’s religious education at an Orthodox Jewish school in 1995. (The case is *Sklar v. Commissioner*, 000395-01, U.S. Tax Ct., L.A.). The Sklars and their attorney are citing a little known U.S. Supreme Court decision, *Hernandez v. Commissioner*, 490 U.S. 680 (1989), which upheld a deal made by the IRS with the Church of Scientology, allowing members to deduct the cost of “training and auditing,” the Scientology version of pastoral and doctrinal instruction. Sklar family attorney Jeffrey Zuckerman is arguing that this accommodation should be extended to members of other religions.

Tax lawyer Elizabeth Pierson told *The National Law Journal*, “The Sklars are trying to establish a brave new world where private compromises between the government and taxpayers can be relied on by unrelated taxpayers, not the norm . . . And it’s a constitutional question of the separation of church and state, because, if religious education becomes deductible, it means that taxpayers are subsidizing religion.”

Get Used to ‘Under God’

Although Congress’s 1954 insertion of the phrase “under God” into the Pledge of Allegiance is of doubtful constitutionality, Michael Newdow’s attempts to have the courts remove the phrase are unwise, as I pointed out in a debate with him last spring (at an ACLU-sponsored meeting at the University of Maryland). Should he win in the Supreme Court, the country’s response would surely be an unstoppable constitutional amendment that could well shred the First Amendment. Should he lose, the ruling would likely also damage the First Amendment.

Defenders of religious freedom and church-state separation should expend their effort on more important issues, such as blocking ef-

forts to force all taxpayers to support faith-based schools or to impose faith-based limits on reproductive freedom.

— Edd Doerr, President, Americans for Religious Liberty (published in *The New York Times*, January 12, 2005).

James Dobson’s plunge into politics is the sort of mixture of religion and politics that Jefferson and Madison warned against more than two centuries ago. Dobson may spend “only” six percent of his \$146 million budget directly on influencing public policy, but \$8.76 million can pay for a lot of influence.

— Edd Doerr, President, Americans for Religious Liberty (published in *US News*, February 14, 2005).

Charter Schools: Not the Panacea Many Predicted

A new federal study including data from five states concluded that charter school students were less likely to meet state achievement standards than children attending regular public schools. In Texas, for example, only 68% of charter school students met state performance requirements but 98% of public school students did so during the 2001-2002 school year. In Colorado charter school students lagged nine percentage points behind their public school peers. In Illinois, Massachusetts and North Carolina, charter school pupils also trailed their public school counterparts in some areas of measurement.

The study also discovered that charter schools were increasingly more likely to draw their attendance from minority and low-income families but were less likely to serve students with special educational needs. About 43% of charter students were from low-income families, compared with 38% in regular public schools. But only 9% of charter students were disabled or had special needs, compared to 12% of regular public students.

This report is the third and final one commissioned by the Department of Education in 1998. It was conducted by SRI International, a research firm based in Menlo Park, California. The results were issued without fanfare on November 19 after *The New York Times* filed a Freedom of Information request to obtain it. The final copy was delivered to the Education Department last June.

Initially, the Bush Education Department was defensive both about the results and the delay in releasing them. Susan Aspey, a department spokesperson, said they had released the report “as fast as we could.” Outgoing deputy education secretary Eugene W. Hickok said that “charters are an important educational option as evidenced by their growing popularity.” Dismissing the critical findings, Hickok said, “The study is a snapshot, and it is impossible to know whether charter schools are catching up or falling behind.” Ignoring the data, Hickok added, “In case there’s any doubt, we are big supporters of charter schools. So as I read these studies on charter schools, I read them through that lens.” Hickok further reiterated his curious interpretation of the findings at a hastily-called press conference just before Christmas.

There are 3,300 charter schools in 41 states, where legislation authorizing their foundation allows them to compete with regular public schools. African American and Latino children make up 48% of the charter school population, compared to 32% in regular public schools. (An earlier report also found that in fourth grade the charter students scored significantly lower than regular public school students in math, even when adjustments are made for income, race, and inner-city residence. In reading skills there was no significant difference, though charter schools that had been around for more than a year showed lower test scores in reading than public schools). See *VOR* 89, pp. 9-10.

No differences in performance levels were found when charter schools were divided into those run by nonprofit organizations and those managed by commercial, for-profit companies.

Visit ARL's Web Site

You can now visit Americans for Religious Liberty's internet website: arlinc.org. The site contains information about the organization, books available on church-state issues, and reprints of important articles. New material will be added as available.

Special Feature

As ARL approaches its first quarter century mark, we solicited these reflections from our two founders.

Sherwin T. Wine

Americans for Religious Liberty came into existence 24 years ago in response to the emerging danger of the Religious Right. Jerry Falwell was trumpeting his hatred of “Secular Humanists.” The prophets of the Moral Majority were mobilizing the social conservatives. The Republican Party, under Ronald Reagan, was embracing the Christian fundamentalists. A new political force had arisen in America to threaten our freedom and to subvert the separation of religion from government.

The social conservatives had been around for a long time. They had their strongest bases in the white Protestant south and in the wing of the Roman Catholic Church that rejected Vatican Council II. Most of its advocates had been veteran voters for the Democratic Party, either because they were white southerners or because they were part of the Catholic working class. But Communism and the Black Liberation Movement had turned them from an amorphous mass into a self-aware constituency. The life style revolutions of the sixties – feminist and sexual – had only reinforced their anxieties. They were ready for “war” with the enemy.

The Religious Right had been transformed by an ambitious leadership. Church services were turned into political rallies. Radio stations were purchased and converted into propaganda machines for the fundamentalist message. School boards were infiltrated and changed into agents for the conservative religious agenda. Republican candidates for public office were inundated with promises of support. The American political arena was radically altered.

Both *The Voice of Reason* in Michigan and *The Center for Moral Democracy* in New York arose to confront this formidable threat to free society. Creationists, anti-abortionists and censorship advocates suddenly appeared as armies of protestors. “Secular Humanist” and “Liberal” became pejorative terms in their mouths. A sense of aggressive triumphalism filled them with energy. The merger of the Michigan and New York resistance into Americans for Religious Liberty was inevitable in the face of this remarkable foe.

The discipline and ambition of the Religious Right has been unyielding since that time. The Republican Party is now under the control of the social conservatives and their southern white leadership. Missionaries of Christian fundamentalism have taken over the allegiance of millions of poor patriotic people from the heartland of America and have infiltrated the ranks of poor non-whites, especially Hispanics, to create an odd alliance of the rich and the poor. The befuddled Democrats have difficulty understanding that economics may not be the primary issue for most Americans. Values and culture are.

The re-election of George W. Bush reawakened all the fears that motivated our activism in 1980. A fundamentalist president with a fundamentalist constituency has been reconfirmed in power. The guarantors of freedom, from the Congress to the Supreme Court, are now being prepared for a major transformation. The foundations of the secular state are now being readied for assault. Victory has given the Bush devotees a new lease on determination and optimism.

As in 1980 – but, even more so – the organized resistance to the Religious Right and its Republican prophets is urgent. Americans for Religious Liberty, like all the other resisters to fundamentalist tyranny, is a moral necessity. The enemy is strong and dangerous – but not invincible.

Creationism, *continued from page 2*

Dover was once a farm community that has become a bedroom suburb of the state capital of Harrisburg and the small city of York. It is in a staunchly Republican area (65% for Bush in the 2004 election) and is in a county dominated by conservative Protestant churches.

The school board is resolute in the defense of its policy and now urges students to read the book *Of Pandas and People*, a 1989 text that is the Bible of the ID movement, for proof of its views. The board is represented by the Thomas More Law Center, which claims to be “defending the religious freedom of Christians.” The board brief, filed on January 5, said its “biology curriculum policy does not advance religion.” ACLU-Pennsylvania legal director Witold Walczak is seeking an injunction to stop the policy and added, “This is the first legal challenge to Intelligent Design, and that alone makes it important. If we lose, you will see school districts all across the country teaching Intelligent Design.”

Bills calling for the introduction of “scientific creationism” are progressing in the Mississippi and South Carolina legislatures. Anti-evolution zealots also recaptured the Kansas State School Board in the 2004 election and are scheduling hearings to promote “alternatives” to evolution.

The school board in Cecil County, Maryland, voted unanimously on February 14 to adopt a biology textbook that includes material on Charles Darwin’s conclusions about evolution and natural selection. Tenth-grade students will use the newest edition of McGraw-Hill’s *Biology: The Dynamics of Life*. Some local creationists had urged the board to adopt a different book.

Edward L. Ericson

Today an administration sits in Washington that is determined to rip apart the social fabric of American democracy. The reigning power-holders hate dissent and have made a science of manipulating public opinion. They demonize the secular state that alone makes religious equality and free expression possible.

Without the inclusion of a deeply imbedded bloc of crusading religious zealots, Mr. Bush’s regime would not be in power – and they know it. To keep their partisans in line, the administration – by presidential fiat – diverts billions of dollars of public funds into the coffers of so-called “faith-based” programs.

Cynical politicians of the Right care little about religion, but much about the exploitation of “faith.” As an astute observer has remarked, Mr. Bush has never served any interest other than that of his privileged class. If “patriotism” hypes fervor for an extremist agenda, he will invoke it. If piety stifles debate, he will suborn it.

To get people to act against their interest requires guile and indirection. Thus, tax supported “faith-based” giveaways.

Many well-meaning citizens see no harm in an innocuous public graduation prayer, or – to slide further down the slippery slope – to drop a few million into the pocket of your friendly neighborhood con-man (for charity’s sake, of course)! The result is a perfect formula for long-term one-party rule, the time-honored fusion of Cross and Crown.

When more than 20 years ago, Rabbi Sherwin Wine and I sat down to consider the organizational merger that created Americans for Religious Liberty, we knew that the country was headed in the wrong direction. We knew also that the fight would be long and desperate.

In the 1980 election the Radical Religious Right had demonstrated its ruthlessness and effectiveness. By using sophisticated voter profiles and extensive direct mailing lists, aided by thousands of foot soldiers in fundamentalist churches, the Rightists came in “under the radar” and

“Teaching students about religion’s role in world history and culture is proper, but disguising a particular religious belief as science is not. . . . Intelligent design is a Trojan Horse for bringing religious creationism back into public school science classes.”

— Witold Walczak, ACLU of Pennsylvania Legal Director

National Agenda, *continued from page 1*

ists.” Other leading Democrats, including New York Senator Hillary Rodham Clinton, have urged the party to adopt more values-oriented rhetoric and to emphasize that progressive politics also have a religious, ethical and moral content. Paul Starr, co-editor of *The American Prospect*, wrote in *The New York Times* on January 26, 2005, “The Democrats’ opportunity lies in becoming a broader, more open and flexible coalition that can occupy the center,” and by compromising on some emotionally-charged cultural issues.

Others warn that the Democrats risk being seen as opportunists if they try to use religion the way Republicans do. Bryan Hehir, former Catholic Charities USA President, said those who assert religious justifications for their politics must “justify them to others who don’t share their faith” and “must emphasize pragmatic secular arguments in a pluralistic democracy.”

purged candidates from the presidency and Congress to local school boards.

But even in the aftermath of 1980, few foresaw how seriously this juggernaut would maim the political process and install the permanent reaction that now looms before us.

ARL’s mission remains the same: To uphold the secular basis of democratic government, to defend religious and philosophical freedom, and to safeguard the future of church-state separation that makes such freedom possible. Liberty-loving citizens must take a page from our opponents’ manual: Organize! Organize! Organize!

We must reach every ear that can hear, open every eye that can see, and awaken every mind that can think.

ARL needs to be there – with you!

We Honor

Since ARL’s founding in 1982 a number of distinguished people have served on our National Advisory Board. It is appropriate, then, to accompany the comments of ARL founders Edward L. Ericson and Sherwin T. Wine with a list of ARL’s National Advisory Board members who are deceased.

James Luther Adams	Alfred McClung Lee
Isaac Asimov	Elizabeth Briant Lee
Gary Crawford	Bernard Malamud
Senator Frank Church	Harriet Pilpel
Faith Evans	Leo Pfeffer
Augusta Finkelstein	Samuel Rabinove
Florence Flast	Carl Sagan
Kenneth K. Gjemre	Robert M. Stein
Stephen Jay Gould	Rev. Jay Wabeke
Rev. Donald S. Harrington	Elin M. Winn



The Voucher Watch

As legislatures reconvene in many states in the early months of 2005, voucher proposals are being proposed in a number of them.

In New Jersey, a new pro-voucher coalition, the New Jersey School Choice Alliance, is pushing for some kind of voucher legislation. It is spearheaded by the New Jersey Catholic Conference and the New Jersey Knights of Columbus.

In conservative South Carolina, even a Republican governor and Republican-dominated legislature may not be enough to pass Governor Mark Sanford's "Put Parents in Charge" scheme designed to finance attendance at private schools. Sanford and several lawmakers traveled to Milwaukee in December to see how the Wisconsin voucher program works. Republican U.S. Senator Lindsey Graham, however, criticized the proposal and said that tax credits or vouchers for religion education could be unconstitutional. Graham expressed concern that vouchers would divert needed funds from public education. The conservative *Greenville News*, in a part of the state that voted 2-1 for President Bush, urged lawmakers to reject the Sanford plan.

Several voucher schemes, including voucher pilot programs in the six largest school districts are on the legislative agenda in Texas. Many civic, educational and religious groups, including the Texas Baptist Christian Life Commission and the Texas Freedom Network, have announced their opposition to vouchers.

In Wisconsin voucher supporters want to lift the cap on participation in the program, which would increase the cost beyond the current \$87 million per year. They may be forced to accept some accountability in exchange for the increase.

In an odd twist on the issue, a Colorado Christian college has sued the Colorado Commission on Higher Education for denying its application to a college voucher program for in-state students. Colorado Christian College in Lakewood filed a federal suit in December claiming that it is a victim of "religious discrimination in state student aid programs." The Colorado constitution bars state funds for "pervasively sectarian" institutions, and the College Opportunity Fund Commission rejected the school's application on November 4.

Recommended Reading

National Education Association Senior Policy Analyst Susan Nogan recommends the following study to those who follow the voucher issue.

Vouchers and Public Policy: When Ideology Trumps Evidence, by Henry M. Levin and Clive R. Belfield (www.ncspe.org/readrell.php?set=pub&cat=101). Levin and Belfield assert that the search for evidence of educational effectiveness in voucher programs is a charade in which advocates choose the research that supports their position, which is actually based on fundamentally opposing views of the purpose of public education. They suggest that a more productive public policy review might be achieved by applying their framework for analyzing voucher programs, which forces policymakers to balance the equity and social cohesion implications of voucher programs with choice and efficiency, as well as requiring consideration of the financial, regulatory, and administrative issues associated with implementing any voucher programs.

Editorials

Library of Congress Gets It Wrong, Again

Back in 1998 we exposed a scandalous abuse at the Library of Congress (see "Strange Goings-on at the Library of Congress, *VOR* No. 64, pp. 1, 3, 4, 5). At that time the venerable institution mounted an exhibit entitled, "Religion and the Founding of the American Republic," which 24 eminent scholars denounced as an "unbalanced treatment of an important topic" based on "a questionable analysis" and "a flawed premise." In a nutshell, the exhibit at the Manuscript Division and a two-day conference asserted that the religious foundations of the United States had been "neglected" and downplayed by defenders of church-state separation. The exhibit especially criticized Thomas Jefferson's use of the term "wall of separation between church and state," suggesting that our third president was playing politics with the metaphor that he used in an 1802 letter to a group of Baptists in Danbury, Connecticut.

Now it appears that the Library of Congress website continues to promote a singularly one-sided view of the role of religion in colonial America and in the church-state debates that shaped the Constitution. Section Five of "Religion and the founding of the American Republic" is devoted to "Religion and the State Governments." While both proponents and opponents of state support for religion are included, the preponderance of material clearly favors the pro-subsidy faction. "Many states were as explicit about the need for a thriving religion as Congress was in its thanksgiving and fast day proclamations. The Massachusetts Constitution of 1780 declared, for example, that 'the happiness of a people, and the good order and preservation of civil government, essentially depend on piety, religion and morality.'"

Then the website invokes a strange concept called "nursing fathers" derived from Isaiah 49:23, in which state governments were expected to support churches financially, and, inferentially, to draft laws based on the precepts of the prevailing religion. "Congregationalists and Anglicans who, before 1776, had received public financial support, called their state benefactors 'nursing fathers' (Isaiah 49:23). After independence they urged the state governments, as 'nursing fathers,' to continue succoring them. Knowing that in the egalitarian, post-independence era, the public would no longer permit single denominations to monopolize state support, legislators devised 'general assessment schemes.' Religious taxes were laid on all citizens, each of whom was given the option of designating his share to the church of his choice. Such laws took effect in Massachusetts, Connecticut, and New Hampshire and were passed but not implemented in Maryland and Georgia."

This history ignores the fact that most states did not pass laws of this nature. Some, including Pennsylvania, Rhode Island and New Jersey, would have considered such legislation abhorrent.

While grudgingly acknowledging that an "incongruous" coalition of Baptists and liberals "united to sunder state from church in Virginia," the Library's party line says emphatically, "However, the outcome in Virginia of the state-church debate did not, it should be remembered, represent the views of the majority of American states that wrestled with this issue in the 1780s."

This last statement is a blatant falsehood. Many states, including South Carolina, voted to disestablish state churches, either single churches or multiple establishments of Protestantism, during the last two decades of the 18th century.

The debates at the Constitutional Convention over the adoption of Article VI banning religious test for public office show a strong, indeed

overwhelming sentiment, in favor of government neutrality toward religion. A similar insight into the minds of the statesmen who drafted the First Amendment can be gleaned from reading the debates preserved from that era.

But the Library of Congress has filled the documentary material on its website with sermons, broadsides, fast day proclamations, and sermons supporting tax-supported religion, as if such views were the majority views at that time.

What is the underlying purpose of this misuse of history, this distortion of the historical record that most scholars of American religious history would reject? Is it to weaken the resolve of those who would resist further encroachments against the settled and well-established concept of church-state separation? Is it designed to enhance public support for President Bush's faith-based initiatives and his general policies of enhanced government support for religious activities?

Whatever it is, it ought to stop. At the very least, the nation's tax-supported Library, which has almost a semiofficial status as a repository of objective scholarship, should reassess its attempt to rewrite history. Official publications of this powerful intellectual arsenal ought to avoid partisan agendas of any sort. We have a right to expect the most careful and reasoned scholarship from this distinguished institution.

Thomas Jefferson, whose personal library formed the basis of the original Library of Congress, would be appalled at this turn of events.

—*Al Menendez*

Post-Holiday Perambulations

Christian fundamentalists, having helped enormously to consolidate the U.S. government in the hands of people unfriendly to church-state separation, civil liberties, and democratic values, have now consciously switched into a frantic "secularists are destroying Christianity" paranoia mode. Every mild attempt by public officials or civil libertarians to keep government neutral toward our rich mosaic of religious traditions is met with shrieks about the sky falling.

A few reminders are in order. About 85% of Americans identify themselves as Christians, as do over 90% of members of Congress.

Update

Americans Support More Religion, Less Compromise, in Public Life

A new national survey shows that increasing numbers of Americans favor, or are willing to accept, a greater role for religion in formulating public policy. A Public Agenda survey found the percentage of Americans who agreed that "elected officials who are deeply religious sometimes have to make compromises and set their convictions aside to get results" declined from 84% in 2000 to 74% in 2004. This overall 10-point decline was caused by a 16-point decline among evangelical Protestants, a 12-point decline among nonevangelical Protestants and a 19-point decline among those who attend religious services weekly or more often.

Only a third of those surveyed thought "our political system would be threatened if religious leaders and groups were to become a lot more involved in politics," while 61% disagreed. About 42% of voters thought a candidate's religious affiliation "should be seriously considered" when deciding how to vote, an increase of 5% since 2000. (52% were opposed.)

There are about 2,000 radio and television stations owned and run by religious groups, nearly all of them evangelical or fundamentalist. There are more "Christian" bookstores and book displays in supermarkets than there are gas stations. Religious book publishing is expanding at an exploding rate.

And the fundamentalist apoplexy over alleged attacks on Christmas and religious symbols is both hilarious and ahistorical. Have they forgotten that their Puritan ancestors in colonial New England frowned on celebrating Christmas and actually made it illegal? That Christmas was not a legal holiday in all states until late in the 19th century? That Baptists, Presbyterians, and Methodists did not celebrate Christmas until after the Civil War, and that many fundamentalists still don't (like Ken Starr's Church of Christ), because the scriptures say nothing about when Jesus was born? That our 1796-97 treaty with Tripoli specifies that "the government of the United States of America is not in any sense founded on the Christian religion?" That Congress was officially in session on Christmas until 1856? That the Postal Service delivered mail on Sundays until well in the 1800s? That the first religious motto did not appear on any of our coins until the Civil War, not on all coins until the eve of World War I, and not on our paper currency until 1955? That "under God" was not added to the Pledge of Allegiance until 1954, after we had won two world wars against an adversary whose troops wore the motto "Gott mit uns" (God with us) on their belt buckles?

Finally, a year-end survey by evangelical pollster George Barna showed these interesting results: that only 51% of senior Protestant ministers have "a biblical worldview" (i.e., a fundamentalist worldview); that "two-thirds of all evangelical Christians and one-third of all U.S. adults support a constitutional amendment to establish Christianity as the official religion of the United States"; that Bible reading and church attendance have been rising significantly in the relatively secular West Coast states; that only 7% of born-again Christians actually tithe [I guess they'd rather have government support their programs, as President Bush has been pushing]; that most Americans want "displays of the Ten Commandments on public property [though few churches display them on their internal or external walls] and creationism taught in public schools."

—*Edd Doerr*

Religious skeptics would or will have a hard time winning election in America, since 52% said they are "less likely to vote for a candidate who does not believe in God," compared to 35% who said it wouldn't matter, and 11% who said they would be more likely to do so. Only a third of those polled said the news media should devote less attention to the religious beliefs of candidates, while 66% were satisfied with the news coverage or wanted more attention given to a candidate's religious views.

The survey found that 45% of Americans thought the "laws and policy decisions of elected officials" would be better if "more of our elected officials were deeply religious," while 33% said it would not matter and 17% thought the laws would probably be worse.

Curiously, only 37% of those polled knew that John Kerry was a Catholic and only 8% knew that George W. Bush was a Methodist (though another 31% knew that Bush was a "Protestant Christian").

The poll's demographics are intriguing. Catholics and Baptists remain the two largest groups. But the two vague categories "Christian" and "Protestant" went up from 13% in 2000 to 22% in 2004, while the mainline Protestants (Methodists, Lutherans, Presbyterians, etc.) declined from 17% to 12%. The number expressing no religious preference

continued on page 10

Update, continued from page 9

erence went down slightly from 13% to 12%. About 26% described themselves as “evangelical Christians” while 37% called themselves “born-again Christians,” two categories which surely overlap. Weekly (or more) church attendance was down from 37% to 36%, while those who attend services rarely or never stayed at 37%. (The other 27% attend at least monthly.)

The survey of 1,004 adults was conducted between July 28 and August 2, 2004, and the results were released in late January 2005. Public Agenda is a nonprofit organization dedicated to nonpartisan public policy research. It was founded in 1975 by former U.S. Secretary of State Cyrus Vance and social scientist Daniel Yankelovich and is based in New York City.

Dobson Threatens Democrats

Hardly had the final results of the 2004 election been certified, when evangelical leader James C. Dobson announced that his Religious Right pressure group, Focus on the Family, had already targeted six Democratic U.S. senators for defeat in the 2006 election: Ben Nelson of Nebraska, Mark Dayton of Minnesota, Robert C. Byrd of West Virginia, Kent Conrad of North Dakota, Jeff Bingaman of New Mexico, and Bill Nelson of Florida. (Dayton recently announced that he would not seek reelection.)

Celebrating Tom Daschle’s defeat in South Dakota, Dobson warned, “Let his colleagues beware, especially those representing ‘red’ states. Many of them will be in the ‘bull’s-eye’ the next time they seek reelection.”

In a January letter sent to more than one million of his supporters, Dobson threatened “a battle of enormous proportions from sea to shining sea” if Democratic senators filibuster President Bush’s nominees to the federal courts. Dobson obliquely warned Bush to nominate only jurists acceptable to his religious base.

Dobson created a political lobbying organization during the last election. Contributions to Focus on the Family and its lobbying affiliates increased from \$130 million in 2003 to \$146 million in 2004. Its target goal for 2005 is \$170 million.

Ralph G. Neas, president of People for the American Way, criticized Dobson’s announcement: “Mr. Dobson’s arrogance knows no limits. This is the kind of tactic that ultimately backfires. These senators have served their constituents well and have courageously voted their consciences. I don’t think they will take kindly to threats from Mr. Dobson, and I don’t think the voters will either.”

Time Touts Evangelicals

Time magazine’s February 7 cover story on “The 25 Most Influential Evangelicals in America” highlights the “influential leaders who channel conservative Christianity’s overflowing energies.” These individuals’ “influence is on the rise” and are “a growing force in American life,” says David Van Biema, the large newsweekly’s religion writer. Significantly missing are Jerry Falwell and Pat Robertson. But James Dobson, labeled “the culture warrior,” is on the list because he “exercises greater say outside the political arena.” President Bush’s chief speech writer, Michael Gerson, made the list for his constant application of religious language to the president’s public addresses and for his belief “that the role of Providence in human affairs should be reaffirmed in the public square.”

Charles Colson, Billy Graham, and Tim LaHaye are among the elite

group. Several politically savvy insiders, including the Southern Baptists’ man-in-Washington, Richard Land, National Association of Evangelicals president Ted Hazzard, and Douglas Coe, founder of the National Prayer Breakfast, are cited. David Barton, an extreme right opponent of church-state separation and co-chair of the Texas Republican Party, is seen as growing in influence. Jay Sekulow, chief counsel for Pat Robertson’s American Center for Law and Justice, is called “God’s Attorney-at-Law.” Sekulow’s activist group has 700,000 members and a budget of \$30 million. Surprisingly, two Catholics, author-priest Richard John Neuhaus and Pennsylvania Senator Rick Santorum, the Senate’s third-ranking Republican, are on the list, symbolizing the growing entente between the conservative wings of two large religious groupings.

Virginia Legislature Gets Religion

Virginia’s Republican-dominated legislature is increasingly dabbling in religious matters. The House passed a proposed constitutional change that would allow prayer in public schools. The passage says, “The people’s right to pray and to recognize their religious beliefs, heritage, and traditions on public property, including public schools, shall not be infringed.” The amendment was defeated in a Senate committee on February 21 by a vote of 10-5.

A constitutional ban on same-sex marriages has passed both houses but the language varies and must be resolved by committees before the session ends. Under Virginia law constitutional revisions must be approved by two successive legislatures and then be placed before the voters in a referendum at the next election. The same sex marriage ban could face voters in November 2006.

Another bill in the state Senate would allow members of congregations who vote to sever ties with their national denominations to keep their property, including church buildings, if the dissenters are the majority. The action is supported by conservative dissidents in mainline denominations, particularly by conservative Episcopalians. Leaders of the Episcopal, Lutheran, Presbyterian and Methodist churches announced their opposition to the bill at a February 1 news conference in Richmond. Opponents of Senate Bill 1305 said it would cause an unconstitutional government intrusion into an internal church dispute. A Roman Catholic legal specialist in Colorado, L. Martin Nussbaum, told the *Washington Post*, “This is a rare example of a legislative attempt to rejigger the polity, or governance, of a church.”

Even if the proposal were to become law it would likely be declared unconstitutional. An 1892 U.S. Supreme Court ruling in *Church of the Holy Trinity v. United States* held that church property disputes should be decided according to the kind of church government each religious body employs, whether episcopal, synodal, or congregational. Since 1979 most Supreme Court decisions have reaffirmed that policy. (The bill did not pass.)

These religious-oriented proposals are coming from a group of very conservative Republicans in the exurbs of Washington, DC, in Prince William and Loudon Counties.

Christian School Defends Slavery

A large Christian private school in Cary, North Carolina, uses a 43-page booklet extolling the virtues of Southern slavery and defending the Confederacy as the last true Christian civilization. The study *Southern Slavery* was co-authored by Steve Wilkins, a member of the board of directors of the Alabama-based League of the South, which advocates secession of the Southern states and has been classified as a “hate group” by the Southern Poverty Law Center. The Center’s *Intelligence Report*

editor Mark Dotok said the booklet “essentially constructed the ruling theology of the neo-Confederate movement.” The other co-author is Douglas Wilson, a minister in Moscow, Idaho.

School principal Larry Stephenson said he wanted to expose his students to both sides of the Civil War and slavery controversies. The school, Cary Christian, has grown rapidly since 1996. All middle-school students were assigned the booklet until the Civil War courses were transferred to ninth-grade, where it is still used. Stephenson said students should “understand both sides,” and noted that they also read *Uncle Tom’s Cabin* and speeches by Abraham Lincoln.

Dotok says the booklet asserts that slavery “was a relationship based upon mutual affection and confidence.” Dotok added that a number of historians have criticized the study, citing plagiarism as one of its problems. The publishers in Idaho have just removed the book from publication because of “faulty footnotes and citation errors,” said Mike Lawyer, researcher for co-author Wilson.

Small Upturn Seen in Evangelical Schools

Enrollment in evangelical Christian schools has grown to at least 823,000, according to newly-released data from the U.S. Department of Education. Schools classified as “conservative or evangelical Christian” increased from 12% of the total private school population to 15.4% over the decade from the 1991-92 school year until the 2001-2002 school year, the most recent time frame for data gathering. Only about 10% of all students attended nonpublic schools in 2001-2002.

Nonsectarian or secular private schools were also up, from 14.8% to 16.9% of the private school enrollment, while Roman Catholic schools declined from 53% to 47.1% of the total. For possibly the first time in U.S. history, Catholic schools now comprise less than half of nonpublic school enrollment. Schools belonging to all other religious groups, including Quakers, Seventh-day Adventists, Jews, Episcopalians, Eastern Orthodox Christians, and Muslims, remained about the same at 20.6% of the private school market share in 2001 and 20.2% in 1991.

Some education researchers believe that there may be some conservative religious schools that fly below the radar and have not been counted by the federal government’s research arm.

ARL Joins Brief in Religious Freedom Case

Americans for Religious Liberty signed on to a brief prepared by the Coalition for the Free Exercise of Religion in a case involving the Religious Land Use and Institutionalized Persons Act (RLUIPA). The U.S. Court of Appeals for the Sixth Circuit ruled that Congress exceeded its authority when it passed RLUIPA.

The Coalition’s brief to the U.S. Supreme Court in *Cutter v. Wilkinson* (No. 03-9877) argues that RLUIPA “has a secular purpose and does not cause the government to advance religious exercise itself, but rather to avoid interference with private actors as they engage in religious exercise.” Furthermore, RLUIPA “scrupulously avoids any impermissible endorsement of religion.”

The Coalition brief asserts that RLUIPA is also a “constitutional exercise of Congress’ spending power and its commerce power.” The appellate court was wrong when it did not recognize these two basic premises of First Amendment law.

“a. The Establishment Clause does not prohibit laws passed solely to accommodate religious exercise.

“b. The mandates of the Free Exercise Clause are not a ceiling on permissible accommodation of religious exercise.”

“[God] will remove judges from the Supreme Court quickly, and their successors will refuse to sanction the attacks on religious faith.”

— Reverend Pat Robertson, host of religious-right news program “The 700 Club” and Christian Coalition of America founder, quoting prophecies, he says, God told him during a recent prayer retreat. <http://mediamatters.org/items/200501040010>

Bush Wants States to Fund Religion

President Bush and his faith-based czar, James Towey, aren’t satisfied that “only” \$1.17 billion (a conservative estimate, no less) in grants from federal agencies went to faith-based social service organizations in the 2003 fiscal year. Now, they are encouraging the states to open their \$40 billion treasure chest of federal funds to religious charities. That \$40 billion is the federal contribution to state programs of various kinds.

Towey, director of the White House Office of Faith-Based and Community Initiatives, has hosted a series of conferences with state officials and has met with state leaders, encouraging them to include religious-oriented organizations in their state budgets. President Bush has personally lobbied several state governors on behalf of his pet cause, which he has vigorously promoted and funded despite congressional disapproval. So far, 21 states have set up their own faith-based offices, similar to ones in several U.S. cabinet departments.

Richard Nathan, director of the Rockefeller Institute at the State University of New York in Albany, found in a 2004 study that few states were interested in funding religious groups, partly for budgetary reasons and partly because existing secular programs were considered effective. But during the last six months of 2004, some states began to encourage religious groups to apply for funding for their programs.

A new drug treatment program called Access to Recovery gives drug users vouchers to choose any treatment program, including religious ones, to fight addiction. A number of faith-based groups are sponsoring drug-treatment programs that rely on religious conversion or, as Towey calls it, “faith transformation,” for recovery. Towey notes, “Counselors in these programs won’t have to meet the same medical standards that drug treatment counselors typically must. There’s going to be standards in place, but in addition to science, some faith.”

Faith-Based Battles Resume

A House panel is considering the Job Training Improvement Act (H.R. 27) that would allow federal funds to be used in faith-based agencies that practice religious discrimination in hiring. Americans for Religious Liberty joined with several dozen other civil liberties and religious groups urging the Subcommittee on Twenty-First Century Competitiveness to adopt the Scott-Van Hollen amendment to protect workers from religious discrimination in federally-funded job training programs. The Coalition Against Religious Discrimination, which includes ARL, sent a letter on February 8 to the appropriate House members asking them to “continue and protect critical civil rights protections” in federal job training programs. A provision in H.R. 27 eliminates a 23-year ban on funding for groups which employ a religious test for hiring employees.

continued on page 12

Update, continued from page 11

Is Faith-Based Healthcare Next?

Federal employees in 27 Illinois counties have been offered a health insurance plan run by the Sisters of the Third Order of St. Francis. The plan excludes payment for contraception, abortion, sterilization and artificial insemination. Its marketers, OSF Health Plans of Peoria, call it “faith-based,” with benefits tailored for Roman Catholic Church teachings.

Faith-Based Facts: AP Analysis

An Associated Press analysis of the \$1.17 billion given to “faith-based” social services in 2003 turned up some odd facts. First, many of

The Coalition Against Religious Discrimination (ARL and 27 other organizations)

February, 2005

OPPOSE H.R. 27, THE “JOB TRAINING AND IMPROVEMENT ACT,” BECAUSE IT REPEALS CRITICAL CIVIL RIGHTS PROTECTIONS

Dear Chairman and Ranking Member:

We, the undersigned religious, civil rights, labor, education, health and advocacy organizations are writing to urge you to oppose the Job Training and Improvement Act (H.R. 27) because it would repeal longstanding civil rights protections designed to protect workers against religious discrimination in federally-funded job training programs. Since their inception in 1982, these job-training programs have included important civil rights protections against employment discrimination based on religion in programs that receive federal funds.

The 1998 Workforce Investment Act consolidated these earlier job-training programs and simply recodified the nondiscrimination provision included in the original Job Training Partnership Act of 1982. The 1998 legislation, which included this nondiscrimination provision, received strong bipartisan support from both the House and Senate at the time of its passage in the 105th Congress. Since its inclusion in the 1982 JTPA, it has enjoyed bipartisan support. The original Job Training Partnership Act was sponsored by then Senator Dan Quayle, and was reported out of the Senate Labor and Human Resources Committee then chaired by Senator Orrin Hatch. Finally, President Ronald Reagan signed into law the Job Training Partnership Act, which contains the very same civil rights provision that H.R. 1261 now seeks to repeal as it applies to religious organizations. This twenty-one year old provision has worked well since the inception of this program, allowing religious organizations to provide essential government services while maintaining America’s bedrock commitment to protecting both civil rights and religious liberty.

We strongly urge you to oppose this unjustified and unnecessary assault on our nation’s commitment to eradicating employment discrimination in government-funded jobs.

Sincerely,

the recipients are large social service providers that had received federal funds before. At Health and Human Services, 80% of recipients had previously received federal money. At Housing and Urban Development, 93% of the recipients have been funded before. The report, based on 150 interviews in 30 states, also found that many organizations were included as faith-based because White House officials thought they were religious and wanted to advertise this fact among religious constituents. In fact, wrote AP writer Laura Meckler, “Many organizations insist they do not belong on a list of faith-based organizations because they have no connection at all to religion.”

Contraception Omitted from Justice Guidelines

The U.S. Department of Justice’s first medical guidelines for treating sexual assault victims fails to mention emergency contraception, the most widely used precaution against unwanted pregnancy after rape. The 141-page “protocol” was issued in September but received almost no notice.

The document, three years in development, was criticized by many medical professionals and women rights’ groups in late December, and the Pennsylvania ACLU chapter has urged the Justice Department to fix the “glaring omission in an otherwise thorough document.”

Gail Burns-Smith, retired director of Connecticut’s Sexual Assault Crisis Services, expressed disappointment with the final product. “In the climate in which we are currently operating politically, it is a hot potato.” Burns-Smith was one of several dozen specialists who examined the guidelines during its preparation.

This controversy is expected to reopen a debate within the Food and Drug Administration (FDA), which last year rejected nonprescription sales of Plan B, an emergency contraceptive opposed by conservative religious groups. Most FDA staff members, as well as several advisory panels and medical societies, had favored making Plan B more widely available.

Five states – California, Illinois, New Mexico, New York and Washington – require hospitals to provide emergency contraception to rape victims.

Jerry Falwell: He’s Baaack

Televangelist Jerry Falwell celebrated the reelection of George W. Bush by announcing the return of the Moral Majority, a group he founded in 1979 but allowed to lapse in 1989. Now called The Moral Majority Coalition (TMMC), the new group said it will work for three objectives: The passage of a Family Marriage Amendment to the U.S. Constitution, which would ban same-sex marriages; the confirmation of “pro-life” judges to the federal courts, including the all-important U.S. Supreme Court; and the election of a “socially, fiscally and politically conservative” president in 2008.

Falwell launched his new movement by appealing for a million members who would pledge at least \$25 per year to bring millions of new “faith and values” voters to the polls in the 2006 congressional elections. An early test of the group’s strength might be the Virginia governor’s race in November, 2005. Since Falwell’s base is Lynchburg, Virginia, his involvement in the Virginia election will be carefully monitored.

Falwell said that his new organization would take advantage of an “evangelical revolution” in American politics.

Falwell’s reentry into the political realm was criticized by Robert Edgar, General Secretary of the National Council of Churches, who observed, “I hope Mr. Falwell spends more time reading the Scriptures

and less time pontificating and pushing politics that cause fissures in our society.” Edgar, a United Methodist minister and former Democratic congressman from Pennsylvania, stressed that religious progressives have formed a new movement called FaithfulAmerica.org in order to “broaden the moral values agenda” to include such issues as “lack of health care for poor children in America, the AIDS crisis in Africa, genocide, world peace and the environment.”

Another liberal religious group, Res Publica, said that Falwell has the “wrong prescription” for what ails America. Tom Perriello, a fellow at the New York-based group which describes itself as “dedicated to promoting good governance, virtuous civic culture and deliberative public discourse,” said Falwell ignores “violence and greed in our culture,” and added, “Falwell’s agenda is political and fixated.”

Chip Berlet, senior analyst at Political Research Associates, which monitors the Religious Right, warned progressives that “they need to articulate their moral vision” more effectively than the Religious Right and “need to find the language.”

Congress: Final Religious Count

The Louisiana House elections of December 4 resulted in one new Catholic, Charlie Melancon, a Democrat who won the Third Congressional District. This makes the Roman Catholic total 154 (87 Democrats and 67 Republicans), an all-time high for Catholic representation in Congress. In the Seventh Congressional District, the winner was Republican Charles Boustany, Jr., an Episcopalian, bringing the Episcopalian total up to 42. (See VOR 89, pp 4-5.)

Alabama Judge Advertises Decalogue

Circuit Judge Ashley McKathan of Covington County, Alabama, wears a judicial robe embroidered with a version of the Ten Commandments. Attorneys who appear before the judge have objected to the display but McKathan, a staunch Baptist, told the *Mobile Register*, “I see the Ten Commandments as a connection to the truth. The Scriptural truth is the underlying foundation for the law. It has sustained Western civilization for centuries.”

The *Montgomery Advertiser* criticized the judge in a December 16 editorial: “As in Moore’s case, the issue here is not the merits of the Ten Commandments. The issue is the glaring impropriety of a judge, presiding in a system dedicated to fair and impartial treatment under the laws of the state and nation of all who face charges before it, injecting a set of religious beliefs into that system. It’s not about the Ten Commandments; the issue would be the same if McKathan’s embroidered words were those of the Koran or the scriptures of any faith.”

Scalia Sounds Off Again

U.S. Supreme Court Justice Antonin Scalia told a University of Michigan audience on January 26 that long-standing practices and customs in religion should be relied on by courts, not “abstractions” to interpret how religion should interact with law. “Tradition and historical practice” should trump tests created by the U.S. Supreme Court in recent decades to interpret whether legislative acts violated the religion clauses of the First Amendment. Scalia’s appearance was sponsored by the ultraconservative Ave Maria School of Law. Scalia also waded into personal religious issues when, in response to a listener’s question, he said, “Catholicism has become increasingly isolated in a less and less religious society.”

Safeguarding 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
301-260-2988 • fax 301-260-2089 • email:
arlinc@erols.com

Spokane Diocese Files for Bankruptcy

The Roman Catholic diocese of Spokane, Washington, became the third U.S. Catholic diocese to file for bankruptcy, on December 6. The small eastern Washington diocese filed for Chapter 11, claiming it has only \$11 million in assets and \$81 million in liabilities, \$76 million of which are earmarked for sex abuse settlements. The action, also taken by dioceses in Portland, Oregon, and Tucson, Arizona, is risky. It is not certain whether parish properties, including churches and schools, would have to be sold to pay off lawsuits stemming from clergy sex abuse. Basic church functions will be reduced or curtailed, according to diocesan attorney Shaun Cross. Ironically, Spokane Bishop William Skylstad was named president of the U.S. Conference of Catholic Bishops in November.

Charters Face New Scrutiny

While 56 charter schools exist in Massachusetts, a concentrated effort by public school leaders to challenge new applications has stirred up considerable conflict. A legislative effort to impose a moratorium on new charter schools was vetoed last year by Republican Governor Mitt Romney, a charter school supporter. Some local school districts have filed lawsuits against the state board of education, charging the state has approved new and untested charter schools. The state education department also admitted that 34 charter schools had exaggerated the number of students they claimed on state filing forms in 2003.

In Texas the state commissioner of education, Shirley Neeley, announced new and more stringent regulations would be applied to the state’s 201 charter schools. New rules allow Neeley to intervene immediately if charter schools fail to meet state standards; 28 schools already face sanctions for failing to meet state academic standards for two consecutive years.

New Challenge for “Under God”

On January 3, in federal court in Sacramento, eight plaintiffs filed suit to remove the words “under God” from the Pledge of Allegiance. Michael Newdow, the Californian who won a similar suit before a federal appeals court in 2002, spearheaded the new legal action.

continued on page 14

Newdow's case was dismissed by the U.S. Supreme Court in June 2004 for lack of standing, since he did not have full custody of his elementary school-age daughter and because the girl's mother opposed the lawsuit. In the new case all of the plaintiffs are custodial parents.

Bible Leaves Houston Courthouse

On January 10 a Bible was removed from a monument at the Harris County Civil Courts Building. The Fifth U.S. Circuit Court of Appeals denied the county's request to allow the Bible to remain while an appeal is prepared to challenge a district court judge's ruling that the display is unconstitutional. U.S. District Judge Sim Lake held that Harris County showed a preference for Christianity over other religions by displaying the Bible at the courthouse entrance. The Star of Hope mission, which has owned the monument for 49 years, promptly complied with the appellate court ruling. Dozens of protestors, led by the Battle Cry Ministries, denounced the court order at a January 11 rally outside the courthouse.

WND Blasts ACLU

World Net Daily, one of the many new Christian Right groups on the web, has taken out after the ACLU in its whistleblower magazine. It accuses the nation's largest civil liberties organization of a "search and destroy mission to eliminate Christian expression from public places in America." The inflammatory piece is called "Extortion: How the ACLU is Destroying America Using Your Money." The World Net report ignores the many times that ACLU has endorsed appropriate forms of religious expression in its legal programs.

Supreme Court Ducks License Plate Issue

On January 24 the U.S. Supreme Court declined to hear an appeal of a case in which "Choose Life" license plates in South Carolina were held unconstitutional. The refusal to take the case upholds the March 2004 ruling by the Fourth U.S. Circuit Court of Appeals that the license plates violated the First Amendment because they gave an exclusive advocacy forum to opponents of abortion. The case was *Planned Parenthood of South Carolina v. Rose*. Some observers thought the high court would take the case because the Eleventh Circuit Court of Appeals had earlier upheld a similar license plate in Florida.

Need a Speaker?

Americans for Religious Liberty can provide expert speakers for:

Conferences • Meetings • Debates • Universities
Churches • Synagogues • Radio and TV talk shows
Student Groups • Etc.

Write or phone: Americans for Religious Liberty
PO Box 6656
Silver Spring, MD 20916
(301) 260-2988

Christian Zealots Hit Secret Service

The far-right Christian Defense Coalition accused the U.S. Secret Service of religious discrimination and censorship for issuing a December 17 memo that banned Christian crosses from the presidential inaugural parade. Rev. Patrick J. Mahoney, the group's director, said the Secret Service had "trampled the First Amendment and crushed religious freedom in the public square." Tom Mazur, a spokesperson for the Secret Service, said the prohibition was a security matter and was not intended to disparage any religious symbols. Mazur noted that various objects that could be used as weapons had been prohibited. The Coalition is a fringe group founded in 1993. It organized rallies last year on behalf of ousted Alabama Chief Justice Roy ("Ten Commandments") Moore.

International

Brussels: The European Union on December 17 gave the go-ahead for Turkey to apply for full membership in the organization that is gradually uniting all of the continent. Two days before, the European Parliament in Strasbourg voted 407-262 to urge EU leaders to commence membership talks, which could last several years. Religious freedom in Turkey was the stumbling block for a coalition of Christian conservatives and human rights activists who have made full respect for religious freedom a precondition for EU membership. Turkey, a nation of 70 million people, is a secular-Muslim nation whose record toward religious minorities leaves much to be desired. The Ecumenical Patriarchate of Eastern Orthodox Christianity is headquartered in Istanbul, but discrimination against Orthodox Christians is well documented. The church's only seminary was closed in 1971, and the government rarely grants the right to build new churches or to repair existing ones to the small Christian community. The French Catholic Bishops Conference asked Turkish President Recep Erdogan to grant judicial recognition and the right of property ownership to all minority religions. For his part, Erdogan has abolished the death penalty – a big issue in Europe – and presided over the opening of new synagogues and churches in the resort area of Belek in December. Still, the World Council of Churches issued a formal criticism of Turkey's record on religious freedom on December 13.

Brussels: Christian activists may yet get their desire for a formal recognition of God and Christianity in the newly-drafted European Union constitution. More than a million signatures have been delivered to EU headquarters in Brussels. The new campaign is aimed at adding some religious language to the preamble, which presently speaks of the "cultural, religious and humanist inheritance of Europe." The Christian coalition backing this effort is calling on individual members to publish a national preamble, with a rider stressing their country's Christian roots. Some nations require a referendum to approve the new constitution, and some observers fear that the omission of religious language will cause voters to reject the document at the polls.

Geneva: A report blasting Poland was issued by the UN Human Rights Commission (UNHRC), which expressed "deep concern" about Poland's restrictive abortion laws, inadequate sex education in schools, limited availability of contraception and access to family planning services, and "discrimination on the basis of sexual orientation." The report stated, "The committee is concerned that the right of sexual minorities not to be discriminated against is not fully recognized, and that discriminatory acts and attitudes against persons on the ground of sexual orientation are not adequately investigated and punished."

“The committee demand that ‘the State Party should provide appropriate training to law enforcement and judicial officials in order to sensitize them to the rights of sexual minorities. Discrimination on the ground of sexual orientation should be specifically prohibited in Polish law.”

Polish nationalists and conservative Catholic politicians and churchmen denounced the UN report as interference in the country’s internal affairs and as “a UN attack on the sovereignty of Poland.”

Kano, Nigeria: The northern Nigerian state of Kano has extended an order for Muslim students to wear Islamic dress in private as well as state schools. The December ruling does not apply to Christians, said education commissioner Hajija Maitama, but Muslim girls in 600 private schools are now required to cover their heads with a scarf, or hijab. Male students are required to wear caps. Kano is one of 12 northern states that have mandated shariah, the Islamic legal code, since Nigeria’s return to civilian rule in 1999. The reimposition of shariah supercedes the nation’s civil code of law.

London: In January Britain’s Office for Standards in Education, a government agency, issued a report critical of both evangelical Christian and Muslim schools, which are tax-supported, for “failing to help pupils learn to respect other cultures and to promote tolerance and harmony.” While the office’s chief, David Bell, openly criticized Muslim schools for “threatening the tolerance of British society,” his agency found that 42.5% of private evangelical Christian schools failed the tolerance test compared to 30% of Muslim schools.

London: The new minister of education in the Labour government of Tony Blair, Ruth Kelly, is a member of Opus Dei, the secretive, ultra-conservative Roman Catholic pressure group. Kelly, a former journalist for the left-leaning *Manchester Guardian* and a married mother of four children, is a supernumerary member of the right-wing Catholic group. Many of its members are priests, brothers, or unmarried men. *National Catholic Reporter* correspondent John Allen called Kelly “a rising star in the Labor Party, and some have tipped her as a future candidate for prime minister.” Kelly grew up in Northern Ireland but moved with her family to England in 1984.

Lusaka, Zambia: This southern African nation’s Catholic bishops endorsed a move to remove the established status of Christianity from the constitution. While the current constitution upholds the right of religious freedom and freedom of conscience, it declares Zambia a Christian nation. In a submission to a constitutional review commission, the bishops called for greater separation of church and state: “While ‘Christianity may be the religion of the majority of Zambians,’ there are ‘many dedicated Zambians who profess other faiths,’” they said.

“The constitution of the country belongs as fully to these citizens as it does to those who profess Christianity,” the bishops said, adding that non-Christian Zambians could be ‘regarded as second-class citizens or even excluded from public office.’”

Ottawa: In a unanimous December 7 ruling, the Canadian Supreme Court held that gay marriage is constitutional. The court also said that clergy cannot be forced to officiate at same-sex weddings. Canadian Prime Minister Paul Martin announced that he would introduce same sex marriage legislation. Seven provinces already legalized same-sex marriages, including Newfoundland and Labrador. A coalition of Canadian religious groups are mounting a major campaign to defeat the legalization of same sex marriage. The Roman Catholic Church, the largest religious body in Canada, is leading the campaign, and it has been joined by Muslims, Hindus, Sikhs, Orthodox Jews and evangelical Protestants. Polls show the population about evenly divided on the

issue, and the parliamentary vote is expected to be close. The Canadian Catholic primate, Cardinal Marc Ouellet of Quebec, said the marriage bill “threatens to unleash nothing less than cultural upheaval whose negative consequences are still impossible to predict.”

Vatican City: The Vatican, stung by its inability to convince the European Union to include a reference to God or the role of Christianity in European culture in its new constitution, has lashed out at “Christianophobia.” On December 3 Vatican diplomats unleashed a campaign to have the UN and other international organizations recognize prejudice against Christians. Cardinal Joseph Ratzinger, the influential head of the Sacred Congregation for the Doctrine of the Faith, told the Italian daily *La Repubblica*, “Secularism is no longer neutral. It is beginning to transform itself into an ideology that imposes itself through politics and does not leave any room for the Catholic and Christian vision.”

Vatican officials are also reportedly angry over the rejection of Rocco Buttiglione, an Italian Catholic conservative, by the European Parliament as EU Human Rights Commissioner. The Italian politician called homosexuality “a sin” and suggested that women would be happier being married and staying at home raising children. In a continent where a higher percentage of women serve as public officials than anywhere else in the world, including the United States, Buttiglione’s comments almost certainly caused his defeat. Buttiglione, who remains in the Italian parliament, announced plans to form a religious lobby to “battle for the freedom of Christianity in Europe.”

Victoria, Australia: An Australian court in the state of Victoria has found an evangelical Christian group guilty of violating Australia’s laws against racial and religious vilification. The court concluded that pastor Danny Nalliah and the Catch the Fire Ministries slandered Islam in a seminar in March, 2002. Judge Michael Higgins said that the evangelicals called Muslims liars and demons who were planning to destroy Western democracies and would turn Australia into an Islamic state. The group allegedly said the Koran promoted violence, killing and looting. Higgins also found that articles in the church’s newsletter incited fear and hatred of Muslims. Higgins ruled, “It was done, not in the context of a serious discussion of Muslims’ religious beliefs. . . . It was presented in a way which is essentially hostile, demeaning and derogatory of all Muslim people, their God, Allah, the prophet Mohammed and in general Muslim religious beliefs and practices.”

The case was filed by the Islamic Council of Victoria. The evangelical group said the verdict was a defeat for freedom of speech, and promised to appeal it.

Vienna: More Austrians officially renounced their Roman Catholic Church membership in 2004 than ever before. A record number of 44,852 severed their ties with the Catholic Church, at least partially in order to avoid paying the church tax, which is collected by the government on behalf of “recognized” churches and averages \$325 a year. Church officials attributed the exodus to anger over a child pornography scandal at a seminary in the diocese of St. Poelten, which was closed by the Vatican last August. The previous record loss of parishioners, 44,300, came in 1995 when accusations surfaced that the late Cardinal Hans Groer had molested young people at a monastery in the 1970s. Once solidly Catholic Austria has seen almost 500,000 defections from the church in the past two decades, according to the Austria Press Agency.

Moving?

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

Books and Culture

Jefferson & Madison on Separation of Church and State: Writings on Religion and Secularism, edited by Lenni Brenner (Barricade Books, 185 Bridge Plaza North, Suite 308-A, Fort Lee, NJ 07024, 438 pp., \$16.95).

One of the main tactics of the Religious Right, sometimes referred to as the “American Taliban,” and their “secular” collaborators is their endless campaigns to undermine church-state separation through an Orwellian rewriting of history. As they put it, this country’s Founding Fathers (mothers couldn’t vote or hold office back then) were conservative Christians. Jefferson’s church-state separation metaphor was merely a meaningless note dashed off to some Connecticut Baptists, and the Supreme Court’s church-state rulings since 1878 have all been wrong. Far too many Americans, poorly informed about history, believe this foolishness. Even worse, this point of view has been expressed ad nauseam by Supreme Court Justices Rehnquist, Scalia, and Thomas, one of the latter a possible Bush-appointed Chief Justice.

In our last issue we reviewed Forrest Church’s excellent *The Separation of Church and State: Writings on a Fundamental Freedom by America’s Founders* (see ad elsewhere in this issue). To augment that we now have Lenni Brenner’s exhaustive collection of virtually every word that Jefferson and Madison, the farsighted Founders who led the way to our adoption of church-state separation, said on the subjects of religion, religious freedom, and religion-government relations, from their student days to their deaths in 1826 and 1834 respectively. These two key figures in the shaping of American constitutional government spent their entire lives working on the separation principle. Brenner’s book is an indispensable resource for all who oppose the talibanization of the United States.

Brenner’s book also contains the complete text of the so-called “Jefferson Bible,” which Jefferson originally titled *The Life and Morals of Jesus of Nazareth*. As Jefferson was a Deist and Unitarian, he discounted all of the supernatural elements of the four Gospels, though he regarded Jesus as the greatest ethical teacher who ever lived. (The “Jefferson

“I must admit moreover that it may not be easy, in every possible case, to trace the line of separation between the rights of religion and the civil authority with such distinctness as to avoid collisions and doubts on unessential points. The tendency to a usurpation on one side or the other or to a corrupting coalition or alliance between them will be best guarded against by entire abstinence of the government from interference in any way whatever, beyond the necessity of preserving public order and protecting each sect against trespasses on its legal rights by others.”

— Letter of James Madison to the Rev. Jasper Adams, 1832

Bible” is not included in the Library of America or Modern Library editions of Jefferson’s works, but is available in a handsome hardback edition from Beacon Press for \$16.00, a companion book to Forrest Church’s book mentioned above.)

And thereby hangs an interesting tale. Jefferson’s nonsupernaturalist condensation of the Gospels was finished in 1819, seven years before his death, though he had been planning it for many years. Jefferson had a single copy leather bound by one Fred Mayo in Richmond. The book was unknown by Jefferson’s grandchildren until after his death. In 1895 the book was purchased from a descendant for the National Museum in Washington. In 1904 an act of Congress provided for publication of 9,000 facsimile copies of the book for distribution among members of Congress; that would average to about 17 copies for each member.

Ironically, had Jefferson lived into the 20th century he would undoubtedly have opposed spending public funds to publish his own or any other version of the Scriptures.

The first commercial publication of the Jefferson Bible was produced in a hardback edition by Wilfred Funk, Inc. of New York in 1940 and sold for \$1.00. (The same publisher brought out at about the same time John F. Kennedy’s *Why England Slept*, which sold for \$2.)

— Edd Doerr

The Separation of Church and State

Edited by Forrest Church

In this attractive pocket-sized, readable book, Church pulls together, with useful commentary, the more important writings of the Founders that show clearly that they intended our system of government to incorporate the principle of separation of church and state.

Available from ARL for \$16.00 plus \$2.00 shipping and handling. Send your check or money order to:

Americans for Religious Liberty
PO Box 6656
Silver Spring, MD 20916

Toward a New Political Humanism, edited by Barry F. Seidman and Neil J. Murphy, Prometheus Books, 2004, 418 pp., \$32.00.

Although this book is aimed mainly at a humanist readership, it can be read with profit, though not necessarily full agreement, by people across the religious spectrum. The volume’s great strengths are that its tone is generally positive and that the progressive values it espouses are widely shared with a great many Christians, Jews, and others. One weakness is that too few of the 25 authors acknowledge that fact.

One of the best sections is Katherine Yurica’s chapter, “The Despoiling of America: How George W. Bush Became the Head of the New American Dominionist Church/State.” She explores how Pat Robertson, R.J. Rushdoony, Gary North, Herb Titus, Charles Colson, Tim LaHaye, Gary Bauer, the late Francis Schaeffer, Paul Crouch, and other “dominionist” fundamentalists created a powerful, under-the-radar in its early days, political movement that is well on the way to taking over this country for purposes antithetical to the interests of the overwhelming majority of Americans. She ties in the little known but influential political scientist Leo Strauss and such intellectual progeny as Irving Kristol, William Kristol, Clarence Thomas, Robert Bork, Alan Keyes, Gary Bauer, John Ashcroft, Newt Gingrich, and others.

Equally valuable is the section by Nigerian professor Agwonorobo Eruvbetine, who makes the point that in the interest of openness and

cooperation “an examination of religion and its input into public life would foreground the fact that virtually all religions, in their genuine manifestations, are guided by the quintessential humanist ethos.” In other words, humanists, though not numerous organizationally, must work with people of all persuasions to promote progressive ideas, such as those summarized in the book’s last chapters by Arnell Dowret as including “guaranteed minimum income; democratic education; . . . the end of capital punishment; progressive prison reform; community-based homecare for seniors and persons with . . . disabilities; global pacifism; single-payer universal health care,” etc.

One need not agree with everything in this book to appreciate its contribution to advancing democratic values and heading off fundamentalist extremism.

In the interest of full disclosure it should be noted that this reviewer is the author of one of the sections of this book, “The Importance of Church-State Separation,” which will be found shortly on ARL’s web site, www.arlinc.org.

— Edd Doerr

Freethinkers: A History of American Secularism, by Susan Jacoby, Henry Holt and Company, 417 pp., \$16.00 paperback.

Susan Jacoby has produced a first-rate history of the influence of freethought and secular values on the development of American constitutional government and culture. It is essential reading for all who wish to be informed about the intersections of religion, politics and culture.

The author argues that the U.S. Founding Fathers consciously sought a secular framework of government in order to advance freedom of conscience and to create a society that would welcome people of diverse viewpoints. “America’s eighteenth-century secularist founders, nineteenth-century freethinkers, and early-twentieth century civil libertarians generally viewed all minority religions – Judaism, Quakerism, and Catholicism, as well as newer fringe sects – as vulnerable entities in need of protection not only from government but from fellow citizens who wished to maintain majoritarian Protestantism as the dominant civil religion. . . . [T]he men who wrote the Bill of Rights were understandably concerned not with the disproportionate power of any minority but with the tyranny of the majority.”

The freedoms bequeathed by our founders and strengthened by some of their enlightened successors are clearly under siege. “For the past four decades, the militant religious right has mounted a tireless assault on separation of church and state – a principle deeply inculcated in, though seldom reflected upon, by a public that takes religious freedom for granted.” One reason for their increasing success, Jacoby believes, “is the larger American public’s unexamined assumption that religion per se is, and always must be, a benign influence on society.”

This is a terrific book – accurate, informative, and as compellingly readable as a novel.

— Al Menendez

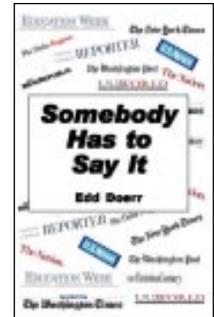
Religion and Public Life in New England, edited by Andrew Walsh and Mark Silk, AltaMira Press, 167 pp., \$19.95 paper.

This third volume in a superb series of books about the impact of religion on political life is devoted to New England, the best educated

“The settled opinion here is, that religion is essentially distinct from civil Government, and exempt from its cognizance; that a connection between them is injurious to both . . .”

— Letter of James Madison to Edward Everett, March 18, 1823

The third volume of Edd Doerr's letters-to-the-editor covers a half decade of material, from 1999 to 2004, and also includes an analysis of gender gaps in the publication of letters in three national newspapers. Included as well is an article from USA Today from 1995 on a 1974 world population report commissioned by the White House but suppressed.



Somebody Has to Say It

Edd Doerr

Available from ARL for \$10 plus \$1.50 shipping and handling. Send your check or money order to:

Americans for Religious Liberty
PO Box 6656
Silver Spring, MD 20916

and most Catholic region in the U.S. New England is the second least populated region in the U.S., and its population has the highest percentage of professionals among its working population.

Its religious population is roughly 42% Catholic, 38% nonaffiliated (the second highest percentage of religious dissenters), 14% Protestant, 3% Jewish, and 3% other religions. The wealthiest state (Connecticut) and the third wealthiest (Massachusetts) are in New England. Both are the two best educated states, along with Colorado, in the Union.

New England Catholics are also the most politically liberal Catholics in the United States, writes Stephen Prothero. “New England residents across the religious spectrum show a decided preference for liberal political causes.” Catholicism itself, however, is declining. The percentage of self-identified Catholics is slowly losing ground to the nonaffiliated, even though Catholics outnumber Protestants almost everywhere, from rural Upper New England to the suburbs and the polyglot cities. The Catholic community is ethnically diverse here as elsewhere, with large Portuguese and French-Canadian ancestry populations added to the usual mix of Irish, Italian and Polish communities.

The “mainline Protestants” tend to be “custodians of community,” says Maria Erling, and they “represent a venerable tradition of social as well as religious leadership in the region.”

Historian James M. O’Toole describes New England’s Catholics as a “majority faith with a minority mindset,” owing to centuries of conflict with the once bitterly anti-Catholic Protestant establishment. Catholics resisted the formerly dominant Protestant culture by developing parallel institutions and eventually “exerted a broader influence on public life in New England.”

Jews are influential in several New England communities, and Asian religions are growing rapidly in rural Vermont and in Lowell, Massachusetts.

Among the region’s several anomalies are that mainline, or liberal Protestants, insist on voting Republican, despite the national party’s

continued on page 18

Books and Culture, *continued from page 17*

domination by conservative Protestants and the Religious Right. Notes Andrew Walsh, "Since New England's mainline Protestants are, by and large, social moderates and liberals, their insistence on registering as Republicans remains a commentary on their persistent collective identity and disinclination to identify themselves as Democrats."

Evangelical and conservative Protestants are weaker in New England than in any other region, but those who are there are Republicans and conservatives on most issues. And they are growing slowly, even though they are outnumbered 3-1 by mainline Protestants.

—Al Menendez

Somebody Has to Say It, by Edd Doerr, Rocinante Press, 82 pp., \$10.00.

ARL president Edd Doerr is a prodigious letter writer. He feels strongly that a good way to influence public opinion, especially on vital church-state issues, is to use the letters-to-the-editor columns found in most newspapers and magazines. In fact, he has perfected his letters hobby to a near-science, or art form, at least.

This third volume of Doerr's recent letters covers a half decade of material, from 1999 to 2004, and also includes an analysis of gender gaps in the publication of letters in three national newspapers. An article from *USA Today* (the magazine, not the daily paper) from 1995 on a 1974 world population report commissioned by the White House but suppressed is included.

Doerr's sprightly and articulate letters have appeared in a wide array of newspapers and magazines, including *The New York Times*, the *Washington Post*, *Christian Century*, *Education Week*, *Phi Delta Kappan*, *National Catholic Reporter*, *The Nation*, and *The New Yorker*, among others.

Many different topics are addressed. Readers might be encouraged to emulate Doerr and write some letters to their local publications. ARL supporters will find this an enjoyable read, to be savored a bit at a time.

Available from ARL for \$10.00 plus \$1.50 shipping and handling.
—Al Menendez

Heirs of the Fisherman: Behind the Scenes of Papal Death and Succession, by John-Peter Pham, Oxford University Press, 368 pp., \$28.00.

The author, a former Vatican diplomat and now a professor at a Virginia university, tells why he thinks his book is relevant, "Not only is the story of papal death and succession a very human story, but it is one that, now more than ever before is of interest to all members of the human family, whether Catholic or non-Catholic, believer or not."

His book is an inside look at the processes, including political intrigues and ecclesiastical in-fighting, that make the conclave (the papal election) an international event of increasing significance. Pham notes, "The insular community of the Vatican is not without its oral traditions, and a rich lore is faithfully handed down to initiates, in whose company I was included for a number of years." His narratives focuses "not just on the rituals and personalities but on the succession process itself."

A brief but compelling history of papal elections through the centuries gives way to a consideration of the many changes to the papal succession initiated by Pope John Paul II. Pham describes the geopolitical shifts in the College of Cardinals, the electors of the papacy, who now hail from 57 countries, making a much broader input from different cultures and regions of the world than in previous elections. About 130 cardinals from 55 nations are presently eligible to select a new

ARL Religious Liberty Library

Great Quotations on Religious Freedom

edited by Albert J. Menendez and Edd Doerr \$18.00

The Case Against Charitable Choice: Why President Bush's Faith-Based Initiative is Bad Public Policy

Albert J. Menendez and Edd Doerr \$10.00

Visions of Reality: What Fundamentalist Schools Teach

Albert J. Menendez \$10.00

Religious Liberty and State Constitutions

Edd Doerr and Albert J. Menendez \$14.95

Faith and Freedom: Religious Liberty in America

Marvin E. Frankel \$7.95

Vox Populi: Letters to the Editor

Edd Doerr \$9.95

Church Schools and Public Money: The Politics of Parochialism

Edd Doerr and Albert J. Menendez \$14.95

Religion and Public Education: Common Sense and the Law

Albert J. Menendez and Edd Doerr \$5.00

The Case Against School Vouchers

Edd Doerr, Albert J. Menendez, John M. Swomley \$15.95

Compulsory Pregnancy: The War Against American Women

John M. Swomley \$10.00

Catholic Schools: The Facts

Edd Doerr \$9.95

The December Wars: Religious Symbols and Ceremonies in the Public Square

Albert J. Menendez \$18.95

Public Education and the Public Good

Robert S. Alley \$10.00

Church and State in Canada

Albert J. Menendez \$5.00

Myths About School Prayer

John M. Swomley \$5.00

Three Voices of Extremism: Charles Colson, James Dobson, D. James Kennedy

Albert J. Menendez \$10.00

Order from Americans for Religious Liberty, PO Box 6656, Silver Spring, MD 20916, fax 301-260-2989, email arlinc@erols.com. Please add \$2 for shipping and handling.

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

Enclosed is my/our check for \$_____.

Name: _____

Address: _____

City, State, Zip: _____

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

pope, and all but 5 of them were selected by John Paul II. If any reach the age of 80, they will be disqualified under rules issued by Pope Paul VI in 1973.

Pham gives brief portraits of the leading candidates, known as *papabili*, to succeed John Paul II and also look at the issues and conflicts beneath the surface that may fuel the outcome of the election. "The College of Cardinals will be confronted by a number of significant issues that will determine the agenda of the new pontificate and, consequently, determine the identify of the man it will choose to wear the Fisherman's Ring." These issues include the role of women in the church, contraception and world population, relations with other Christians and other world religions, divorce, clergy scandals, the decline of the priesthood, and church-state relationships.

But, says Pham, "The single most dramatic challenge that will face the next pontiff may be the one that has received the least attention in both ecclesiastical and popular press: How the changing demographics of the Roman Church may ultimately transform its structure and dynamics." That shift is toward the Southern Hemisphere and the Third World. "Fully half of the cardinals eligible to vote will come from developing nations." Pham says that "progressive Catholics in Europe and North America" may not be happy with the changes. "A whole series of new concerns will come to the fore" from these churches. "The newer and growing churches of the developing world have manifested a penchant for theological fundamentalism – perhaps even obscurantism – that is almost alien to the experience of the Church in Europe and North America."

Valuable appendices include the official "constitution" regulating papal elections, sketches of cardinals eligible to vote in the next conclave, and "biographical notes on select personalities" in the history of papal successions.

Along with John Allen's *Conclave*, this is the source to consult when the next papal election comes around.

— Al Menendez

Catholics and Contraception: An American History, by Leslie Woodcock Tentler, Cornell University Press, 335 pp., \$29.95.

This history of how U.S. Catholics negotiated the birth control issue in the context of a changing America is comprehensive and thorough. By the 1940s, opposition to birth control "had emerged as a kind of tribal marker – a proud if onerous badge of Catholic identity. . . . In the circumstances, Catholics enjoyed an odd sort of cultural authority in the realm of sex." But two decades later "the teaching on contracep-

tion had generated what can only be called a major crisis among American Catholics."

The most interesting part of the book and the most relevant for church-state issues is Tentler's discussion of the politics of the issue. The Church had enough political clout to block publicly supported birth control clinics prior to the mid-1960s. Many public hospitals had also refused to provide contraception information even to married couples until New York City's Board of Hospitals defied Church leaders in 1958. During World War II the National Catholic Welfare Conference and a number of bishops criticized the armed forces and the Public Health Service for distribution of condoms and informational programs to counteract venereal disease. "American Catholic leaders were conscious of fighting a rearguard action when it came to the secular politics of contraception." Opposition to the inclusion of family planning in overseas foreign aid programs also succeeded until the Johnson presidency, when public opinion and the increasing support by Catholics themselves changed national policy." "It was increasingly difficult for Catholic leaders to justify what seemed to many Americans – including growing numbers of Catholics – like heartless indifference to the suffering of the Third World poor," the author writes.

But it was the battle to retain bans on all birth control in Connecticut and Massachusetts that revealed the political hardball of another era.

Connecticut's law was struck down by the U.S. Supreme Court in the 1965 *Griswold* case. In Massachusetts Catholic leaders spearheaded defeats for legalization of birth control in divisive referendum elections in 1942 and 1948. "These repressive laws – ironically the products of Protestant-dominated legislatures — were widely seen by the 1970s as monuments to Catholic power." In 1948 the church-led efforts were successful. "The short-term effect was a Catholic victory: The proposed amendment was defeated by some 278,000 votes. But the cost to the Church was high, and not only in Massachusetts, where interreligious tensions were greatly exacerbated. Non-Catholics nationally were also troubled by this seemingly unchecked deployment of the Church's political muscle."

Two decades later, in 1966, the Massachusetts legislature changed the law, and birth control became legal in the Bay State. This time, the impact of the Second Vatican Council's emphases on freedom of conscience and religious liberty as core rights caused Catholic authorities to drop their opposition. Even Cardinal Richard Cushing endorsed the reforms. "The Catholic capitulation in Massachusetts marked the end

continued on page 20



Americans for Religious Liberty

PO Box 6656

Silver Spring, MD 20916

NONPROFIT ORG.
U.S. POSTAGE
PAID
SOUTHERN, MD
PERMIT NO. 4820

RETURN SERVICE REQUESTED

Books and Culture, *continued from page 18*

of a political era – one increasingly characterized by Catholic losses and instances of strategic retreat. By the mid-1960s, growing numbers of Catholic leaders had essentially abandoned efforts to thwart the contraception cause, at least by means of the state.”

The author of this excellent book is a professor of history at Catholic University of America.

— *Al Menendez*

God on the Quad: How Religious Colleges and the Missionary Generation Are Changing America, by Naomi Schaefer Riley, St. Martin's Press, 274 pp., \$24.95.

Riley takes the reader on a grand tour of twenty or so church-related colleges in the U.S., including such well known ones as Notre Dame, Baylor, Brigham Young and Bob Jones, and obscure ones like Thomas Aquinas College, Yeshiva University and Buddhist-related Soka University. By and large, it is an informative portrait of a growing segment of U.S. higher education. “The 1.3 million graduates of the nation's more than seven hundred religious colleges are quite distinctive from their secular counterparts,” she writes. Readers will soon see just how distinctive they are.

Her conclusions are not surprising. “The religious college graduates who will be most successful in influencing secular society are those that engage in ‘cultural discernment’ . . . If religious college leaders can navigate between the dangers of secularization and isolation, these schools can more effectively transmit their ideas to a larger American audience.” Most important, “On a cultural level, there is no question that religious college graduates will be the vanguard of a more conservative generation.”

Riley thinks these schools impart a sound academic training, though many would challenge that view, and tend to foster a “sense of vocation” to their graduates, who will be most likely to influence the worlds of business, law and medicine.

Riley, who describes herself as a Jewish conservative, is wholly sympathetic to church colleges, so much so that her judgment seems clouded at times. “America's religious colleges will be a vital component in this country's future. Those schools that succeed best at integrating serious spiritual and intellectual education may even help to bridge the recent divide between Red and Blue America.”

Since most of these schools want to make America even Redder than it is, it is hard to share the author's view.

Riley spends much of her time at the Ethics and Public Policy Center, a conservative think tank in Washington, DC, and her book project was supported by several conservative foundations. Her ideological bias comes through when she writes, “Religious students regularly confront a hostile environment on today's college campuses. . . . College faculties continue their generation's endeavor to ‘liberate’ others from the strictures of orthodox religion and traditional morality. Students who arrive on campus their freshman year with some traditional religious identity quickly find themselves a beleaguered minority.” This is exaggerated nonsense, which casts aspersions on the millions of college graduates who continue to practice a variety of religious traditions after attending America's wide array of public and secular private colleges and universities.

— *Al Menendez*

On January 10 Pope John Paul II criticized the “arrogance of power” and added that “It is necessary that religious freedom be everywhere provided with an effective constitutional guarantee.”

So far so good. But he hastened to add that religious freedom does not include the right of all persons to freedom of conscience regarding reproduction or embryonic stem cell research. He also has a history of opposing the religious freedom right of citizens not to be forced by government to contribute involuntarily to the support of religious institutions.

And speaking of the arrogance of power, John Paul's church is the only one in the world that enjoys “permanent observer” status at the UN General Assembly, which position it uses to work against women's rights and efforts to deal with the overpopulation problem.

Most Catholics disagree with his positions on these issues but have no voice in their church to do anything about it.

— Edd Doerr, President, Americans for Religious Liberty (published in the *Maryland Journal*, January 13, 2005).