



# VOICE OF REASON

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## The Primaries: What the Results Mean

### The Democrats

Religion has not played a major role in the Democratic race thus far, with both candidates drawing well from Protestant and Catholic voters. Catholics have leaned toward **Hillary Clinton** in a number of states. Even in **Barack Obama's** home state of Illinois, Clinton led by two points among Catholics. The religiously non-affiliated voters have leaned toward Obama. Jewish voters favored Clinton in Florida, Nevada, New Jersey and California and favored Obama in Connecticut and Massachusetts, according to an analysis by Suzanne Field.

The main divides are gender (Clinton much stronger among women), age (Clinton wins the over 60, Obama the under 30), education and income (Clinton wins the lower socioeconomic groups, Obama the higher) and ethnicity (Clinton ahead among Hispanics, Asians, whites in most areas, Obama overwhelmingly strong among African Americans). In Virginia and Maryland, Obama cut into the Clinton constituencies, winning among almost all groups, including Latinos in Virginia.

Barack Obama did a little better than Clinton among weekly churchgoers in those states where African Americans formed the bulk of his constituents, while Clinton led among active churchgoers in states where Hispanics were her most avid supporters. Obama generally won among the religiously non-affiliated and among those who rarely or never attend church services. In New Mexico, for example, Obama won 59% to 39% among the one third of Democrats who never attended worship services. There was no overwhelming pattern, however, unlike Republicans where frequent churchgoers supported Huckabee or Romney and occasional attenders went heavily for McCain.

College towns, where religious membership and activity are lower than average, have been heavily for Obama. He received 75% of the vote around the University of Virginia in Charlottesville, and defeated Clinton two to one in the Dartmouth College base of Hanover, New Hampshire. The only county he carried in New York was Tompkins, site of Cornell University. And though he lost Massachusetts, he won impressive victories in the college towns of Amherst, Cambridge and Williamstown.

Despite a second place showing in Iowa, **John Edwards** never again caught on. He consistently ran third until he dropped out before Super Tuesday. He got a decent vote among rural French Catholics in blue-collar New Hampshire towns, winning one tiny village, and ran first among white voters in South Carolina, where he managed to carry Oconee County, the county of his birth. He won eleven counties in rural North and West Florida, where voters are white, native Southerners. After he dropped out, Edwards still ran second in a handful of counties in Oklahoma and Tennessee (in white areas populated by "yellow dog" Democrats). In southern Illinois and northern California he received over 10% of the ballots cast. These are swing areas which have trended Republican in recent national elections.



### The Republicans

**John McCain** won impressive victories in most of the Northeast, and in Illinois, California, Florida and Arizona, as well as South Carolina. He ran strongly among Catholic Republicans in all areas, particularly where Catholics are a minority in a sea of evangelicals, as in South Carolina, Alabama, Georgia, and Missouri. He scored best among moderates and liberals (the few that are left in the GOP), independents and Republicans critical of the Bush administration. He did well among veterans, men and older voters. His appeal to

Catholics, Episcopalians, Lutherans and non-evangelicals is exemplified by victories in the Deep South towns of Savannah, Charleston, Hilton Head, and Mobile, while evangelicals in those states went for Huckabee. McCain's vote was broad, making him undoubtedly the strongest GOP candidate in November. He also carried cities in the GOP primary that Republicans never carry in November, including San Francisco, Chicago, and New York.

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# Romney's JFK Moment Falls Short

GOP presidential candidate Mitt Romney decided to face the "Mormon issue" head-on with a major address on "Faith in America" delivered at the George H.W. Bush Presidential Library in College Station, Texas, on December 6, 2007. Billed as an attempt to emulate a 1960 address by Democratic presidential nominee John F. Kennedy at the Greater Houston Ministerial Association, Romney was expected to say how his Mormon faith would or would not impact his public policies and to tell how he viewed the broad issues of religion in politics in light of America's constitutional experience.

Most observers concluded that he failed to address some of the broader implications of the First Amendment's Religion Clauses or Article VI's explicit ban on religious tests for public office, particularly in light of America's religious pluralism today. In short, Romney failed the Kennedy test in several ways, though many praised his apparent sincerity and his willingness to confront issues ignored by some of his opponents, many of whom seem all too willing to exacerbate existing religious divisions in the electorate.

Romney pledged that his faith would not dictate public policy, nor would he allow church interference in his presidency: "Let me assure you that no authorities of my church, or of any other church for that matter, will ever exert influence on presidential decisions. Their authority is theirs, within the province of church affairs, and it ends where the affairs of the nation begin." In that statement, he echoed Kennedy, as Romney did when he said, "I do not define my candidacy by my religion. A person should not be elected because of his faith nor should he be rejected because of his faith."

Romney praised separation: "We separate church and state affairs in this country, and for good reason. No religion should dictate to the state nor should the state interfere with the free practice of religion."

Unfortunately, he echoed the stale shibboleth of the Religious Right with his next remark: "But in recent years, the notion of the separation of church and state has been taken by some well beyond its original meaning. They seek to remove from the public domain any acknowledgment of God. Religion is seen as merely a private affair with no place in public life. It is as if they are intent on establishing a new religion in America—the religion of secularism. They are wrong." He continued this attack on the secular state, a fundamental principle of American government, saying, "Freedom requires religion just as religion requires freedom." The equation of freedom with religion is not defensible.

Many intensely religious nations today are largely unfree, while many "secular" nations are thriving democracies with admirable levels of human rights, civil liberties, prosperity and health. The *Washington Post* editors were justifiably critical at this point: "Where Mr. Romney most fell short, though, was in his failure to recognize that America is composed of citizens not only of different faiths but of no faith at all and that the genius of America is to treat them all with equal dignity. Societies can be both secular and free. The magnificent cathedrals of Europe may be empty, as Mr. Romney said, but the democracies of Europe are thriving."

Romney wisely refused to discuss the particulars of his Mormon faith, suggesting that Article VI forbids it. "No candidate should become the spokesman for his faith."

Jon Meacham, *Newsweek* editor and a historian of religion in America, wrote: "Romney would have been on safer ground had he said that America has always been largely religious and largely free, and that America's religious traditions should fight for the freedom of all, if only out of self-interest. . . . Romney's failure to make a noble public stand for the rights of atheists and skeptics is tactically understandable if intellectually disappointing."

Romney also singled out Islam in his address: "Radical violent Islam seeks to destroy us," rhetoric pleasing to the Republican Right but sounding strident to more

moderate listeners who worry when American politicians appear to stir up more strife and fear.

Finally, Romney's speech clearly had short-term political implications. He aimed some of his remarks at Christian Right fundamentalists, whose stranglehold on the Republican Party seems nearly unchallengeable. As *The New York Times* editorialized in "The Crisis of Faith" (December 7, 2007): "There was no escaping the reality of the moment. Mr. Romney was not there to defend freedom of religion, or to champion the indisputable notion that belief in God and religious observance are longstanding parts of American life. He was trying to persuade Christian fundamentalists in the Republican Party, who do want to impose their faith on the Oval Office, that he is sufficiently Christian for them to support his bid for the Republican nomination. No matter how dignified he looked, and how many times he quoted the founding fathers, he could not disguise that sad fact."

*Al Menendez*



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## The Primaries, *continued from page 1*

Former Arkansas governor **Mike Huckabee's** appeal to rural voters is noteworthy, even in areas where evangelicals are not especially prominent. His vote reached 15% to 25% in rural Northern California and upstate New York. He carried two tiny hamlets in northern New Hampshire. He carried the Virginia mountains and the Shenandoah Valley and came close to McCain in rural western Maryland.

But his main appeal was to evangelicals wherever they lived. He carried cities with large evangelical populations, including Birmingham, Memphis, Chattanooga, Greenville, Spartanburg, Tulsa and Springfield (Missouri), the latter being the "Capital of the Ozarks" and headquarters of the Assemblies of God and the Central Baptist Bible College attended by Jerry Falwell.

In the early primaries, he never won a majority of evangelicals. But after Romney's withdrawal, the anti-McCain vote coalesced around Huckabee, who beat McCain among evangelicals in Virginia and Maryland on February 12 and in Wisconsin on February 19.

Huckabee's appeal resonated favorably in long-time fundamentalist strongholds. He swept Rhea County, Tennessee, site of the Scopes Trial and the location of William Jennings Bryan's death in 1925, and he ran second in Bryan's home county in Illinois (Marion County).

Somewhat disturbingly, Huckabee ran especially well in the anti-Catholic areas of 1960, counties where Democrat John F. Kennedy ran much weaker than 1956 candidate Adlai Stevenson. Dunklin County, Missouri, a fundamentalist Baptist area in the state's Southern-oriented "Bootheel" region, had backed every Democratic candidate since Andrew Jackson in the 1830s but bolted to Richard Nixon in 1960 because Kennedy was a Catholic. Dunklin was Huckabee's second strongest county. Similar results in anti-Kennedy counties in Arkansas, Tennessee, Oklahoma, Alabama, Florida and Georgia were noticeable in this year's vote.

Huckabee also racked up big margins in George Wallace 1968 strongholds, where racism, and a desire to preserve racial segregation gave the Alabama governor's third-party effort strong support. In Holmes County, Florida, for example, Wallace received 87% of the 1968 vote against Nixon and Humphrey. Forty years later voters went for Huckabee. This county has gone mostly Republican for president since 1972.

Apparently, Huckabee's position on religious issues and on immigration has awakened the old nativist, diehard vote in Dixie.

Not only has Huckabee run strongest among evangelicals, he seems to have done especially well among his fellow Southern Baptists. While exit polls do not subdivide voters into denominational categories, county returns can be correlated with religious data gathered every decade by Glenmary Research Center in Nashville.

Huckabee's appeal to Baptists is unmistakable. In every state from Illinois to Florida, the counties Huckabee carried are disproportionately Baptist. His strongest county in Alabama, Franklin, is 67% Baptist. His top Florida counties were Holmes (68% Baptist) and Gilchrist (77% Baptist). Even outside the Deep South, Huckabee's strength was confined to rural Baptist strongholds, in Illinois and Missouri, for example.

Huckabee seems to have encouraged this trend. He spoke to Baptist congregations in Georgia and Tennessee on the Sunday preceding Super Tuesday, and received a hero's welcome at the late Rev. Jerry Falwell's Thomas Road Baptist Church in Lynchburg, Virginia, on the Sunday prior to Virginia's vote. He kept up the religious imagery in his speeches, referring to David and Goliath repeatedly, mentioning "the widow's mite" and telling crowds that he "majored in miracles, not math." Unsurprisingly, he rolled up a large margin in Lynchburg and surrounding counties.

Huckabee has been unable to break out of the evangelical and Southern categories, but his Super Tuesday victories in Alabama, Arkansas, Georgia, Tennessee and West Virginia, and strong second-place finishes

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in Oklahoma and Missouri indicate some staying power. In the Super Tuesday Southern primaries, Huckabee received 40% of the evangelical vote, which was 60% of the total. But his non-evangelical (and particularly Catholic) vote is miniscule. This points up two problems with his candidacy: He only wins among evangelicals, and, even among them, he did not win a majority until Romney and Thompson withdrew, and he even lost to McCain and Romney in some states. He has become, particularly in the later primaries, the social conservative and Religious Right candidate of the men and women in the streets (or pews), but not the leaders of that movement. His vote may represent the desire of religious conservatives at the grass roots to continue to play a leading role in party deliberations and in shaping the platform. Huckabee is increasingly being mentioned as a possible vice presidential candidate.

Before he dropped out, former Massachusetts governor **Mitt Romney** carried several states, winning primaries in Utah, Michigan and Massachusetts (his "home states") and caucuses in Nevada, Wyoming, Colorado, North Dakota and elsewhere. He ran a strong second in Florida and did well in Georgia, Tennessee, Oklahoma, California and Missouri.

His appeal to his fellow Mormons was remarkable. He took 95% of the Mormon vote in Nevada and 90% of the *entire* primary vote in Utah, including 94% in the county that includes Brigham Young University. Even in John McCain's Arizona, Romney carried substantially Mormon Graham County by a 66% to 25% margin.

But Romney also built up support among conservatives, old-line Republicans, and affluent voters. He won the Detroit suburbs where he grew up and carried Atlanta, Kansas City and Jacksonville. He won the affluent retirees in Naples, Florida and the Sea Islands of Georgia and carried Boone County, Missouri, home of the University of Missouri. He did reasonably well among moderate Protestants and Catholics, and also among evangelicals in a few states. But he was unable to carve out a winning strategy to challenge the McCain and Huckabee constituencies.

**Ron Paul's** vote reflects the quirkiness and individuality of the candidate himself, whose libertarian, isolationist and anti-government postures are distinctive. (Paul returned to Washington to cast a vote against the economic stimulus package, which passed the House 380-34). Paul's celebrity supporters reflect his unusual campaign: former Georgia Congressman Bob Barr, the tormentor of President Clinton; Shock Jock Howard Stern; folk singer and onetime McGovernite Arlo Guthrie; and singer Barry Manilow.

Paul's support has come largely from "outsider" religions. He carried Jefferson County, Iowa, home to Maharishi University and the U.S. headquarters of the Transcendental Meditation movement, and Nye County, Nevada, where 80% of voters have no religious affiliation. Exit polls in every state show that Paul's voters are mostly affiliated with no religion. He did well in North Dakota, where the extreme right has always had a following, from William Lemke's 1936 presidential campaign to the anti-government crusade in the 1980s and 1990s to Pat Buchanan's presidential quest. He received some support in Washington State's far-right quarters.

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## Huckabee Campaign Targets Religious Conservatives

While Mitt Romney sought to downplay his Mormon faith to some extent in the campaign for the GOP nomination, former Southern Baptist preacher Mike Huckabee has emphasized religion in subtle and not so subtle ways. Examples:

- He reminded Iowa voters that “what really matters is the celebration of the birth of Christ” and wished another audience “Merry Christmas” even though he said it might offend some. His Christmas antics merited a nine on the 10-point “God-o-meter” ratings cleverly concocted by beliefnet.com. The God-o-meter rates candidates on their “use or abuse” of religion in the campaign.

- In an interview he said, “Don’t Mormons believe that Jesus and Satan are brothers?”, then apologized to Romney for the remark. Some commentators suggested that perhaps comparative religion is not a subject taught at the Baptist college and seminary Huckabee attended.

- Huckabee’s comments on Pakistani immigrants and the assassination of Benazir Bhutto raised questions about his lack of foreign policy experience or familiarity with the Muslim world. Huckabee’s seminary, Southwestern Baptist Theological Seminary, has a master’s degree program to train missionaries to Muslim countries, and many of Huckabee’s closest supporters are intensely anti-Muslim.

- Huckabee’s campaign is enlisting support from fundamentalist home-schoolers, many of whose students campaigned for the ex-Arkansas governor in Iowa as “class projects.” Huckabee had named a home schooling advocate to the state board of education as governor. In Ohio he received enthusiastic turnouts at evangelical Christian private schools.

- His chief Hollywood supporter is TV tough-guy Chuck Norris, who is also a zealous advocate of Bible classes and organized prayers in public schools. Norris, an opponent of gun control as is Huckabee, filmed TV ads for the campaign.

- In an October 21 debate, Huckabee said, “Most of the Founding Fathers were clergymen,” a howler since only one of the 56 signers of the Declaration of Independence (John Witherspoon, a Presbyterian minister from Princeton) fits the category.

- Huckabee spoke to large, friendly audiences at evangelical mega-churches in Texas, known for their advocacy of Religious Right politics, Christian Zionism, and, in the case of one church in San Antonio, anti-Catholicism.

- Huckabee’s TV ads in Iowa and South Carolina labeled him a “Christian leader” rather than a former governor. “Faith doesn’t just influence me. It really defines me,” he says in the opening lines of the now-famous TV commercial. Consequently, evangelical pastors played a major role in his campaign, recruiting church members and other clergy.

## Party Differences Remain Wide, Poll Shows

A November poll of 1,863 adults conducted by *Time* found that Republican voters value “strong moral character as the most important quality” in a president more than Democrats by 39% to 12%. Democrats were more attracted by a candidate’s “good judgment” and “caring about people.” Republicans were twice as likely as Democrats (42% to 22%) to emphasize character over agreement on issues. The “character” issue increased GOP rank and file support for Mike Huckabee and decreased support for Rudy Giuliani. Among all voters, Huckabee, Barack Obama and John McCain scored highest on “strong moral character” while Giuliani scored the lowest. John Edwards, Mitt Romney and Fred Thompson scored relatively highly, while Hillary Clinton scored in the middle.

Republicans were also twice as likely (36% to 18%) to say they “worried a great deal” about same-sex marriage. On abortion Republicans were somewhat more worried, 38% to 29%, though party differences were lower on this issue than on most others. Abortion proved to be less decisive than in previous surveys, as only 14% of Republicans and 12% of Democrats said they would “vote only for a candidate who shares your views on the issue.”

On the question of “what matters most” to voters, only 26% of Republicans and Democrats cited “social and moral issues.” A plurality of Democrats cited “economic issues” while a plurality of Republicans named “national security” as their primary concern. Democrats were more concerned about health care, the Iraq war, the environment, U.S. dependency on foreign oil and the “image and influence” of the U.S. in the world, while Republicans were more concerned by illegal immigration and “future terrorist attacks.” Finally, 28% of Republicans and 16% of Democrats called themselves “religious fundamentalists.”



### The Primaries, *continued from page 3*

**Fred Thompson** drew a modest evangelical and conservative vote in South Carolina but not enough to make an impact. **Rudy Giuliani** ran second among Catholics (especially those of Cuban ancestry) in Florida and in retirement areas generally, but failed to generate much support overall.

Church-state and social issues have not been given as much attention during the primary season, as the economy, the Iraq war, health care and immigration have overshadowed them. But the parties are likely to address these issues in their platforms and in the general election campaign as both seek to rally their base. — *Al Menendez*

*Editor’s Note: The articles in this issue summarize one of the most dramatic election cycles in U.S. history. More people have voted in early 2008 than in any previous primary season, according to preliminary returns. The shape and contour of the vote reflect the state of the parties today and point to a hard-fought general election. The data are based on official exit polls and county returns reported to CNN. Exit polls have been criticized for asking only Republican voters if they are “evangelical or born again,” which perpetuates the myth that all evangelicals are Republicans. Since much has been written about a possible evangelical swing to the Democrats, that omission deprives analysts of seeing how evangelical Democrats may have voted thus far. Other religion questions, such as formal affiliation and church attendance, help point the way toward interpreting the results. Religion is only one of many factors in voting, however, but it does play a role in building party coalitions and in shaping party platforms. ■*

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## Catholics, Lutherans Issue Voting Guidelines

Not to be outdone by Religious Right electioneering, the nation's Catholic bishops issued recommendations for voting, "Forming Consciences for Faithful Citizenship" on November 14. The National Conference of Catholic Bishops has issued similar guides since the 1976 presidential election.

There was little that was different in the statement aimed at the 2008 elections, except that Catholic lawmakers and voters were warned that their eternal salvation could be affected by their votes on clear-cut moral issues, an assertion rarely made in the past. "Political choices faced by citizens have an impact on general peace and prosperity and also may affect the individual's salvation," the bishops said. "Similarly, the kinds of laws and policies supported by public officials affect their spiritual well-being."

While emphasizing a broad range of social justice issues and adopting liberal views on capital punishment and immigration, the bishops reiterated their opposition to abortion, criticizing those whose votes "amount to formal cooperation in grave evil."

The bishops pleased progressives with a call for more government aid to the poor and disadvantaged, increased health care for the uninsured, support for refugees and environmental protection, but reiterated conservative positions on embryonic stem cell research, euthanasia and same-sex marriage. They also denounced torture, capital punishment and "preventive use of military force."

Polls show few Catholics pay any attention to the bishops on political matters. Independent Catholic groups have also increased their efforts to influence the critical Catholic vote, seen as a key swing vote in national elections. Fr. Thomas Reese, a Jesuit scholar at the Woodstock Theological Center at Georgetown University, told *National Catholic Reporter* news director, Tom Roberts, "The Catholic vote is the preeminent swing vote. If you look at most recent elections, they've always voted for the winners."

The Evangelical Lutheran Church in America, the nation's third largest Protestant group, issued a 76-page document in December that emphasizes seven social justice issues, including hunger, health care, housing, global poverty, global warming, immigration and peace. The guide, "Called to Be a Public Church," takes a positive approach to government as a vehicle for justice. "This church understands government as a means through which God can work to preserve creation and build a more peaceful and just social order in a sinful world." The church's presiding bishop, Mark Hanson, emphasized that the church's document is "nonpartisan" and "does not encourage the promotion of any one party or candidate for public office."

Churches should participate in politics by encouraging awareness, voter registration and voting, but should avoid direct contributions or endorsements, the Lutherans said. ■

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## Voters Dislike Politics in Church

A November poll conducted by Rasmussen Reports for Fox News and *The Washington Times* found American voters staunchly opposed to religious leaders' endorsement of candidates (by 70% to 16%) and opposed to presidential candidates campaigning at religious services (by 62% to 24%). Voters did not want their pastors to even "suggest" a partisan political preference. Voters in all religious traditions were

opposed to these actions, though African American Protestants and white evangelicals were less opposed than others.

Survey conductor Scott Rasmussen said, "There are lines that people feel you shouldn't cross. Different people might draw them at different places, but they clearly exist." He added that voters "don't want to see a sermon or something presented as a sermon by a presidential candidate." ■

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## Muslim Voters Hold Distinctive Views

According to several Pew Research Center polls, America's Muslim voters resemble white evangelical Protestants and black Protestants in their level of religious intensity, but are closer to black Protestants and secular voters on many political issues.

Muslims rank third (behind black Protestants and white evangelicals) in saying that "religion is very important" in their lives, a figure well above that of Catholics and mainline Protestants. But on most political issues, they take a moderate to liberal position, favor the Democrats, and voted overwhelmingly for John Kerry in 2004. Wrote Robert Ruby and Greg Smith of the Pew Forum on Religion & Public Life: "Though white evangelicals share similarities with Muslims with respect to religious intensity, the two groups are very different when it comes to their respective political orientation.

Muslim Americans, simply put, are far more politically liberal than evangelicals, and more similar in their basic political outlook to black Protestants, secular Americans and, in some instances, white mainline Protestants."

But on certain social and cultural issues, such as homosexuality, "they are more similar to white evangelicals," Ruby and Smith continued, "On the question of whether government should be involved in protecting morality, Muslim Americans are even more supportive of government action than evangelicals (or any other group). Roughly six-in-ten Muslims (59%) believe that government should do more to protect morality, compared with only 29% who say they worry that the government is getting too involved in the issue of morality. Among all other major religious groups, fewer than half share the view that government should do more to protect morality."

Despite their conservatism on some issues, Muslim voters, 1% of the population but concentrated in large states like Michigan, were almost unanimous in their opposition to Bush in 2004. "These partisan and ideological preferences were reflected in the 2004 presidential election. Aggregation of the 50 state exit polls conducted by the National Election Pool shows that more than eight-in-10 Muslim voters (85%) supported John Kerry in 2004. This makes Muslims similar to black Protestants (86%) in their support for Kerry, and somewhat more heavily Democratic in their vote than Jews (74%) and secular voters (67%)."

Muslims, understandably, are supportive of immigration, since 65% are themselves immigrants. Nearly three fourths of Muslim voters say immigrants strengthen the nation. Two thirds of Hispanic Catholics agree. Other groups, especially white Protestants, are much less likely to believe that immigrants "strengthen" rather than "burden" society. ■



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## Moral Values Mean Different Things to Voters

A Harris Poll of 2,335 adults surveyed in December found that most voters take “moral values” into consideration when voting but decide those values differently. The poll found that 85% of voters said moral values are important when deciding how to vote (46% said very important), but most defined values as meaning “honesty” and “integrity,” not specifically Christian or religious interpretations of morality.

As expected, Republicans (63%) were more likely to cite moral values as “very important,” compared to 38% of Independents and 37% of Democrats. Conservatives (64%) were more likely than moderates (41%) or liberals (33%) to agree. About 29% of liberals and only 7% of conser-



vatives said moral values were not important in deciding election choices.

The same poll, reported by *Reuters* (January 9, 2008), found that abortion and gay rights ranked 11<sup>th</sup> and 12<sup>th</sup> on the list of a dozen issues that are “most important in deciding which presidential candidate to vote for.” Health care was ranked first by 42% of voters, followed by social security, the economy, taxes and the war in Iraq. ■

## Clergy Lean to Democrats

In a change from four years ago, clergy and staffers from religious organizations have given more contributions to Democrats than to Republicans. The Center for Responsive Politics, using Federal Election Commission data, said that 56% of the \$655,250 given to candidates and political committees from groups of clergy went to Democrats, compared to 44% for Republicans. Four years ago at this same timeframe, 59% of the \$461,600 then contributed went to Republicans. ■

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## Faith-Based Law Schools: Training Ground for Religious Right?

The Federalist Society, a conservative group founded in 1982, now has 40,000 members, including lawyers, law students and law school professors. Its members include several sitting Supreme Court Justices and other prominent attorneys in and out of government. While secular in its orientation, it certainly includes many religious conservatives.

But those religious conservatives whose primary goal and mission are to advance “religion” in public life have numerous law schools, paralegal and legal advocacy groups in which to prepare their assaults on “secular” society and law.

The first of the modern faith-based law schools is Regent University School of Law, part of the Pat Robertson empire that opened its doors in 1986. Its graduates have filled posts in the Bush administration. Classes frequently intermingle theology and law. Evangelical rival Jerry Falwell opened Liberty University Law School in 2004. Its dean, Mathew Staver, is also director of the Liberty Counsel, a Religious Right legal advocacy group. “At Liberty the curriculum requires students to take a two-semester course on the foundations of law in Christianity,” writes reporter Mary Flood in the *Houston Chronicle* (November 9, 2007).

Several smaller evangelical colleges have opened, or are in the process of establishing, law schools that reflect a religious orientation. The Louisiana Baptist Convention plans to open the Judge Paul Pressler School of Law at Louisiana College in 2009, where “the absolute truth of the Bible” will be stressed and where claims that Biblical law undergirds American constitutional law will be advocated. (Pressler was one of the leaders of the fundamentalist takeover of the Southern Baptist Convention.)

One Roman Catholic law school, Ave Maria School of Law in Ann Arbor, Michigan, says that its “legal education is enhanced by the teachings of the Catholic Church,” primarily through studies of papal encyclicals and canon law.

A new evangelical legal initiative is the John Jay Institute, based in Colorado Springs, Colorado. Its first class of 24 students is now in

session. Conservative donors, who remain nameless according to an investigation by the *Colorado Springs Gazette*, have given \$800,000 for the inaugural academic year. Each student receives \$44,000 to complete its rigorous program. Reporter Carol McGraw describes the program: “The yearlong program combines their calling to public life with their conservative Christian worldview. After a semester of academics, they will intern at conservative think tanks in the District and elsewhere, where they can further hone their skills in Christian persuasion.” The Institute’s president, Alan R. Crippen II, told McGraw, “We take bright, promising students and give them the intellectual and spiritual foundation for service in the community.” Board members for John Jay, named for the first U.S. Chief Justice (an arch-conservative evangelical who opposed equal civil rights for Roman Catholics), include Kenneth Starr, the former independent counsel whose report led to the impeachment of President Clinton and who is now dean of Pepperdine University Law School, and former Colorado Senator William Armstrong, a Religious Right luminary who now heads Colorado Christian University.

These new law schools differ from established law schools at such church-related universities as Georgetown, Notre Dame, Baylor, Southern Methodist and Yeshiva. Notes journalist Mary Flood, “The average law school, even at most universities with religious affiliations, works hard to steer clear of presenting one religious viewpoint and to remain secular. ... Despite the new trend merging religion and law, other law schools at universities with religious affiliations have strictly secular curriculum and don’t stop for prayer. In Texas they include the law schools at Baylor University, St. Mary’s and Southern Methodist University.” Flood reported that law schools at Jewish universities such as Cardozo School of Law at Yeshiva and the Fuchsberg Law Center at Touro College “do not attempt to entangle religion and the curriculum.”

Reporter Carol McGraw, writing in the *Colorado Springs Gazette*, indicated that many observers “fear such programs will train professionals to wage war against the separation of church and state, and infuse government and the Constitution with religion.”

These fears may be valid. Religious Right legal groups now file about 20% of all amicus briefs in U.S. Supreme Court religious freedom cases, according to Professor Kevin den Dulk, who tracks this trend at Grand Valley State University in Allendale, Michigan. ■

### Visit ARL’s Web Site

You can now visit Americans for Religious Liberty’s internet website: [arlinc.org](http://arlinc.org). The site contains information about the organization, books available on church-state issues, reprints of important articles, and back issues of our journal.

# Firing of Texas Educator Laid to Creationism Issue

The forced resignation of Christine Castillo Comer, a veteran science teacher and director of science for the Texas Education Agency (TEA) for the past nine years, has attracted negative attention far beyond the state of Texas. The crime Comer committed, after 27 years as a science teacher and nearly a decade in the state education office, was that she e-mailed a notice of a scheduled November 2 Austin lecture by Barbara Forrest, a professor of philosophy at Southeastern Louisiana University who served as an expert witness in the landmark 2005 case involving “intelligent design” in Dover, Pennsylvania, schools. Forrest is co-author of *Inside Creationism’s Trojan Horse*. Comer was accused of violating “neutrality” in the controversy between evolution and creationism and forced to resign on November 7.

The incident became public a month later when Comer appeared as a guest on NPR’s “Science Friday.” Comer said she did not think she had to remain “neutral” on the subject. “I’m for good science. Evolution is not just a good idea. It’s the law,” she said, noting that the state’s science curriculum, Texas Essential Knowledge and Skills (TEKS), requires the inclusion of evolution in biology classes.

While it is not certain who caused the dismissal, insiders point the finger at Lizzette Reynolds, TEA senior adviser on statewide initiatives and a former adviser to George W. Bush when he was Texas governor and later an employee at the U.S. Department of Education under Bush. TEA Commissioner Robert Scott denied that Comer was forced to resign but critics far and near see the dismissal as part of the nation-

wide war on the teaching of evolution.

Newspapers throughout the state were critical of the action, and more than 100 biology faculty members from public and private universities across Texas sent a letter on December 10 to Scott saying that TEA employees should not have to remain neutral on evolution. The decision, they said, was “an enormous black eye in terms of our competitiveness and ability to attract researchers and technologies.”

Alan Leshner, chief executive officer of the American Association for the Advancement of Science, wrote to the *Fort Worth Star Telegram* (December 11, 2007): “As Texas prepares to reconsider what youngsters statewide should know about science, the forced ouster of science curriculum director Chris Comer of the Texas Education Agency, apparently for standing up for the integrity of science education, stands as both shocking and sad.”

Leshner added, “American competitiveness depends upon providing the best possible science education for all students. ... If today’s students are to thrive, education leaders cannot pick and choose which scientific facts they want to accept. We urge the state’s education leaders to help prevent children from becoming stragglers in this age of science and technology.”

Comer told the *Dallas Morning News* on December 13, “The way things are being done these days, I don’t think rational minds have a chance.” ■

## Reactions to the Firing of Texas Educator Chris Comer

### “Bad Science”

“It will be more than sad if the Texas Education Agency is leaning toward taking an anti-evolutionary stance and allowing religious doctrine to be taught side by side with valid science in the state’s classrooms. If intelligent design is a Trojan horse for creationism, the Comer episode indicates Texans need to be wary of TEA bureaucrats bearing undesirable gifts.”

*Houston Chronicle*, December 4, 2007

### “Wrong Message”

“This action could not have sent a worse message to our state’s educators, when we should be doing everything possible to encourage people to choose teaching as a career, not frightening or bullying them into leaving.”

*Dallas Morning News*, December 7, 2007

### “Bad Sign from Texas Education Agency”

“Because the State Board of Education will review the state science curriculum next year and set standards for classroom instruction and textbook selection, Comer’s abrupt removal could signal an opening for the insertion of creationism or intelligent design into science classrooms in Texas. Texas parents, teachers and lawmakers should be on guard that the state avoids the mistakes that led to the 2005 Dover, Pa., lawsuit.”

*Waco Tribune*, December 6, 2007

### “A Move Worthy of ‘Monkey Trial’”

“If proponents of this scientific quackery can terrorize a state education agency and force the resignation of a veteran science teacher, they will establish a precedent that will cripple serious science education not only in Texas but around the country. That’s the last thing this country needs.

“The Program for International Student Achievement, an organization that ranks students around the world, reported Tuesday that in science American students ranked lower than their peers in 16 other countries in 2006. That’s out of 30 countries ranked. We’re in the bottom half.

“This is not the time to be promoting religious romanticism over the scientific method. Revelation has its place. That place is not in the science classroom.”

Bill Wineke, *Wisconsin State Journal*, December 5, 2007

### “Evolution and Texas”

Texas’s own education standards require the teaching of evolution. Those standards are scheduled to be reviewed next year. Ms. Comer’s dismissal and comments in favor of intelligent design by the chairman of the state board of education do not augur well for that review. We can only hope that adherents of a sound science education can save Texas from a retreat into the darker ages.”

*The New York Times*, December 4, 2007

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## The Silly Season

The Silly Season, which returns without fail every December, saw disputes over a tree at the Wisconsin State House and nativity scenes at the Arkansas State Capitol and Ohio state parks. These controversies are part of the ongoing December wars, though the disputes seemed to lack the intensity and bitterness of the 1980s, when some of them ended up in the U.S. Supreme Court.

The disputes generally lacked substance. As Nancy Gibbs wrote in *Time* (December 3, 2007), "In the war on Christmas, we can't even agree on which symbols are worth fighting over."

Here are some of the main flash points:

- The City of Menominee, Michigan, put a Nativity scene in its band shell, provoking protests from an atheist group. The Parks and Recreation Committee said that members of other faiths could add their symbols to the display.

- In November voters in the Detroit suburb of Berkley rejected a proposal to require a Nativity scene at City Hall for a month around Christmas.

- The American Family Association's "Project Merry Christmas" blasted Lowe's, Gap, Old Navy and Banana Republic for "censoring Christmas" by using the term "holiday" instead. Customers seem unfazed.

- The Freedom From Religion Foundation (FFRF), based in Madison, Wisconsin, filed suit in federal court on December 26 challenging a crèche at the Green Bay City Hall. The 14 plaintiffs included Lutherans, Buddhists, Episcopalians, Wiccans and Unitarian Universalists in addition to FFRF members. The case, *FFRF v. City of Green Bay*, is currently before the U.S. District Court for the Eastern District of Wisconsin.

- FFRF said a Nativity scene on the Arkansas state Capitol grounds violated the Constitution but the governor's office said "it's a simple, non-intrusive holiday display appropriate for the season." A crèche has appeared at the Arkansas Capitol since 1948 but the state no longer owns it, having sold it to a Little Rock nonprofit organization.

- FFRF also accused Ohio Gov. Ted Strickland of "striking a blow at religious liberty by forcing taxpayers of all faiths and of no religion to support a particular expression of worship" when Strickland intervened to allow Nativity displays at Ohio state parks. The Ohio Department of Natural Resources had removed crèches from Shawnee State Park in Scioto County and Malabar Farm in Richland County but the governor ordered them restored. Strickland, incidentally, is a strong foe of vouchers and generally supports church-state separation.

- In Wisconsin a legislator, Marlin Schneider, tried to rename the state "Holiday Tree" the "Wisconsin State Christmas Tree." The Wisconsin State Capitol has included a tree in its decorations since 1916 but it was renamed a Holiday Tree in 1985. A Menorah, a Baptist Church religious sign, and a sign erected by FFRF also appear on the statehouse grounds.

- The State of Washington erected its first-ever crèche at the State Reception Room at the state capitol in Olympia. It was installed after a campaign by the evangelical Alliance Defense Fund. Menorahs and holiday trees are also allowed.

- A dispute over competing symbols was resolved in Briarcliff Manor, New York, when village officials erected ornaments for a Christmas tree and a dreidel. Last December, Henry Ritell, a resident of the Westchester County town, sought to erect a crèche beside an existing menorah. After the village's refusal, he sued in federal court, which ordered the village to allow a crèche. Village officials removed the menorah and stripped the tree of its lights and star. To improve community relations, village leaders opted for "secular" ornaments, spending \$3,065 on a dreidel and \$853 on oversized ornaments.

- Missouri State University officials restored a Christmas tree in Strong Hall after having initially removed it in November. Symbols from religions other than Christianity were added.

- Two Oklahoma City employees filed a federal suit on December 19 to protest a memo encouraging employees not to display religious holiday items. Employees Christopher Spencer and Kenneth Buck were represented by the Alliance Defense Fund, a Religious Right advocacy group. They claimed that their First Amendment rights to religious expression were violated. City Manager Jim Couch told *The Oklahoman* that his memo only applied to "holiday decorations in public spaces and city office buildings."

- Finally, the U.S. House of Representatives got into the act by passing a resolution "recognizing the importance of Christmas and the Christian Faith." The meaningless gesture passed on December 11, 2007 by a vote of 372-9, with 10 members voting "present" and 40 absent. Resolutions like this are routine in Congress and have no force of law. In October the House "recognized" Ramadan on a 376-0 tally. Religious Right groups were delighted by the Christmas action but denounced the 19 members who voted no or present. One was a conservative evangelical, Mike Pence of Indiana.

The above disputes led a progressive Catholic group, "Catholics in Alliance for the Common Good," to appeal for a cessation of the conflict. In full-page ads, the group said: "It's time for a ceasefire in the Christmas culture wars. As Americans of faith, we also see a dangerous assault on the true meaning of this sacred day. But our outrage has little to do with a few examples of people saying 'Happy Holidays' instead of 'Merry Christmas.' We believe the real assault on Christmas is how a season of peace, forgiveness and goodwill has been sidelined by a focus on excessive consumerism.... To focus on how department stores greet customers at a time when American soldiers are dying in Iraq and 37 million of our neighbors live in poverty is a distraction from the profound moral challenges we face in confronting the real threats to human dignity in our world."

(Special to our readers: An invaluable source of information on the Christmas holiday controversies is Al Menendez's 170-page hardcover book, *The December Wars*, available at the special rate of \$10.00 from ARL.) ■

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## Courts Face Avalanche of Church Property Disputes

American civil courts are likely to be awash in property disputes as entire dioceses of the Episcopal Church have broken with the national church over questions of sexual ethics and biblical authority. The diocese of San Joaquin, California, voted to secede before Christmas, and the diocese of Pittsburgh, Pennsylvania, is on the verge of following suit. In addition, 25 breakaway parishes across the country are in litigation over property. In cases where courts have already ruled, the diocese has been granted the property, not the dissenting congregations. Courts have generally followed an 1892 U.S. Supreme Court ruling in *Church of the Holy Trinity vs. United States* that encouraged courts to defer to the type of church government, or "polity," that each religious group accepts. Episcopally-governed churches, such as Roman Catholic, Episcopalian and Eastern Orthodox (the church involved in the *Holy Trinity* case) generally consider church properties to be held in trust by the bishop and diocese.

Churches with a "congregational" style of governance generally hold



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their property in the local congregation. But churches with “synods” or modified hierarchal structures pose a complex problem. In the Presbyterian Church U.S.A., 13 churches have departed and joined the more conservative Evangelical Presbyterian Church. Courts allowed the local congregations to transfer their property, including land and buildings, to their new denomination. In the past two years, 15 congregations of the United Church of Christ broke with the national church and kept their properties, primarily because they lacked a “trust” clause in their deeds. Some denominations have a clause in their incorporation documents saying that all church property is held in trust for the denomination.

The U.S. Supreme Court and some state courts have not been helpful in recent rulings. According to reporter Ann Rodgers, in the *Pittsburgh Post-Gazette* (December 2, 2007): “There are two ways that civil courts can evaluate church property disputes. Until 1979 most courts nationwide practiced ‘hierarchical deference,’ saying that they did not have to right to rule on church law. Their only role was to enforce what the governing church body said about ownership of the property. In 1979 the U.S. Supreme Court gave state courts the option of using legal documents such as deeds to determine who kept the property, as long as this did not require them to interpret religious tenets. This is called the ‘neutral principles’ approach. But those justices added that a denomination could protect its property claims by writing into its constitution that ‘the church property is held in trust for the general church and those who remain loyal to it.’”

Pennsylvania has seen numerous recent secessions by conservative parishes in liberal denominations. In 2005 the Pennsylvania Supreme Court ruled that disputes will be decided on the basis of individual congregational deeds and documents. Virginia is another state where defecting parishes are appealing to state courts to allow them to keep property.

The Episcopal dispute is likely to further complicate existing legal questions that were once thought settled. Trust clauses, for example, normally vest control of church property with the diocese, not the national church. The departing dioceses also claim to have remained within the worldwide Anglican Communion, of which the U.S. Episcopal Church is a constituent part. The seceders are seeking alliances with other Anglican groups in Latin America and Africa.

Church lawyers, church-state observers and religious demographers cite these intra-church disputes as factors in the large membership declines of these historic denominations. Since 1967 the Episcopal and Presbyterian churches have lost one-third of their national membership, and their members in Congress, often seen as a rough guide to political influence, have declined from 150 to about 90 over the last three decades. ■

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## Personhood for Embryos Proposed

Conservative activists in six states have announced campaigns to grant “personhood” status and constitutional protection to embryos from the moment of conception. The drive for referendum initiatives is under way in Colorado. Georgia, Montana, Oregon, Mississippi and Michigan are also likely targets. The movement was examined by *Chicago Tribune* reporters Judith Graham and Judy Peres, who added, “The new strategy takes an idea that has been central to the pro-life movement—that human life begins when an egg is fertilized – and makes it the centerpiece of state efforts to overturn women’s legal right to an abortion. If the embryo is declared a person under a state’s constitution, the reasoning goes, the termination of the existence must be considered murder.” ■



## Church and State in the Courts

The state of Iowa violated federal and state constitutions when it agreed to fund an evangelical prison ministry without providing alternative programs for other inmates. So ruled the U.S. Court of Appeals for the 8<sup>th</sup> Circuit on December 3. A three-judge panel upheld a district court ruling that reached the same conclusion. Prisoners have “no genuine and independent private choice” if they do not wish to participate in the religion-saturated InnerChange Freedom Initiative program run by the Virginia-based Prison Fellowship ministries founded by Religious Right leader Charles Colson.

The appeals court held that Prison Fellowship did not have to repay \$1.5 million in state funds it has received since 1999 since the ministry and the state “acted in good faith.” As a result of the original federal district court decision in 2006, Prison Fellowship now uses only private funds in nine prisons in six states (Texas, Minnesota, Iowa, Kansas, Arkansas, and Missouri) where it runs faith-based rehabilitation programs.

The three-judge panel, which included former Supreme Court Justice Sandra Day O’Connor, noted that there were substantial incentives available to prospective candidates in the religious program, including better living conditions, more access to computers, visitation rights, and programs to ease their return to society. There were no comparable alternative services. The state, therefore, provided a single religious group with exclusive access to an audience, thereby promoting that religion and violating the religious liberty of others. The unanimous decision said: “In the present case, plaintiffs demonstrated...that the InnerChange program resulted in inmate enrollment in a program dominated by Bible study, Christian classes, religious revivals, and church services.”

The court did not require the program to be disbanded, as the district court had ruled, allowing Prison Fellowship to claim a partial victory.

The case effectively ended on January 9 when the full 8<sup>th</sup> U.S. Circuit Court of Appeals said it will not reconsider the panel’s ruling. A petition had been filed on December 17 by Prison Fellowship Ministries and the state of Iowa asking for a review.

There is still a possibility that the defendants will appeal to the U.S. Supreme Court. They have until April 9 to do so.



A federal court in Utah has upheld the display of 14 crosses on Utah state highways. The crosses had been erected to memorialize state troopers who had died in the line of duty. Amazingly, U.S. District Judge David Sam wrote, “Even classic religious symbols may have various meanings and purposes depending on their context. The memorial crosses at issue communicate a secular message, a message that a patrolman died or was mortally wounded at a particular location.”

The erection of crosses by the Utah Highway Patrol Association (UHPA) began in 1998. Its president, Lee Perry, said the group never intended “to push religion off on anyone” but chose the cross because it is “a recognized symbol of death.” A Star of David would be allowed for a deceased Jewish trooper, said Perry.

The November 20 decision came in response to a 2005 suit filed by American Atheists Inc., whose spokesperson, Brian Barnard, said the case will be appealed to the 10<sup>th</sup> Circuit Court of Appeals.

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

Most of the 14 troopers honored by the crosses were LDS Church (Mormon) members, the majority religion in Utah. Judge Sam noted that Mormons do not use the cross as a religious symbol.



On November 26 the U.S. Supreme Court declined to review two lower court rulings that found unconstitutional a Bible monument on courthouse grounds in Houston. A federal district court in 2003 held that the display violated the First Amendment ban on religious establishment. Two years later the 5<sup>th</sup> U.S. Circuit Court of Appeals agreed that a 1956 monument featuring the King James Version of the Bible at the Harris County Courthouse was in violation of the U.S. Constitution. Earlier this year, the full 5<sup>th</sup> Circuit agreed and ordered the county to pay legal fees to the plaintiff. The county moved the monument four days before oral arguments were heard by the entire (*en banc*) Fifth Circuit, apparently in an attempt to render the case moot and to avoid legal fees. But the appellate court ruled anyway, and the nation's highest court concurred.

On the same day, U.S. Supreme Court declined to review an appeals court decision that barred a faith-based program from participating in a

government-financed program in Michigan. The 6<sup>th</sup> U.S. Circuit Court of Appeals ruled in *Teen Ranch v. Udow* that a faith-based program for abused, neglected and delinquent children coerced the participants into religious activities. The 6<sup>th</sup> Circuit panel said the U.S. Supreme Court allowed the state to bar certain religious programs from receiving state funds in its 2004 *Locke v. Davey* ruling. That ruling stands.



On January 3 a federal judge upheld the constitutionality of a 2003 Texas law that mandates a moment of silence before each school day. A North Texas couple, David and Shannon Croft, challenged the law in 2006, claiming that their children were told that the period of silence is to be used for prayer, but U.S. District Judge Barbara Lynn ruled that "the primary effect of the statute is to institute a moment of silence, not to advance or inhibit religion." The law allows children to "reflect, pray, meditate or engage in any other silent activities" for one minute after the pledges of allegiance to the U.S. and to Texas are completed each school day. The Crofts appealed the decision to the 5<sup>th</sup> U.S. Circuit Court of Appeals on January 24.



### *ARL in Action*

Edd Doerr has been named to NARAL Pro-Choice America's Board Alumni Program. Doerr put in over 30 years on the governing bodies of the Religious Coalition for Reproductive Choice and NARAL.

Doerr was a signatory for the "Defend Science" statement issued in January. The "urgent call by scientists" has been adopted by numerous scientific, educational and other associations and institutions. Selections from "Defend Science" follow:

"In the United States today science, as science, is under attack as never before. The signs of this are everywhere. The attacks are coming at an accelerating pace, and include frequent interventions by powerful forces, in and out of the Bush Administration, who seem all too willing to deny scientific truths, disrupt scientific investigations, block scientific progress, undermine scientific education, and sacrifice the very integrity of the scientific process itself — all in the pursuit of implementing their particular political agenda. And today this dominant political agenda is profoundly allied and intertwined with an extremist (and extremely anti-science) ideological agenda put forward by powerful fundamentalist religious forces commonly known as the Religious Right. These fundamentalists now have extensive influence and representatives in major institutions of the U.S. government, including Congress and the White House. This itself goes a long way towards explaining why science itself is under such unprecedented attack.

"It is commonplace under the current Administration for the government to deny funding, censor scientific reports, or in other ways undermine scientific research which might turn up facts which they don't want to hear; to manipulate, distort, or outright suppress scientific findings they find objectionable; to attempt to reshape government scientific panels to obtain policy recommendations on issues ranging from health to the environment, based less on actual scientific findings than on the requirements of the Administration's agenda.

"...Many who continue to hold religious beliefs can and should rally to this call to DEFEND SCIENCE. This is not about science trying to destroy religion. It is about defending science from a specific right-wing political agenda which, coupled with a fundamentalist,

Biblical-literalist religious ideology, is setting out to implement a program that will fundamentally pervert and undermine science and the scientific process itself."

The entire statement can be downloaded at [defendscience.org](http://defendscience.org) (Defend Science, 2124 Kittridge Street, #182, Berkeley, CA 94704)

### **ARL Endorses NCJW Campaign**

Americans for Religious Liberty has endorsed the National Council of Jewish Women's Plan A Campaign for Contraceptive Access. The campaign is a combination of community, state, and national education and advocacy initiatives that aim to secure and protect access to contraceptive information and health services for all, "putting individuals back in control of their personal health decisions."

Despite strong popular support for comprehensive sexuality education and widespread use of contraceptives, a minority of religious extremists has been increasingly influencing public policy, spreading misinformation and blocking access to complete and accurate information and to safe and effective contraceptive options.

The NCJW campaign's rationale dovetails nicely with ARL's mission: "Denial of the right to birth control has always been entangled in religious belief. NCJW believes that the exercise of reproductive rights is closely tied to religious freedom. Interference with family planning decisions denies a woman's right to be respected as a moral decision-maker and to make personal decisions based on her own beliefs and traditions. *For one religious view of reproductive freedom to be imposed on us all defies the very meaning of religious liberty and the First Amendment of the Constitution* (emphasis added). For NCJW, access to birth control, religious liberty, and women's rights are inextricably bound together." (Further information on the Plan A Campaign is available online at [www.ncjw.org](http://www.ncjw.org).)

An article by Al Menendez, "Flawed, but Still the Best: The Birthplace of Church-State Separation Remains Its Finest Defender," appeared in the Winter 2007-2008 issue of *Conscience*, the quarterly journal of Catholics for Choice.

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The Gideons are no longer able to distribute Bibles to fifth-grade classrooms in the South Iron School District southwest of St. Louis. On January 8 a federal court ruled that the practice is unconstitutional. The school district had allowed the Gideons to distribute the King James Version of the Bible on school property for over three decades. After a suit was filed by ACLU on behalf of four families two years ago, the district limited distribution to lunch time or before or after school, but Judge Catherine D. Perry of the U.S. District Court in St. Louis said both practices violated the Constitution's ban on religious establishment. The Gideons have lost numerous cases of this nature in state and federal courts back to the 1950s but persist in school districts that allow their distribution campaigns.



On January 7 the U.S. Supreme Court turned down an appeal to reinstate a Michigan law banning "partial birth" abortion. The justices let stand a decision by the 6<sup>th</sup> U.S. Circuit Court of Appeals that held the Michigan law unconstitutional because it was so broadly written that it could prohibit other abortion procedures. The case was *Cox v. Northland Family Planning*.



The University of Wisconsin must continue paying for student religious group activities, a federal judge ruled on January 17. The University's main campus at Madison refused to pay for religious books and spiritual retreats sponsored by the Roman Catholic Foundation, a student group, arguing that paying for activities involving prayer and worship was unlawful. The Foundation filed suit in September, claiming discrimination. U.S. District Judge John Shabaz agreed with the student group. "The defendants have engaged in viewpoint discrimination in violation of plaintiffs' First Amendment free speech rights," said Shabaz. It is uncertain whether the decision will be appealed.



Missouri must provide transportation to clinics for inmates who request an abortion, ruled the U.S. Court of Appeals for the 8<sup>th</sup> Circuit in January. The appeals court upheld a district court decision in 2006 that held the state could not deny transportation to inmates. ACLU brought the original suit in 2005. On the same day, the liberal 9<sup>th</sup> Circuit ruled that an Arizona state office wrongly denied an anti-abortion group that wanted "Choose Life" license plates for those who requested it. The denial constituted a violation of the First Amendment, according to the appeals court.

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## Updates

### Few Churches Seek Government Grants

Only 7% of U.S. congregations sought government grants for social service projects during the past four years, according to a study conducted by political scientist John C. Green. The results of the survey of 1,692 congregations were released on December 5 at the annual conference of the Roundtable on Religion and Social Welfare. Despite widespread media attention and support from the Bush administration, this signature domestic program of the Bush years is unknown to most churches surveyed. Only 28% of respondents said they were familiar with "charitable choice" or "faith-based initiatives," while 72% were unfamiliar with the programs. African American congregations were more familiar with the programs and had attended government outreach conferences more than those of other denominations. Green, who works at both the Pew Forum and the University of Akron, told Roundtable conferees, "Government grant activity is not tremendously important for congregations...even though they're engaged in social services in a wide variety of areas."

### Palmetto State Antics: One Step Forward, One Back

South Carolina, one of America's most conservative states – Republican, evangelical, Baptist – has seen its share of education-related controversies. The state board of education voted on January 9, 2008, to add a respected high school biology textbook *Biology*, by Kenneth R. Miller and Joseph Levine, to the official list of textbooks approved by the state. The Associated Press reported that "Science teachers from across the state erupted in applause after the vote." A month before, the board had withheld approval because a retired Clemson University professor had criticized its pro-evolution orientation. The text's co-author, Kenneth Miller, attended the January meeting in person to defend his treatment of evolution. The Columbia *State* reported on January 10, "He said his presentation about how to teach evolution, survival of the fittest, the origin of species and fossil records can be backed up by

widely recognized research over the past 150 years." The book, published by Prentice-Hall, was also endorsed by 130 members of the Clemson faculty.

But the same board of education elected a home-schooling advocate, Kristin L. Maguire, as chair-elect. Maguire, appointed to the board in 2000, home-schools all four of her children, and was co-founder of an organization that supports the teaching of intelligent design in public schools, tuition vouchers for private schooling, and abstinence-only sex education. The group, South Carolina Parents Involved in Education, is often at odds with the 13,000-member South Carolina Education Association.

### TFN Wants IRS Investigation

The Texas Freedom Network (TFN), a religious freedom advocacy group, asked the Internal Revenue Service on January 10 to investigate a nonprofit organization that involved pastors and churches in Republican Gov. Rick Perry's re-election campaign in 2006. The group charged that Perry contributors funneled money through a Houston-based nonprofit, the Niemoller Foundation, to support activities mobilized by the Religious Right's Texas Restoration Project. Tax records indicate that Niemoller spent \$1.26 million to fund the religious group's involvement in Perry's campaign.

"It's bad enough when politicians and their financial backers misuse faith by dragging our houses of worship into partisan campaigns," TFN president Kathy Miller said. "It's even worse if they break the law to do so. It now appears that the organizers of the Texas Restoration Project may have done both to support Gov. Perry's re-election, and – by funneling the money through a private foundation – hid the source of its financing from voters." Perry spoke at seven events sponsored by the Texas Restoration Project.

Reports April Castro of Associated Press, "Organizations similar to the Texas Restoration Project have cropped up in other states, including the South Carolina Renewal Project and Iowa Renewal Project, which have hosted Mike Huckabee."

*continued on page 12*

## Zoning Blocks Cross

Zoning rules in St. Joseph, Michigan, have prevented a man from building a 30-foot illuminated cross on property he owns facing Lake Michigan. City authorities ruled that the front part of his land is an "accessory structure" prohibited in residential areas.

## Oklahomans Target Alleged Religious Bias in Schools

Two Republican state legislators from Oklahoma City introduced measures designed to strengthen religious expressions by students. The measure, modeled on a similar Texas law that is expected to produce litigation, prohibits school districts from discriminating against student religious viewpoints and requires every district to adopt a written policy to implement the law. Critics say such legislation, supported by Religious Right legal groups, is unnecessary.

## Faith-Based Groups Reap Government Largesse

Nearly one fourth of grantees in the President's Emergency Plan for AIDS Relief are faith-based, double the number from two years ago. Government data show that 23% are faith-based, compared to 10% in 2005. President Bush singled out religious groups for praise in a November 30 address highlighting World AIDS Day.

Some of the participating religious groups are at odds over abstinence-only policies. *Roundtable* reporter Anne Farris noted, "Not all religious leaders and health experts, however, are supportive of the White House method of incorporating faith-based organizations in the fight against HIV/AIDS. Two congressionally mandated studies in the last two years by the Government Accountability Office (GAO) and the national Institute of Medicine (IOM) found that the abstinence-only programs are undermining global efforts to prevent seven million new HIV infections by 2008."

One Missouri group, World Impact, received \$2 million in earmarks for 2008, according to *Roll Call*, a Capitol Hill newspaper. The faith-based enterprise says it "empowers the unchurched urban poor for the Kingdom of Christ." Its funds were provided by Kansas Senator Sam Brownback and Missouri Senator Kit Bond, both Republicans. The *Kansas City Star* reported on January 21 that World Impact provides "an outreach and education center in St. Louis and [runs] a ranch in central Kansas that is used as a Christian training center for

inner-city young men ages 18-25." The organization even received \$562,000 to renovate its St. Louis headquarters.

## Spokane Police Remove Crosses

The Spokane Police Department announced on December 3 that it will remove crosses from its departmental chaplain badges. The department faced a lawsuit filed in 2006 by a former Lutheran pastor, Ray Ideus, who charged that Latin crosses on badges constituted an "impermissible incorporation of a particular religious symbol in a government insignia." Police Chief Anne Kirkpatrick told City Council members that chaplains could still wear religious insignia on lapel pins but not on official badges. Ideus was pleased. "It's very important that they'll have to take that cross off. It's not a Christian Police Department. The chaplains have to minister to all faiths and nonfaiths," he said.

## Hein Ruling Limits Taxpayer Suits

The U.S. Supreme Court's June 2007 decision in the *Hein* case is rapidly being invoked by courts. The decision's restrictions on taxpayer suits that challenge executive branch general expenditures rather than legislative branch authorizations may allow more borderline cases to pass judicial muster. The 7<sup>th</sup> Circuit Court of Appeals ruled that taxpayers cannot challenge prayers in the Indiana House of Representatives because lawmakers did not specifically fund the practice. Bush administration lawyers are asking the same appeals court to dismiss a suit challenging religious programs that treat ailing veterans in hospitals run by the U.S. Department of Veterans Affairs.

The Freedom From Religion Foundation, which initiated the *Hein* suit, has dropped a challenge to a taxpayer-funded Christian ministry program at a women's prison in New Mexico because of "standing" problems and has dropped plans to challenge several faith-based programs at public colleges and universities.

George Washington University law professor Ira Lupu told Associated Press reporter Ryan Foley, "This is a bigger deal than anybody realized and can really change the dynamics of when these cases get brought. This could actually turn out to be quite sweeping in the way it limits the ability of people to challenge what the government does as a violation of the Establishment Clause."

Judith Schaeffer, legal director for People For the American Way, told Foley that Americans should be concerned and disturbed by these developments. "The ruling has created a 'Get out of jail free' card for certain government officials to engage in unconstitutional conduct because it cannot be challenged by taxpayers. It is another instance where the courthouse doors will be closed to Americans who are seeking justice."

## Federal Vouchers Will Aid Faith-Based Groups

A new program to "mentor children of prisoners will increasingly be paid by federal vouchers that permit recipients to choose services from faith-based or other organizations, including intensively religious groups," writes *Roundtable* correspondent Anne Farris on January 29. The program, funded by \$5 million initially, is part of the U.S. Department of Health and Human Services (HHS) and will be administered by Mentor, a nonprofit resource organization founded in 1990.

The program is similar to the Access to Recovery (ATR) program, which increasingly funds faith-based groups. Writes Farris, "One-third of federal voucher money through ATR has been paid to faith-based organizations, according to figures provided by HHS, which adminis-

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ters the program. Some state administrators, who process the ATR vouchers, have said their offices work more closely now with faith-based organizations because of the program.”

Another HHS program, Mentoring Children of Prisoners, was criticized in 2005 by a federal judge for funding a pervasively sectarian program in Arizona. Funding for the federal mentoring program has increased from \$17 million in 2002 to \$100 million in 2006.

## Evolution Weekend Brings Scientists, Religious Leaders Together

The third annual Evolution Weekend, February 8-10, was marked by 11,000 religious leaders of many faith traditions who “recognize the compatibility of evolution theory and Christian belief,” according to Episcopal News Service. Peter Hess, faith project director at the National Center for Science Education, commented, “Preaching positively about science can strengthen the credibility of church leaders at a time when our voices are sorely needed in important debates about abortion, stem cell research, cloning, resource sustainability, and other issues. Creationism—in both its ‘Young Earth’ and its ‘Intelligent Design’ variants—continues to trouble congregations. This rises to the level of scandal when a pastor of an educated congregation preaches a world view that disregards the work of astronomers, geologists, biologists, geneticists, and practitioners of a host of other sciences, some of whom may be members of the congregation.”

## International Updates

**Canberra:** The November 24 defeat for Prime Minister John Howard’s coalition government was also a setback for its allies, Australia’s version of the Religious Right. Newly-elected Labor Prime Minister Kevin Rudd is considered independent of and generally indifferent to religious conservatives.

**Istanbul:** *The Economist* (December 22, 2007) reported, “All over Turkey, Christians are under attack. Many blame the attacks on a new ultra-nationalism, tinged with Islamic militancy, that has swept across Turkey.” Christian newspaper editors, evangelists and priests were murdered in 2007, and police have done little to apprehend the killers or to protect the beleaguered minority. The Turkish Human Rights Association warned that “the plight of Christians is critical.” *The Economist* reported that “collusion between the perpetrators and rogue elements in the police and the army” may be to blame. Turkey’s ruling party, Justice and Development (AK), has promised to extend religious freedom to non-Muslims, primarily to secure the country’s admission to the European Union. It has restored an Armenian Church in eastern Turkey, begun purging school textbooks of religious bias, and has allowed the repair of some churches. But it has refused to reopen a Greek Orthodox seminary closed by the government in 1971, has not approved repair of a church in Istanbul that was damaged in an earthquake, and has failed to approve a bill to help non-Muslims recover thousands of properties confiscated by the state. As *Economist* editors noted, “Perhaps AK believes in religious freedom for Muslims but not Christians.”

**Istanbul:** Turkey’s parliament voted 411 to 103 on February 9 to end an eight decade old ban on the wearing of Islamic attire at universities and in public offices. The result indicates the growing influence of conservative Islam in the traditionally secular republic, whose founder, Kemal Ataturk, abolished the caliphate and established a secular republic in the 1920s. The ruling Justice and Development Party supported the lifting of the head-scarf ban but opposition parties have promised legal action to block the measure. The Turkish military, a guardian of

the secular tradition, made no statement on the decision, but in the past has intervened to overthrow Islamic-oriented governments. The present government is widely popular because of its economic policies and, while relatively conservative on religious questions, indicated that only certain types of head scarves for women would be approved, not the type required in Iran.

**Madrid:** Conservative Catholics rallied in Spain’s capital on December 30 calling for measures to “protect the traditional family, which is under mortal attack,” according to organizer Kiko Arguello. A live satellite television broadcast from Pope Benedict XVI highlighted the event. The ruling Socialist Party, which has liberalized divorce laws, allowed same-sex marriage, and limited religious instruction in public schools, said Catholic church officials had “strayed from the fundamentals of democracy.” The statement from the government also said, “In a regime based on freedoms, faith cannot be legislated.” General elections are slated for March 9, with the Socialists, in power since 2004, and the more conservative, pro-church Popular Party vying for power. Commented *The Economist* (January 12, 2008): “This historical confrontation was meant to have ended with the rediscovery of democracy in the 1970s. But church conservatives now seem inspired by America’s powerful religious right and by Italy’s Roman Catholic bishops, who have never been scared of politics. In Spain, where three-quarters of people define themselves as Roman Catholic but fewer than one-fifth regularly attend church, some bishops clearly believe it is time to convert faith into political clout.”

The church’s intervention into the political realm may backfire. *The Economist* concluded: “Spain’s bishops may have discovered their political muscle, but that does not mean they know how, or when, to use it.”

**Malaysia:** *Agence France-Presse* reported in January that the government of Malaysia’s Minister for Islamic Affairs ruled that non-Muslim newspapers cannot use the word Allah to denote God. The government had threatened to withhold a printing permit for a Catholic weekly newspaper, *The Herald*, because it has used the Muslim term for the deity in its Malay language pages. The government official, Abdullah Mohamad Zin, said, “The use of the word Allah by non-Muslims may arouse sensitivity and create confusion among Muslims in the country.” *The Herald* filed suit against the government, claiming violation of freedom of religion, and the government relented and renewed the magazine’s 2008 permit to publish. The *Christian Post* reported, “In a statement to the media, Bishop Paul Tan Chee Ing, the head of the Malaysian Christian Federation, reiterated the fact that the term ‘Allah’ was used by Arab Christians before the founding of Islam and said the ban was contravening the right to the freedom of religion as outlined in the constitution. ‘The word ‘Allah’ is a pre-Islamic word used by Arab Christians before Islam came into being,’ Ing stated.”

The Internal Security Ministry added to the religious conflict by confiscating Christian children’s books in three towns in December. Authorities claimed the books contained illustrations of Moses and Abraham, which violate Islamic law. The Internal Security Ministry includes a Publications and Koran Texts Central Department, headed by the Prime Minister, himself an Islamic scholar who promotes a rigid interpretation of Islam. Malaysia’s Constitution (Article 3) declares Islam the state religion but Article 11 guarantees religious freedom to all, including the 40% of citizens who adhere to other religions.

**Moscow:** The Russian Orthodox Church openly supported President Vladimir Putin’s political coalition, which won 64% of the vote in the December 2 parliamentary elections. Andrew Higgins, writing in *The Wall Street Journal* (December 18, 2007), said the church is a “pillar of Mr. Putin’s Russia, an intimate alliance between the Orthodox Church and the Kremlin reminiscent of czarist days.” He continued, “Rigidly  
*continued on page 14*

hierarchical, intolerant of dissent and wary of competition, both share a vision of Russia's future – rooted in robust nationalism and at odds with Western-style liberal democracy.”

Higgins wrote of events cementing the alliance: “In recent months, Orthodox priests have sprinkled holy water on a new Russian surface-to-air-missile system called Triumph and blessed a Dec. 2 parliamentary election condemned by European observers as neither free nor fair. When the Kremlin last week unveiled its plan to effectively keep Mr. Putin in charge after his time as president ends, the head of the church, Patriarch of Moscow and All Russia Alexy II, went on TV to laud the scheme as a ‘great blessing for Russia.’”

Higgins added that about two-thirds of Russians now identify formally with the Orthodox Church, double the number who did so in 1991, when the Soviet Union collapsed.

President Putin has become an advocate of the new church-state entente. Writes Higgins: “Today, Mr. Putin goes to church regularly and wears a cross. He has visited holy places in Jerusalem and a Russian monastery on Mount Athos, a Greek site revered by Orthodox Christians. In May, he helped broker the end of a schism between the Russian church and a rival outfit set up by anti-communist exiles after the 1917 revolution. ‘Orthodoxy has always had a special role in shaping our statehood, our culture, our morals,’ Mr. Putin told bearded, black-robed priests at a meeting in the Kremlin before this month’s parliamentary election.”

**Orissa, India:** Religious violence erupted in this eastern state in December as the Christian minority was attacked by the Hindu majority. The London *Tablet* reported on January 26: “Thousands of Christians fled their homes and four Christians were killed in almost two weeks of violent attacks. Dozens of churches and institutions and around 600 homes were looted and burned. The Catholic Church bore the brunt of the violence, losing 55 village churches, five convents, three presbyteries, six hostels, two seminaries and a dispensary.”

In January the Roman Catholic archbishop Raphael Cheenath said that Hindus were ordering Christians to convert to Hinduism or leave the region. About a fifth of the population in the Kandhamal district are Christian, half Catholic and half Protestant. Many are in refugee camps, and local authorities have denied church workers permission to visit refugees. India has been beset by inter-religious violence for years, especially since the rise of the Hindu National Party.

**Rome:** Conservative Catholic politicians, backed by the Vatican, are seeking to modify Italy’s abortion law by seeking to ban the practice after the 90<sup>th</sup> day of pregnancy. The proposal threatens Prime Minister Romano Prodi’s coalition government, which includes both pro-choice and anti-choice parties. The Italian Bishops Conference, representing 226 clerics, supports revision. Abortion was legalized in Italy in a 1978 referendum by a large majority of voters.

*By denying religion the constitutional authority to rule, the Constitution privatized religion. There would be two sovereigns, but they were secular governments: the state and the Federal. That does not mean that religion lost social power. It could and would still occupy the bully pulpit and use its influence among the people and in the legislature to shape public policy, but it could not be government itself.*

Marci Hamilton, *God Vs. The Gravel: Religion and the Rule of Law*. Cambridge University Press, 2005, pp. 277-278.

## Editorials

### Huckabee’s Constitutional Error

Presidential contender Mike Huckabee has run what might be the most sectarian campaign ever mounted by a serious candidate for his party’s nomination. Huckabee continues to stress religious values and beliefs held almost exclusively by evangelical Protestants and he insists on campaigning in churches, even while piously claiming that Article VI of the Constitution prohibits reporters from questioning his religious beliefs. He frequently changes gears, preaching sermons in churches while in the midst of a presidential campaign. So far, his votes have come almost exclusively from evangelicals, though it should be noted that a majority of evangelicals have not voted for him.

This campaign strategy will have to be, and apparently is already being, evaluated by voters. But remarks made by the former Arkansas governor and Baptist preacher in Warren, Michigan, on January 14, the eve of the Michigan Republican primary, reveal a disturbing ignorance of this country’s constitutional provisions dealing with religious establishment. In the context of endorsing constitutional amendments to outlaw abortion and same-sex marriage, he said, “I believe it’s a lot easier to change the Constitution than it would be to change the word of the living God. And that’s what we need to do, is to amend the Constitution so it’s in God’s standards, rather than try to change God’s standards.”

Huckabee is wrong. The Constitution is a secular document devised by far-sighted individuals of several faith traditions. It guarantees religious freedom for all, bans all acts “respecting an establishment of religion,” and forbids religious tests for public office. Changing the Constitution to reflect any religion’s predilections would constitute an assault on religious freedom itself.

Mr. Huckabee is either grossly misinformed about American political history, or he has decided to risk dividing the nation on religious lines, or both. Either way, his stand on changing the Constitution represents a serious threat to American values often thought settled by time and history.

—Al Menendez

### The Importance of McCollum

ARL National Advisory Board member James T. McCollum was an elementary school student in Champaign, Illinois, during World War II when his mother, Vashti McCollum, filed suit in a state court challenging the holding of “released time” sectarian religion classes in public schools, which students were pressured to attend. The case ended up in the US Supreme Court. On March 9, 1948, sixty years ago this month, the Court ruled against the practice 8-1. Jim, now a retired attorney, explained the importance of the ruling in an article in *The New Encyclopedia of Unbelief* (Prometheus Books, 2007):

This landmark ruling is significant because “it was the first decision to hold the several states accountable to the strictures of the establishment clause under the due process clause of the Fourteenth Amendment, which makes provisions of the US Constitution binding upon the states. All subsequent church-state decisions involving school prayer, aid to parochial schools, sectarian religious displays on public property, and other such incursions into Thomas Jefferson’s ‘wall of separation between Church and State’ by states and municipalities descend from the *McCollum* case.”

The McCollum ruling is available from many sources, including

Robert Alley's *The Constitution and Religion* (Prometheus Books, 1999).

It was my privilege to have known Vashti McCollum, who died in 2006, her son Jim, and her father Arthur Cromwell, with whom I worked for a short time in the 1960s when I was editor of a magazine.

It is to the indomitable courage of individuals like Vashti McCollum that Americans owe so much in the never-ending struggle to defend religious liberty and church-state separation.

—Edd Doerr

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## The Voucher Watch

Numerous studies from nonpartisan education research groups question the performance of voucher students, laying bare the unfulfilled promises of voucher advocates. In particular, the Milwaukee voucher experiment that began in 1990 is a failure. The National Assessment of Educational Progress (NAEP) found that Wisconsin had the worst achievement gap between African American students and others of any state in the nation. The results were skewed by the failures of the Milwaukee program. Student test scores had not improved, voucher schools had not increased educational performance, and the so-called competition that was supposed to be engendered within public schools had not materialized.

A Washington, D.C.-based think tank, the Center on Education Policy, released a report in October 2007 finding that low-income students at private urban high schools did not do better than similar students at public schools. A third study, *Vouchers and Public School Performance*, released by the Economic Policy Institute, found that the Milwaukee voucher program had not improved academic performance levels in the city's public schools, where 57% of pupils are African American.

The situation in Milwaukee is nothing short of scandalous, since voucher schools are not required to provide testing and performance results comparable to public schools, so there are no direct comparative data. This program has cost taxpayers about \$750 million so far, and the results are mostly unknown, or, if known, unsatisfactory.

Barbara Miner, a Milwaukee journalist, exposed the failures of vouchers in "The Privatization Bubble" in the winter 2007-2008 issue of

### Vouchers Still Opposed

*It is interesting that the 2007 PDK/Gallup Poll (September) registered the public's opinion of full scale school vouchers at 67% opposed, 33% in favor, almost exactly the average percentage by which vouchers or their analogues were opposed in 25 statewide referenda over the last 40 years. Opposition would probably have been higher had Gallup mentioned that most voucher beneficiaries would be faith-based schools and other private schools that generally practice forms of indoctrination and discrimination that would be unacceptable in public schools.*

—Edd Doerr

This letter was published in the January 2008 issue of *Phi Delta Kappan*.

*Rethinking Schools*. She wrote, "Voucher proponents often rely on two main arguments to win converts: that private schools are better than public schools, and that competition from private schools will force public schools to improve. There's one problem, however. There is no data to support such claims. What's more, recent findings not only challenge the claims but suggest that it would be more appropriate to focus on supporting and improving public schools."

The Government Accountability Office (GAO) issued a recent report on the District of Columbia's "Scholarship Fund," a federally funded voucher program, finding numerous deficiencies. Many teachers lacked basic college degrees, and federal officials failed to check their accreditation. The participating voucher-funded schools frequently failed to issue reports on academic achievement levels. The GAO concluded, "The grantee did not provide parents information about the achievement levels of all students in participating private schools and other indicators of school quality and, for some schools, provided inaccurate information about teacher qualifications and tuition levels."

In his last State of the Union address on January 28, President Bush proposed a new \$300 million program, "Pell Grants for Kids," to "open the doors of faith-based or other nonpublic schools to more children." Bush, whose proposal is given no realistic chance of passage, claimed that inner city private schools "are disappearing at an alarming rate." He promised to "convene a White House summit" to promote his voucher-like scheme.

Former Florida Governor Jeb Bush has announced plans to petition a constitutional amendment change which would allow public funding of religious institutions. The proposal would nullify Florida's constitutional ban that states: "No revenue of the state or any political subdivision or agency thereof shall ever be taken from the public treasury directly or indirectly in aid of any church, sect, or religious denomination or in aid of any sectarian institution."

The Associated Press reports that the proposal "would create exceptions to two existing provisions in the Florida Constitution by saying that the Legislature can enact programs using private providers 'in every field as permitted by law' without regard to their religious nature. In addition, 'the commission proposal ... would lift an existing constitutional ban against direct or indirect state aid of any kind to churches and other religious organizations and institutions'."

The primary thrust is to restore the school voucher program declared unconstitutional by the state supreme court. The campaign is being orchestrated by Patricia Levesque, a member of the state Taxation and Budget Reform Commission and a graduate of Bob Jones University, a fundamentalist school that supplies a large chunk of the textbooks for faith-based schools. Stephen Goldstein, a columnist for the *South Florida Sun-Sentinel* noted on January 30: "Voucher-restoration is a smoke screen for a sweeping religious takeover of the state treasury – and public policy." ■

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# Books and Culture



## Roger Williams Versus George W. Bush

In a scintillating essay in the Autumn 2007 issue of *The American Scholar*, political scientist Ethan Fishman reminds readers that Roger Williams boldly foresaw the dangers of mixing church and state 150 years before the First Amendment made separation of church and state a uniquely American principle of law and government. Fishman argues, “Roger Williams warned religious groups that active involvement with politics would cause them to lose sight of their most basic priorities and begin compromising their theology. . . . According to Williams, churches that choose to participate actively in politics, therefore permitting the wilderness to encroach upon their gardens, are bound to suffer one of two undesirable fates. To the extent that churches honor their fundamental tenets of love, humility, and justice, he argued, they are manipulated by politicians for less than honorable political ends. To the extent that churches attempt to use political power to force their beliefs on others, they violate their fundamental tenets by becoming manipulators themselves.”

While the authors of the Constitution generally lacked Williams’ religiously-based insights, “The Founding Fathers joined Williams in recognizing separation of church and state as a prerequisite for religious freedom,” Fishman writes.

This constitutional affirmation, once thought settled, has been challenged by theocons and would-be theocrats. “For much of its history, the United States has largely avoided the religious conflicts that have cost other nations countless lives. Our ability to escape such conflicts is grounded in the Constitution’s First Amendment, which requires government to maintain as neutral an attitude as possible toward religion. Fortunately for Americans, past presidents as a rule have sought to honor this neutrality. Today, however, the Bush administration, working with certain religious denominations, seeks to repudiate it.”

This rejection of a basic American principle that has proved its value time and again is evident today. Fishman adds, “The Bush administration has sought to undermine almost every one of the contributions Williams and Jefferson made to the tradition of religious freedom in the United States. By giving religious denominations the power to directly influence public policy, it has allowed them to force their tenets on others. The administration has also exploited religion for the sake of gaining and maintaining political power. And it has used religious faith to justify the carnage caused by the war in Iraq.”

*Once any group of Christians gives itself away so completely to a political party, it ceases to be the church. The church becomes a branch office of the group’s political party of choice – The First Republican Church in America. This is the root problem, and it leads to all the other specific mistakes that follow: using the church (or parachurch organizations) and its considerable resources for direct or veiled candidate endorsements, political strategizing, dissemination of essentially partisan “voter guides,” and get-out-the-vote efforts. A whole lot more than tax status is threatened when churches go over so completely to the business of secular politics.*

David P. Gushee, president of Evangelicals for Human Rights and professor at Mercer University, in *USA Today*, January 14, 2008.

The danger to American freedom and enlightenment is clear and present. “The Bush administration has ignored Roger Williams’s warning about the corrosive effects on both church and state of the lethal combination of national arrogance and religious self-righteousness.”

Fishman’s essay, “Unto Caesar,” should be required reading for all who care about America’s future. He is a professor of political science at the University of South Alabama and author of *The Prudential Presidency*.

## Religious Wars

The November 3 issue of *The Economist* devoted eighteen pages to an examination of “The new wars of religion.” The distinguished British newsweekly concluded that “an old menace has returned but in very different forms.” (See “In God’s Name” in *The Economist*, November 3, 2007.)

Its global survey found a disturbing increase in conflict between religions or even within the same religions as well as terrorism inspired by religion. Inter-denominational conflict rages between Hindus and Muslims in India and Kashmir, between Muslims and Buddhists in Thailand and Sri Lanka (where 68,000 people have died since 1983) and between Christians and Muslims in Kosovo, Chechnya, Lebanon, The Philippines, Indonesia, Nigeria, Sudan, Ethiopia, and Somalia. The Middle East is awash with conflicts among all three Abrahamic faiths, while intra-Islamic conflicts mar Iraq, Pakistan, and Afghanistan. Catholics and Protestants occasionally clash in Mexico and Guatemala, though times do change for the better. Northern Ireland’s conflict is essentially over.

The magazine found “religion-linked terrorist attacks” in Britain, Spain, Morocco, Algeria, Egypt, Kenya, Bali, Saudi Arabia, Pakistan, Afghanistan, Russia and the United States. As to religion’s ties to terrorism, the editors concluded: “Terrorist outrages are once again presumed to have religious connections, as they would have done in Cromwell’s time. In the 1970s terrorism seemed to be the preserve of Maoist guerrillas, middle-class Germans and Italians or the then very secular (and partly Christian-led) Palestine Liberation Organisation. Now three out of the four most likely flashpoints for nuclear conflict—Pakistan-India, Iran and Israel—have a strong religious element. The only exception is North Korea.”

Inter-communal violence, often exacerbated by economic, political or territorial claims, is frequently made worse by religion, which “supplies the underlying viciousness.” While “national armies no longer march under religious banners, religious grievances have reappeared in several guises.” Religious populists usually arise in the lower strata of society and threaten the stability of societies and governments. Religion may attach itself to tribalism (as in Nigeria) or nationalism (as in India).

There is also “state-based repression, where religion is either the target or the motivation. In the Muslim world the repression is sometimes by theocracies (like Iran or Saudi Arabia) against irreligious sorts, such as adulterers, heretics and homosexuals. But it also goes the other way, with secular states (Syria, Egypt, much of North Africa) discriminating against religious dissidents.”

Religious conflicts are also fueled by an absence of condemnation by responsible religious leaders, who often look the other way. “One sad irony of this dispute in the Holy Land is how few holy people are trying to make peace. Rabbi David Rosen argues that the Oslo process collapsed in part because no religious people were involved. It was not



until 2002 that a small group of leading rabbis, Muslim clerics and bishops signed the Alexandria Declaration, which condemned violence and insisted that the holy places should be kept open.”

The rising influence of religious political parties and religion-based voting in democracies is a major problem. “Yet the foremost way in which religion has expressed itself around the world has been more peaceful: the ballot box. Religious people have either formed religious parties (such as India’s BJP) or converted secular ones into more faith-driven outfits (such as America’s Republican Party). In places where religion was frowned upon by the state, such as Mexico or Turkey, greater freedom has allowed the pious to form parties, such as the Catholic-oriented PAN party or the Islamic AK Party.”

In conclusion, “All this means that the modern wars of religion are mercifully less violent and all-consuming than their predecessors; but also that tackling the politics of religion is more awkward than it used to be.”

The picture is not entirely bleak. Timothy Shah of the Council on Foreign Relations told *Economist* editors that “more than 30 of the 80 or so countries that became freer in 1972-2000 owed some of the improvement to religion.”

The bottom line seems to be that future decades will see an intensification of religious influence on the public life of most nations. In an editorial in the same issue, *Economist* editors observed, “Unless politicians learn to take account of religious feelings and to draw a firm line between church and state, the new wars of religion may prove intractable.”

***Head and Heart: American Christianities***, by Garry Wills. The Penguin Press, 2007, 626 pp., \$29.95.

*Head and Heart* is a richly detailed (1139 endnotes), exciting account of the intertwined history of “Enlightenment religion” and Evangelicalism in American history. Wills explains the Puritan Evangelicalism of this country’s colonial beginnings, which has ebbed and flowed from 1630 through its recent surge as the religio-political or “theocon” right. Although the mid-eighteenth century Awakening paved the way for the Enlightenment religion of the principal Founders, “It was not the Awakening that fostered the Enlightenment, but the reaction against the Awakening.”

Wills agrees with William Lee Miller that “the chief founders of the nation were all Deists—he lists Washington, Franklin, Adams, Jefferson, Madison, Hamilton, and Paine, though many more leaders of the founding era could be added (Benjamin Rush, John Witherspoon, David Rittenhouse, Philip Freneau, Joel Barlow, Aaron Burr, James Wilson, Gouverneur Morris, Tench Coxe, to name some).” Wills concludes that “Whatever their faults, the Deists delivered us from the horrors of pre-Enlightenment religion, title enough to honor. They also founded this country.”

Wills goes on to show how Jefferson and Madison led the Founders in developing our unique contribution to government, the principle of separation of church and state enshrined in the First Amendment and most state constitutions, affirmed by the Supreme Court in 1879 and in a long series of important rulings since 1947.

The nineteenth century was marked by the fading of Deism, the rise of Transcendentalism, the second Great Awakening (which foundered on the reef of the Civil War), and the emergence of Evangelical Fundamentalism during the Gilded Age, which faltered after the 1925 Scopes “monkey trial” and the failure of Prohibition. Political Evangelicalism reawakened after the Vietnam war, when a “culture war” broke out over abortion rights, school prayer, feminism, gay rights, pornography, creationism, and the struggles over control of the Supreme Court and of government itself.

The book climaxes with a section on “The Karl Rove Era” and the

*It is clear from history and from their writings that the founders of the American republic intended for government to be secular (i.e., religiously neutral) and that Jefferson’s “wall of separation between church and state” metaphor accurately reflects that intention. History likewise shows that church-state separation has proven to be good for religion, good for democratic government, and good for the equal liberties and freedom of conscience of all. As historian Garry Wills so well puts it in his magisterial book Head and Heart (2007), the deists who designed our republic “delivered us from the horrors of pre-Enlightenment religion, title enough to honor.” Those who would dismantle Jefferson’s “wall” would take us back to those “horrors.”*

—Edd Doerr

“faith-based government” of George W. Bush. Wills writes that Rove’s “real skill lay in finding how to use religion as a political tool,” making the “executive branch of the United States more openly religious than it had ever been.” Ironically, Wills notes, Rove had/has “no discernible religious beliefs himself.”

Church-state separation, contrary to the rants of the theocons, “has not led to the suppression of religion by the state. Just the opposite. It meant the freeing of religion. We can see in the past how a breaching of the separation led to setbacks for religion.” ... “In the third period of Evangelical hypertropism, that orchestrated by Karl Rove, there was a similar discrediting of religion as a political tool.”

Enlightened religion need not be “desiccated and cerebral, all light and no heat” and Evangelical religion need not be “mindlessly enthusiastic, all heat and no light.”

Head and heart are both important. As Kahlil Gibran put it, “Let passion fill your sails, but let reason be your rudder.”

*Head and Heart* belongs at the head of the bestseller list.

—Edd Doerr

***God in the White House: A History: How Faith Shaped the Presidency from John F. Kennedy to George W. Bush***, by Randall Balmer. HarperOne, 2008, 243 pp., \$24.95.

Balmer, professor of American religious history at Columbia, presents an interpretive overview of how religious beliefs and values have affected presidential decisions since 1960. He poses the question: “Should a candidate’s faith matter to voters? The record of the final four decades of the twentieth century and the initial years of the twenty-first century suggests that professions of religious belief on the campaign trail do not provide a good indicator of how a president comports himself in office.”

Balmer argues that Kennedy’s fight against religious bigotry led to a more secular governing style. “Kennedy’s persuasive argument in the course of the 1960 campaign that religion should not play a role in political considerations... ushered in an era during which matters of faith had little bearing on presidential politics or political decision-making.”

Lyndon Johnson continued that policy and “Johnson evinced little piety, and what little he showed during his long career of public life could properly be called perfunctory, even performative.”

After Nixon’s corrupt regime, Americans turned to “a redeemer president,” Jimmy Carter. “The Nixon scandals opened the door for the reintroduction of a candidate’s faith as a political consideration.” Ronald Reagan furthered the close connections between conservative religion

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## Books and Culture, *continued from page 17*

and conservative politics. Of Bill Clinton, the author writes, “The leaders of the Religious Right were furious with Clinton for having interrupted their hegemonic access to the Oval Office. They leveled all manner of charges against him.”

With George W. Bush, we have come full circle. “The radical disjunction between George W. Bush’s claims of moral rectitude and his indifference to the moral ramifications of his policies is striking, even breathtaking.”

Balmer is a strong supporter of church-state separation and is not happy with the use and abuse of religion as a political weapon. “My reading of American religious history suggests that religion always functions best from the margins of society, not in the councils of power.”

His summary is a useful one. “By 2004, forty-four years after Kennedy’s speech at the Rice Hotel in Houston, the rhetoric of religion had become part of the argot of campaign discourse. Although Jimmy Carter had introduced the language of personal piety into presidential politics, at least in the modern era, the Republican Party had seized the initiative, beginning with Ronald Reagan and abetted by the Religious Right.”

This brief but excellent history also includes seven presidential addresses relevant to the subject.

—Al Menendez

*God’s Profits: Faith, Fraud, and the Republican Crusade for Values Voters*, by Sarah Posner. PoliPointPress, 2008, 206 pp., \$19.95.

Investigative journalist Posner exposes the political and financial activities of a small subgroup of Religious Right activists, the so-called “Prosperity Gospel” preachers who command the allegiance of many followers. Their movement, also called Word of Faith, increasingly influences the Republican Party in some states.

Is this book really necessary, considering the wealth of information already available on the Religious Right? Explains Posner: “Many books have ably chronicled the ascendancy of the Christian right in Republican politics, but none have identified the prosperity movement as the party’s natural ally or as a growing force within the Christian right. This book will show how Republicans have reached out to major leaders within the prosperity movement as a way of diversifying the party’s evangelical base beyond traditional (and mostly white) denominations like the Southern Baptist Convention and Pentecostal denominations like the Assemblies of God. In the pews of nondenominational churches that preach the prosperity message and in the audiences of prosperity televangelists, Republicans find racially diverse, socially conservative believers who are also receptive to economic conservatism.”

The Word of Faith movement depends on highly skilled and manipulative televangelists like Ohio’s Rod Parsley, an influential figure in that state’s politics, and Texan John Hagee, the leading promoter of Christian Zionism who opposes any and all peace efforts in the Middle East. “When religion and politics collide with money and personal ambition, the result is toxic,” Posner writes. The symbiotic political connection is obvious. “Politically, Word of Faith is an essentially conservative movement that benefits from conservative policies.”

Word of Faith owns Trinity Broadcasting Network (TBN), “the largest Christian television network in the world.” TBN, founded in 1972 in Orange County, California, is a major center of the movement’s power.

The author argues that this extremist subculture is “continually expanding” even though its leaders are “money-grubbing, authoritarian and plagued by scandal.”

It may well be that the Republican Party is not so sympathetic to this movement as the author opines. The primaries thus far show that the

GOP coalition built by Ronald Reagan is coming apart and that even the conservative movement has splintered into several distinct, and perhaps mutually, incompatible elements. The Religious Right has failed to coalesce around one candidate, even Mike Huckabee, and the movement’s impact on the GOP may have reached a peak.

—Al Menendez

*The Great Awakening: Reviving Faith & Politics in a Post-Religious Right America*, by Jim Wallis. HarperOne, 2008, 336 pp., \$25.95.

Basically a sequel to the author’s bestseller, *God’s Politics*, this new book reiterates the twin themes that evangelicals and other religious believers should ignore and indeed oppose the Religious Right’s distortion of values and that progressive politics needs a dose of religion. Many readers will welcome the author’s critique of the unholy alliance of conservative politics and religion but may still be wary of suggesting that political liberals must become more faith-based or faith-oriented.

Wallis makes some good points about nonviolence, economic fairness, integrity and accountability in government and a welcoming immigration policy. He argues that “prophetic politics” is becoming a “fourth option in our public life—beyond liberal, conservative, and libertarian. It could also create new initiatives that cut through the vicious culture wars that destroy our political process and make talk-show hosts rich.”

He says that his fellow liberals “have mostly failed to affirm the importance of fundamental moral values in our national life, which could be done without compromising their values of democracy and pluralism.” He never spells out precisely how this could be accomplished, but he does say, “Religion has no monopoly on morality.” It is true that commitments to social justice “flow naturally from the religious values of many Americans,” though such values are derived from many other sources, including secular ones.

Calling for a “common ground” politics between conservatives and liberals, and between the very religious and the less so, is appealing. “The nation is hungry for the ethics of moral consistency to be applied to its political agenda.”

He admits, “The Religious Right’s political partisanship is still a concern for many, and should be a warning for the relationship of any so-called religious left with the Democrats.” He also admits, “At heart, I am a nineteenth-century evangelical, born in the wrong century.”

As in his previous book, Wallis calls for a new progressive coalition. “Faith-inspired activists have always worked alongside those with no religious faith but motivated by deep moral and ethical commitments. ‘Religious’ and ‘secular’ progressives have a long and deep history of relationship.”

Former President Jimmy Carter provides a foreword to a book likely to be highly influential this political season.

—Al Menendez

*Faith in Schools? Autonomy, Citizenship, and Religious Education in the Liberal State*, by Ian MacMullen. Princeton University Press, 2007, 230 pp., \$35.00 cloth.

*The Last Freedom: Religion from the Public School to the Catholic Square*, by Joseph P. Viteritti. Princeton University Press, 2007, 273 pp., \$27.95.

James Madison would flip over in his grave if he could see some of the sorry stuff coming from the university press of his alma mater, Princeton.

MacMullen’s opus is an ivory tower utopian fantasy by an overeducated political scientist innocent of any knowledge of the real world, of educational economics, or of US constitutional law. While the book

contains some interesting abstract philosophizing, its main thrust, reiterated *ad nauseam*, is that the goal of education in a “liberal” (?) state should be good citizenship and individual autonomy (OK so far) and that (not OK) taxes should support faith-based schools that promote individual autonomy while the state should not only not support faith-based schools that do not promote autonomy and free inquiry but should also prohibit their very existence. In other words, the “state,” however defined, should closely regulate all schools and deny the right to exist to unapproved faith-based schools. In the courts and in the court of public opinion MacMullen’s grand scheme would have less chance than the proverbial snowball in Hades.

Viteritti’s opus magnus is little more than a bizarre, sloppy, somewhat paranoid tract clearly aimed at undermining church-state separation. He propagates the theocon myth that a vast “secularist conspiracy” is out to do harm to a besieged religious community. Sprinkled with dumb errors (he gets the year wrong for 9/11, misspells Paul Blanshard’s name, etc.), Viteritti’s main aim is to promote school vouchers, using misinterpreted poll results and totally ignoring the 25 (now 26: Utah in November 2007) statewide referenda showing that many millions of US voters have registered opposition to school vouchers or their variants by an average of two to one. All in all, Viteritti’s book is a shameless hack job that should embarrass its publisher.

Princeton should honor its most distinguished alumnus by putting someone more responsible in charge of its university press.

—Edd Doerr

*From Pews to Polling Places: Faith and Politics in the American Religious Mosaic*, edited by J. Matthew Wilson. Georgetown University Press, 2007, 324 pp., \$26.95 paper, \$49.95 cloth.

Georgetown University Press has published another superb volume in its religion and politics series. This book, an outgrowth of a conference at Southern Methodist University, includes a number of essays by distinguished political scientists who specialize in the role played by religion in political life.

Complete chapters are devoted to evangelical, mainline, and African American Protestants, as well as Catholics, Jews, Mormons, Muslims, Latino Christians and a growing group labeled “Anti-fundamentalists.” The secularist or anti-fundamentalist is “a new type of voter” who has “become a force in national electoral politics only recently.”

According to Clyde Wilcox and Carin Robinson, churches are ideally suited for political mobilization. “Congregations form political communities that provide their members with many political cues.” How churches interpret the Bible is politically meaningful, they say. “Belief in an inerrant Bible is associated among white Protestants with opposition to a range of policies, including abortion, egalitarian gender roles, social welfare programs, environmental protection, and expanded gay rights, as well as support for defense spending, the death penalty, and aid to Israel.” Furthermore, “The social construction of biblical meaning varies with race, ethnicity, and social class. Evangelical doctrine translates into very different gender politics in white and African American churches.”

Stephen Mockabee shows that Catholic voters are affected by social class, education, ethnicity, and even the period during which they grew up and were influenced by the church. “Pre-Vatican II Catholics (those born before 1940) are more conservative than other Catholics on abortion, gay marriage, national security, and terrorism but are more liberal than other Catholics on the death penalty, aid for the poor, the Iraq war and the Bush tax cuts. Older Catholics are also more Democratic and voted more strongly for Kerry than Catholics born after 1941 (and particularly those born after 1960). Thus, the traditional categories of liberal and conservative are not as clear-cut as some have suggested. He notes, “The intergenerational differences in voting behavior and parti-

## By the Numbers

- Under Pope John Paul II, the Holy See increased the number of nations where it has official diplomatic representatives from 85 to 174.

- America’s Focus on the Family, a Religious Right lobby, has affiliates in 54 countries.

- Utah’s Mormon population has declined steadily for 18 straight years, according to official membership statistics. In 2007 only 60.7% of Utah residents are counted as Mormons. While Mormons have a higher birth rate than non-Mormons and vote at higher rates than non-Mormons, the vast majority of new Utah residents belong to no faith tradition.

- There have been 30 abortion decisions issued by the U.S. Supreme Court since 1971 (*U.S. v. Vuitch*). There were 13 decided in the 1970s, including the landmark *Roe v. Wade*, and eight during the 1980s. The 1990s saw seven rulings while two have been decided so far during the first decade of the 21<sup>st</sup> century.

Sources: *The Economist* (November 1, 2007); *Salt Lake Tribune* (November 18, 2007); *The Washington Times* (January 22, 2008).

sanship are driven by a complex combination of religiosity and political attitudes.”

A chapter on Mormons, by David Campbell and J. Quin Monson shows how politically important this fast-growing group is in several Western states. “First, Mormons are politically and culturally distinctive. Second, their intensive church involvement builds social capital and civic skills, both of which contribute to their capacity for political mobilization. Third, both the organization and teachings of the LDS Church facilitate adherence to the instructions of Church leaders, including on political matters.” Mormon political involvement is most pronounced on social questions, such as same sex marriage, gambling and gender issues.

While aimed at academics and scholars, the book is clearly accessible to informed readers.

—Al Menendez

*Crazy for God: How I Grew Up as One of the Elect, Helped Found the Religious Right, and Lived to Take All (or Almost All) of It Back*, by Frank Schaeffer. Carroll & Graf Publishers, 2007, 417 pp., \$26.00.

This scathing memoir of growing up as the only son in the wacky, fundamentalist household of Francis Schaeffer, the intellectual guru of resurgent evangelicalism, reveals much of the early days of the Religious Right. The author, now a novelist and filmmaker, tells how his father’s alliance with the Religious Right and the anti-abortion movement made loads of money and helped turn their Switzerland retreat center, L’Abri, into an international destination for Protestant conservatives bent on reshaping government and culture. Schaeffer père was himself a welcome guest at the White House during Republican administrations.

Disillusioned by his experiences, the author broke with the movement. “I think my problem with remaining an evangelical centered on what the evangelical community became. It was the merging of the entertainment business with faith, the flippant lightweight kitsch ugliness of American Christianity, the sheer stupidity, the paranoia of the American right-wing enterprise, the platitudes married to pop culture, all of it... that made me crazy. It was just too stupid for words.” He calls Pat Robertson a “lunatic” and James Dobson “a power-crazed political

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## Books and Culture, *continued from page 19*

manipulator cynically abusing his followers.”

Schaeffer has not become a political or religious liberal by any means. He converted to the Greek Orthodox Church in 1990 and switched his political party registration from Republican to Independent in 2006.

Perhaps that independence makes his argument and his revelation more powerful. Schaeffer supported Democrat Jim Webb for the Virginia Senate race against George Allen last year, provoking enormous hate mail from Far Right crazies. Unfazed, he writes, “One thing I do not regret is that I missed the ‘opportunity’ to be the so-called big-time evangelical leader I could have been. I was good at speaking. We would never have run out of paranoid delusions with which to stir up the ever-fearful and willfully ignorant. But the idea of ‘passing up’ a chance to become a cross between Pat Robertson, Elmer Gantry, and Ralph Reed never bothered me.”

Schaeffer also has some choice words about George W. Bush. “We elected a ‘born-again’ president who said he lived by biblical ethics but who played the dirtiest political games possible, for instance in the filthy lies his people spread to derail Senator John McCain’s presidential primary bid. . . . Bush Jr., the Bible-believing, born-again president, delivered up his Iraqi fellow Christians to be destroyed. They fled, died, or went into hiding because a faith-based evangelical American president stupidly unleashed a civil war. And of course Bush Jr. was also responsible for the killing of countless other innocent civilians caught in the sectarian strife.”

—Al Menendez

*Why the Democrats Are Blue: How Secular Liberals Hijacked the People’s Party*, by Mark Stricherz. Encounter Books, 2007, 315 pp., \$29.95.

The author contends that “secular” activists took over the Democratic Party as a result of the McGovern Commission reforms of the 1968-76 era, installing feminists and pro-choice zealots in positions of leadership and driving out Catholics and blue collar workers. “The post-1968 party’s support for secular liberalism qualifies as a revolution, not an evolution.” He says this led to defections on several issues. “In the past five presidential elections, the percentage of Americans who vote on social issues has swung between one-seventh and one-

### ***Democracy Under Assault: Theopolitics, Incivility and Violence on the Right***

by Michele Swenson

*This important, compact, quite readable book could easily have been titled “Everything you might ever want to know about the theopolitical right: personalities, ideologies, agendas, connections, goals, catch phrases, propaganda gimmicks, and methods of operating.”*

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third of all voters.” True enough, but voters who opposed the GOP’s embrace of conservative social issue positions have also defected, making the nation almost evenly split in recent elections.

If the Democrats are so secular-minded, how is it that they win majority support among Hispanic Catholics, African American Protestants, Jews, Muslims, Hindus and Buddhists, and about half of white Catholics, mainline Protestants and Eastern Orthodox Christians? In the 110<sup>th</sup> Congress, only six of the 283 Democrats are religiously unaffiliated. The others include 103 Catholics, 126 Protestants, 39 Jews, three Mormons, three Eastern Orthodox, two Buddhists, and one Muslim. Hardly a secularist conspiracy.

While the author’s thesis is an intriguing one, he fails to prove his case. The charge, as the old Scottish legal verdict put it, is not proven.

—Al Menendez

*Thumpin’ It: The Use and Abuse of the Bible in Today’s Presidential Politics*, by Jacques Berlinerblau. Westminster John Knox Press, 2008, 190 pp., paperback, \$16.95.

The author focuses on a specific aspect of the renewed emphasis on religion in U.S. politics. “Some of the nation’s most contentious public debates now feature participants who claim biblical warrant for their views. Appeals to Scripture are evident in controversies over the environment, immigration, abortion, stem cell research, gay rights, public school curricula, the treatment of the poor, and foreign policy, to name but a few. These appeals are typically made by religious special interest groups.”

Berlinerblau surveys “the wreckage that results from ill-considered, high-speed thumping” primarily because, he says, “the Bible is one of the poorest providers of coherent policy prescriptions imaginable.” Even though the Bible “is the grandest and most revered symbol of the nation’s collective faith,” it can rarely be used as a determinant of public policy, nor should it be.

The author argues that there is “an essential tension that characterizes the Bible’s position in American public life. The Bible is held in great esteem by politicians and voters alike, yet its ability to directly influence the processes of government is severely limited. . . . The Bible’s boundless energy flows awkwardly, unevenly, into a political grid powered by rational modes of thought and Enlightenment principles.” While biblical rhetoric has long been a part of political discourse, the differing interpretations of the text limit its relevance for public policy. “Politicians are certainly free to use the Scriptures in their oratory, though they should exercise restraint and Jeffersonian common sense.”

While interesting, the book is likely to become dated quickly. His “religious imaging strategies” of the leading presidential candidates will soon be moot. (Governor Huckabee, for example, is missing.)

Dividing the electorate into pious evangelicals, seculars, and the “secularly religious,” i.e. moderate, occasional churchgoers, is clever but not particularly insightful. On balance, this book makes a modest contribution to the ongoing dialogue about church and state and is worth reading.

Berlinerblau is director of the Program for Jewish Civilization at Georgetown University.

—Al Menendez

*Wayward Christian Soldiers: Freeing the Gospel from Political Captivity*, by Charles Marsh. Oxford University Press, 2007, 243 pp., \$25.00.

University of Virginia religion professor Marsh adds his voice to a growing chorus of critics of the evangelical-Republican alliance from within the evangelical community. “This book first took shape in my mind as a jeremiad against the conservative Christian elites who, in exchange for political access and power, ransacked the faith and trivialized

its convictions.”

Marsh is particularly angry that U.S. evangelicals have so uncritically endorsed Bush’s war in Iraq, when evangelicals (and most other Christians) in every other nation have denounced the invasion. “Why did American evangelicals not pause for a moment in the rush to war to consider the near-unanimous disapproval of the preemptive attack by the global Christian community? While such influential conservatives as Charles Colson, Bill Bright, James Kennedy, and Richard Land were signing a letter of support for the president’s decision to invade Iraq, Christian leaders around the world – evangelical, orthodox, and liberal – were expressing their dismay over the administration’s case. The global Christian opposition seems to me the most neglected story related to the religious debate about Iraq: Despite the 87 percent approval of white evangelicals in April of 2003 for the president’s decision to go to war, almost every Christian leader in the world (and almost every non-evangelical leader in the United States) voiced opposition to the war.”

Marsh adds, “Evangelicals in the U.S. have increasingly isolated themselves from shared faith with the global church, practicing an ecumenical isolationism that mirrors the political trend.”

The book is aimed at an evangelical audience and includes considerable theology that some readers will not find particularly engaging. But his bottom line is a sound one. “At what cost to our witness in the world and the integrity of our message did evangelicals gain their political access and power?”

Marsh also argues that conservative Christians should quit looking for the most religious candidate, rather than the most competent one. “I think Christians in the United States should seriously consider casting their vote in the next election for the candidate who says the least about God.”

—Al Menendez

*Bad Faith: The Danger of Religious Extremism*, by Neil J. Kressel. Prometheus Books, 2007, 327 pp., \$26.00.

Religious extremism can lead to lethal violence, whether on the massive scale of Islamist terrorism or the retail level of sometimes murderous attacks on abortion clinics and physicians. It can also lead to assorted manifestations of bigotry, discrimination, and harmful forms of political intervention, such as efforts to weaken women’s rights or block action on overpopulation. In this important new book a prominent psychologist examines the problem in its vast and nuanced complexity. He shows how justification for extremism and violence can be found in the scriptures and/or teachings of many religions, along with material that promotes tolerance and modern ethical values. Kressel’s book offers a wealth of analysis and possible approaches to remedies. At the end of the day, however, he seems pessimistic about any simple solutions, though he does stress the importance of church-state separation.

—Edd Doerr

*34 Million Friends of the Women of the World*, by Jane Roberts. Lady Press, 2005, 144 pp. (Price: see below).

That’s a book title? Yes, because 34 million is the amount of dollars Congress authorized in 2002 for the UN Population Fund but which President Bush blocked every year to please his theocon base. Whereupon two women, Jane Roberts and Lois Abraham, launched a campaign to get private donations to make up the U.S.’s disgraceful shortfall to the extent possible. Roberts’ book is the story of that campaign and of the vitally important work of the UN Population Fund (UNFPA) in protecting the health, reproductive health and choice, and lives of countless women in developing countries. The UNFPA’s medical and educational work is saving women’s lives, preventing unwanted preg-

## ‘Founding Principles’

Mark Noll’s article “America’s Two Foundings” (December 2007) was pretty much on target and deserves wide readership. Our “two foundings” were/are compatible and complementary. And we can be thankful that it was Madison and Jefferson who won the argument over how best to protect our religious freedom and not Patrick Henry, who would have pushed our country back in the direction of the Old World. We can thank Noll for reminding us that a church’s accepting Caesar’s shekels can lead to shackles that are sure to harm both religion and the voluntary principle behind religious freedom.

—Edd Doerr

Note: This letter was published in the March 2008 issue of *First Things*, a conservative Catholic journal that almost never agrees with ARL.

nancies and abortions, unnecessary childbirth deaths, HIV-AIDS, and assorted medical problems. According to the Population Fund, the \$34 million that Bush blocked could have prevented two million unwanted pregnancies, nearly 800,000 abortions, 4,700 maternal deaths, 60,000 serious maternal illnesses, and over 77,000 infant and child deaths. So much for Bush’s self-proclaimed compassion! Roberts’ important book is available free for a donation (tax-deductible) of \$10 or more to 34 Millions Friends Americans for UNFPA, PO Box 681, Toms River, NJ 08754-9922.

—Edd Doerr

*Encyclopedia of Religious Freedom*, edited by Catharine Cookson. Routledge, 2003, 555 pp., \$200.00.

This oversized volume is, well, encyclopedic, covering religious liberty and church-state issues throughout history and throughout the world, and much too comprehensive for a short review. Its treatment of reproductive choice, by Prof. Lucinda Joy Peach, is rather good. Its flaws include its failure to deal at all adequately with the worldwide problem of tax support for faith-based schools and its inclusion of a self-serving entry on the pretentious 1988 “Williamsburg Charter” by its own creator, British evangelical Os Guinness, critiqued in ARL’s journal at the time.

—Edd Doerr

*When Did Jesus Become Republican?: Rescuing Our Country and Our Values from the Right*, by Mark Ellingsen. Rowman & Littlefield Publishers, 2007, 194 pp., \$22.95.

The author complains that Republicans have been successful at opting religious language to strengthen their appeal to religious voters. “It seems that Democrats are continuing to allow conservative Republicans to define the topics on which religious values have relevance,” he writes, and adds, “The result has been a vision of religion conducive to the Republican agenda of small government, the promotion of free-market global economics, and furthering the interests of individualism and big business, along with conservative moral values.”

He says this has happened because what he labels “the Puritan Paradigm” has “provided the primary categories for understanding American religiosity.” Furthermore, “Revivalism” added additional elements predisposing some Christians toward “capitalist dynamics.” Conse-

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## Books and Culture, *continued from page 21*

quently, “The small government, pro-business domestic policies of the Bush administration are just right for a Puritanized electorate.” The “dominance of the Puritan Paradigm on our social psyche stands for a largely traditional code of morality, strictly enforced and committed to a very conservative view of Biblical authority.”

The Religious Right embodies these values. Its “present advocacy of free-market policies in the name of Christian teaching is nothing new. It is just an extension of the old Puritan agenda.” However, today’s conservatives have captured some of yesterday’s moderates and liberals. “By trading on the Revivalist-amended American Puritan Paradigm, the Religious Right has succeeded in seducing the constituencies of once-Democratic strongholds like the Southern Baptist Convention, the Roman Catholic Church, and even of Midwestern Lutheranism.”

Ellingsen’s prescription for changing this situation involves a religion-based strategy. “The Democrats and the mainline denominations need a version of Jesus and His Gospel that can better communicate with the churchgoing, theologically conservative faithful.” He admits that this will not be easy. “If a coalition is to be built between progressive Evangelicals, black Christians, mainline white Protestants, and liberal Catholics [it must be created] in such a way that the Secular and Jewish Left are not marginalized.”

It is unlikely that making direct appeals to religious conservatives will strengthen the Democrats. For one thing, Ellingsen, a seminary professor in Atlanta, and son of Norwegian Lutheran immigrants, proposes that Democrats and progressives invoke “natural law” and “original sin” concepts to win voters. “It is evident that if the Democrats were to embrace the Augustinian version of the doctrine of Original Sin, they would not only ‘get religion,’ in a Christian sense. They, rather than the Republicans, would be the Party most in touch with the core suppositions of the Constitution.” He argues that “justice is a function of law, the natural law” and that “appeals to the natural law are in no sense a violation of the separation of church and state” because “It is an unambiguously inclusive concept.”

The problem with this supposition is that there is no agreed-upon consensus about what constitutes natural law, nor should natural law, if it exists, transcend the Constitution. Ellingsen’s argument, while inventive and interesting, would further the sectarian divide in American politics and would seem to be the wrong way for Democrats to go as they seek to rebuild a governing majority.

—Al Menendez

***Hollywood’s Censor: Joseph I. Breen & the Production Code Administration***, by Thomas Doherty. Columbia University Press, 2007, 427 pp., \$29.50.

While evangelical Protestants had enough political clout to pass Prohibition and immigration restriction just after the First World War, it was Roman Catholics who lobbied for more censorship in the film industry. By 1934 their efforts were successful, and the Motion Picture Association of America accepted a “Production Code” of rigorous self censorship. The Code’s enforcer for two decades (1934-1954) was Joseph Breen, “a Victorian Irishman” from Philadelphia who maintained close ties to the Catholic hierarchy. Breen’s career as a journalist, publicist and U.S. consul overseas made him an ideal administrator, as did his zeal for opposing “indecent” and various unorthodoxies. The “Code” that controlled Hollywood film making was written by a Jesuit priest, Daniel Lord. To quell fears of a Catholic takeover, a Presbyterian Republican, Will Hays, was installed as the frontman for the censors. The whole censorship effort represented an early, and unusual, alliance of conservative Catholics and evangelical Protestants, who generally distrusted each other on most other issues.

This is an absorbing story of religion’s influence on America’s favorite form of entertainment. It could have been worse, since state governments in Ohio, Pennsylvania, New York, Maryland, Virginia and elsewhere established their own censorship boards that were often more restrictive than the Hays-Breen office. Ironically, writes Doherty: “Contrary to expectations, the founding fathers of Hollywood censorship – Hays, Breen, Quigley, and Lord – were all ardent and eloquent opponents of government censorship.”

Doherty writes that Hollywood consistently portrayed the Catholic Church favorably: “With Protestantism discredited by Prohibition and sullied by hucksters, Catholicism seized the inside track in the race to imprint a moral vision on the most visionary of the new media. . . . No motion picture project with Catholic content was approved without private consultations and informal vetting from Church authorities.”

—Al Menendez

***White Ethnic New York: Jews, Catholics, and the Shaping of Postwar Politics***, by Joshua M. Zeitz. University of North Carolina Press, 2007, 278 pp., \$24.95, paperback.

This is a snapshot of a time and place, New York City from World War II to the late 1960s, a study of how the city’s large Catholic and Jewish communities interacted and related to political developments - international, national and local - in that era. “In some respects, the case of New York City offers an instructive glimpse at the lasting influence of ethnicity among white Americans. In 1960 as many as 4.2 million Jews, Italians, and Irish still lived in Gotham, where they accounted for 63 percent of the white population and continued to exist in social, residential, and economic isolation from each other.”

Zeitz shows that the Catholic-Jewish alliance as Democrats and progressives against a Protestant Republican establishment broke down as a result, primarily, of Cold War politics, and also of domestic political considerations. Catholics were caught up in Cold War politics; Jews were not. “Throughout the 1940s and 1950s, fear of communism pushed many Irish and Italian New Yorkers to the political right.” Catholics moved toward the GOP, giving about half their votes to Dewey and a large majority to Eisenhower, while Jews remained staunch Democrats, or drifted off into left-wing minority politics, with a percentage supporting Henry Wallace for president in 1948 and the American Labor Party in local races.

Zeitz points out that Catholic New Yorkers, primarily of Irish and Italian ancestry, were much more conservative and Republican than their counterparts in other cities. While Catholics in the Big Apple liked Ike, a majority of Catholics in Philadelphia, Boston, Pittsburgh, Cleveland, St. Louis and elsewhere supported Stevenson in the 1950s.

One factor was related to church-state issues. A higher percentage of New York Catholic children attended parochial schools than their co-religionists in most other areas. In 1955, 68% of Catholic children in Manhattan and the Bronx, and 57% in Brooklyn and Queens, were educated in parochial schools. This led, at the time, to support for tax aid to church schools, which Jewish voters opposed. At the same time, the public schools became more Jewish. “Public schools in predominantly Jewish neighborhoods thus assumed a particularly Jewish character, among both students and faculty.” A majority of public school teachers were Jewish women, 56% by as early as 1940. Jews were increasingly opposed to Christian-oriented prayers, Bible readings, and Christmas observances in public schools, drawing the two groups further apart politically.

There were also significant attitudinal divisions among white Catholics, particularly relating to education. Among Irish Catholics, 77% attended parochial schools for some or all of their education while only 40% of Italian Catholics did so. Only 8% of Italian Catholics attended church schools exclusively, while 30% of Irish Catholics did. “The

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discrepancy in group behavior made a distinct imprint on inter-ethnic relations in New York, driving a social wedge between Italian and Irish Catholics.”

By the end of this period (c.1970), Catholics and Jews began to leave Gotham for the suburbs, and those who remained reacted to the new politics in different ways, with Catholics moving leftward. “Historians are still sorting out the grassroots-level impact of Vatican II on American Catholicism, but clearly the introduction of a less insular, more democratic ethos in church life created fault lines within the Catholic community.”

—Al Menendez

*Souled Out: Reclaiming Faith and Politics After the Religious Right*, by E.J. Dionne, Jr., Princeton University Press, 2008, 251 pp., \$24.95.

Columnist and professor Dionne knows how to summarize and encapsulate a great variety of data, making it both interesting and acces-

sible. His primary thesis is this: “The era of the Religious Right is over. Its collapse is part of a larger decline of a style of ideological conservatism that reached high points in 1980 and 1994 but suffered a series of decisive—and I believe fatal—setbacks during George W. Bush’s second term.” That may be a premature assessment, but it is certainly true that its domination of the marketplace is diminished. “There is very good reason to believe that in the coming years, America’s religious communities will no longer be seen as the natural allies of political conservatism.”

While Dionne notes that evangelical progressivism is a new ingredient in the stew of religious politics, he stresses that Catholics and non-evangelical Protestants are the real swing voters. “Catholics and mainline Protestants are two key swing groups in American politics – Catholics because they are less Democratic than they once were, mainline Protestants because they are less Republican. . . . Whoever wins the Catholic vote in a presidential election has a very high probability of winning election.”

Dionne devotes two of his seven chapters to Catholics in politics, first by placing U.S. Catholic political orientation in historical context. “The Church’s formal political positions have never mapped neatly with those of our political parties or our conventional ideologies. To summarize: the Catholic Church is strongly opposed to abortion, stem-cell research, assisted suicide, and gay marriage. It is also opposed to the death penalty, skeptical of an interventionist foreign policy, committed to a substantial government role in fighting poverty, and has been wary since at least John Ryan’s time of unregulated capitalism.”

Dionne and many other progressive Catholics thought the bishops moved too close to partisanship in 2004, openly seeming to support Bush over Kerry. The church scandals were depressing but more disillusionment was in store for Catholic liberals. “This was followed by the spectacle of the 2004 campaign, in which important parts of the Church seemed to side with the conservative party and the conservative candidate, even if so many of his views were at odds with Catholic social teaching.” This posture seemed to reject a long-standing heritage. “The American Catholic Church—with many conservative dissenters in its ranks—proved to be a powerful ally of movements for social justice and labor rights throughout the twentieth century.”

Dionne covers the entire range of interactions between religion and politics in an engaging and thoughtful way.

—Al Menendez

### Many New Spring Titles Stress Religion and Politics Issues

An avalanche of new books about religion and politics is coming from U.S. publishers this spring and summer. Those expected to generate interest include *The Party Faithful: How and Why Democrats Are Closing the God Gap* by *Time* editor Amy Sullivan (Scribner) and *Liberty of Conscience: In Defense of America’s Tradition of Religious Equality*, by University of Chicago professor Martha Nussbaum (Basic Books).

The Catholic vote, increasingly ignored by both parties but often a crucial swing vote that tends to favor presidential winners, is the subject of three forthcoming books: *Left at the Altar: How the Democrats Lost the Catholics and How the Catholics Can Save the Democrats* by former Wesley Clark speechwriter Michael Winters (Perseus Books); *The Catholic Vote* by Clarke Cochran (Orbis Books); and *Vote Catholic?* by Bernard Evans (Liturgical Press).

The Vatican’s World War II policies are examined by *Vatican Secret Diplomacy* by Charles R. Gallagher (Yale University Press) and *Pius XII, The Holocaust and the Cold War* by Michael Phayer (Indiana University Press).

These books, and others, will be reviewed in *Voice of Reason*.

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## Books and Culture, *continued from page 23*

*The Conservative Soul: Fundamentalism, Freedom, and the Future of the Right*, by Andrew Sullivan. Harper Perennial, 2007, 294 pp., \$14.95 paper.

Journalist Andrew Sullivan passionately criticizes the Republican Party's embrace of a fundamentalist mindset that is at variance with what he sees as conservatism's historic premises. This he labels the "theoconservative project," which has reshaped a conservative movement.

Sullivan is a constitutionalist and a supporter of secular government, which is, he says, in no way antireligious. "Definitionally secularism merely argues that public institutions and public law be separated from religious dogma or diktats. A secular society can be one in which large majorities of people have deep religious faith, but in which politics deals with laws that are, as far as possible, indifferent to the religious convictions of citizens, and clearly separated from them."

The Constitution, not the Bible, should be the touchstone of the conservatives. "The Constitution protects religious and other minorities from untrammelled religiously inspired majorities."

The Religious Right is clearly the enemy but not all religious conservatives are totalitarian-minded. "A person who believes that society should be governed only by laws consistent with his religious faith is not a theocrat if he merely tries to persuade majorities of his case, and restricts himself to constitutional, legal, and nonviolent activity." However, "The new American fundamentalists deny the possibility of a government that is neutral between differing views of what the meaning of life truly is. ... They reject the entire premise of secular democracy: that religion should be restricted to the private sphere, and the law should be as indifferent as possible to the substantive claims of various impassioned groups of true believers."

Sullivan is a provocative voice crying in the wilderness. His is the conservatism of Edmund Burke and Robert Taft. One wonders where he, and those who agree with his assessment, will end up on the American political spectrum of the future, since he observes, "Religious right dominance of the party machinery, in an electoral landscape remade by gerrymandering, means that few opponents of fundamentalist politics have a future in the Republican Party."

—Al Menendez

## Voters and Education

Regarding the Heritage Foundation report that public funding of faith-based and other private schools is on the rise ("School choice is on the rise, but with setbacks," February 11), it should be noted that this is occurring only in states where voters have been denied the opportunity to vote on the matter and where state courts have failed to apply the restrictive provisions of their state constitutions. In the 26 statewide referendums on school vouchers or their variants between 1967 and 2007 voters have said No by an average margin of two to one.

Voters know that tax aid to nonpublic schools harms our public schools and tends to fragment students along religious, ethnic, class, and other lines.

—Edd Doerr

*This letter was published in the February 14, 2008 issue of the Washington Times.*

## Poll Results on Vouchers Differ from Referendums

Your Report Roundup news item "School Choice in Illinois" (January 30, 2008) on the Milton and Rose D. Friedman Foundation poll purportedly showing support for school vouchers in Illinois was misleading. The actual poll results show that responses were confusing and contradictory and that the poll itself was nowhere as good as the annual Phi Delta Kappa/Gallup polls.

What the Friedman poll did show is that 48% of respondents attributed public school problems to school and classroom overcrowding and 14% to underfunding; that "universal school choice" (i.e., vouchers for all kids) is opposed 59% to 41%; that by 32% to 29% respondents think vouchers would help only the wealthy; that by 36% to 30% that competition would not improve education; that by 32% to 23% that accountability would suffer. Also, that 21% agreed that vouchers would harm public schools in poor areas and 39% agreed that vouchers would take money away from public schools.

Isn't it interesting that some polls claim support for vouchers while referendum elections register opposition at about two to one.

—Edd Doerr

*This letter was published in the February 13, 2008 issue of Education Week.*