



VOICE OF REASON

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Vouchers: They're BAACK!

Many people think the school voucher movement has stalled, concentrated in a few states with powerful lobbies, compliant legislatures and state courts that refuse to enforce their own constitutions. But they are wrong. Voucher advocates, with powerful allies in corporate America and the Republican Party, are expanding their efforts under the specious but superficially appealing slogan of "school choice."

In Congress U.S. Senator Tim Scott (R-SC) filed a resolution on January 7 encouraging the designation of the last week of January as "National School Choice Week," designed to celebrate "private schools, public charter schools, online academies, and home schooling." Scott also filed S.1909, the Choice Act, to expand the D.C. voucher program and create "pilot programs under the Department of Defense" for vouchers worth \$8,000 to \$12,000 per pupil to attend nonpublic schools.

The National Coalition for Public Education (NCPE), a coalition of over fifty educational, religious, and civil liberty groups, including Americans for Religious Liberty, issued a scathing indictment of "School Choice Week." The group warned that vouchers represent a "reckless scheme that threatens public education and doesn't offer quality school choice."

School choice is an innocuous-sounding moniker that "does not provide students and parents with real and meaningful choice." NCPE explained: "Under private school voucher schemes, the ultimate choice rests with the school, not with the students and their families. Voucher programs usually allow participating private schools to reject students based on numerous factors, including economic status, gender, religion, academic achievement, sexual orientation, and even disability. Public schools, on the other hand, are required to accept all students."

There is also a lack of quality control, no demonstrable data proving voucher school academic superiority (usually the opposite is true), and limited oversight and access to records and test scores.

In Texas a voucher proposal has been introduced in the legislature that would drastically alter the second largest state's entire educational system. The election of Republican Dan Patrick as lieutenant governor (a powerful position in the Lone Star State) advances this prospect. This new voucher scheme would "transfer hundreds of millions of dollars each year from neighborhood public schools to private and religious schools in Texas," warned the Texas Freedom Network.

In New York State, Gov. Andrew Cuomo has apparently become the first Democratic chief executive to support a "tax-credit scholarship program," in reality a back-door voucher, as well as expansion of charter schools. Progressive Democrats and public school supporters are appalled.

On the ideological front, voucher supporters are everywhere, or so it seems. Well-placed articles expounding the virtues of vouchers, while ignoring the realities and actual research, have appeared recently. "Letting Education and Religion Overlap" appeared in *The Wall Street Journal* on January 8. Written by two staffers at a pro-voucher institute at the University of Arkansas, the article extolled Belgium as a sterling example of "school choice, including state-funded religious schools,"

while "free-market, highly religious America is dominated by government-education monopolies." The authors accuse the United States of allowing Nineteenth Century anti-Catholicism to influence and shape public education financing—a charge frequently made but refuted by such scholars as Steven Green. In an article filled with *non sequiturs*, the authors claim that "Belgian students have far outscored their American counterparts on international assessment tests," without taking into account the huge differences between the countries.

Another example of pro-voucher propaganda is "School Vouchers, School Choice," by Matthew Chingos and Paul Peterson, which was published in the *Journal of Public Economics* (volume 122, February 2015).

Both of these articles ignore state constitutional provisions forbidding tax support for religious education, the pervasively sectarian nature of most private schools, and the results of 28 state referendum elections over the past half-century which show that the vast majority of Americans have not jumped aboard the voucher train.

While there is no evidence that supporting school vouchers is a winning political proposition, many Republican legislators think so and are planning accordingly. Two potential GOP presidential candidates, Sens. Rand Paul of Kentucky and Ted Cruz of Texas, have called school choice "the civil rights issue of our time."

Rep. Luke Messer (R-IND) plans to introduce a bill that would allow Title 1 funds for low-income students to be transferrable from public to private or religious schools. A similar measure may be introduced in the Senate by Lamar Alexander (R-TN). Both are prominent members of committees writing education policy. The reauthorization of the Elementary and Secondary Education Act includes a provision for "portability," which would dismantle the program designed to support schools with high concentrations of poverty, thereby creating "a national private school voucher plan," according to the National Committee for Public Education. ■

(For other voucher news see "The Voucher Watch" on page 7)

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More Abortion Restrictions Coming?

The sweeping Republican victories in state legislative races are expected to produce a new surge of restrictions on abortion rights. On November 28 *Politico* writer Paige Winfield Cunningham forecast: “Abortion rights advocates have had setbacks in the states for several years, with a surge of legislative activity since 2011. Women seeking abortions may face mandatory waiting periods or ultrasound requirements. Clinics may face stricter building codes or hospital admitting privilege rules they can’t satisfy. Dozens of clinics have shut down in multiple states.”

Several states have already seen movement on this front:

Arkansas lawmakers plan to bar doctors from administering abortion drugs through telemedicine and may pass legislation that would prevent Medicaid funds from going to any health organization that provides abortion services. A measure to ban abortions after 20 weeks may pass, and a new Republican governor is expected to approve it. His Democratic predecessor had vetoed a similar bill.

Nevada may approve a religious exemption for abortion and contraception in insurance coverage under the health care law. (However, Republican Gov. Brian Sandoval does not favor new abortion restrictions and may veto new legislation.)

Tennessee voters narrowly approved a constitutional change withdrawing protection for abortion rights, and the legislature is expected to revive parental consent laws for minors, a mandatory 24-hour waiting period, and stricter clinic regulations. One Republican legislator, Rick Womack, has already introduced bills requiring mandatory ultrasounds and a three-day waiting period.

West Virginia may approve a ban on most abortions after 20 weeks, which the state’s Democratic Gov. Earl Ray Tomblin previously called unconstitutional.

Anti-choice activists are emboldened by the election results. Cunningham added, “Another eight states—Ohio, Arizona, Kansas, Nebraska, Oklahoma, Louisiana, Mississippi and Wisconsin—are considered top targets by abortion opponents.”

Politico reported on January 12: “Meanwhile the ranks of states that have 20-week abortion bans is expected to grow after the midterms left the GOP controlling two-thirds of state legislatures and 31 governors’ offices. Activists are bullish that Republicans will press forward on those proposals in Wisconsin, West Virginia and South Carolina, expanding on the 13 states that have approved similar proposals.”

The Congressional House Republicans stumbled badly when they were forced to drop a bill banning abortion after 20 weeks when an

unexpected revolt by nearly two dozen Republican moderates, including many women, threatened to derail it. The bill included exceptions for rape, incest and threat to a woman’s health. But a key new element said a woman who is raped would qualify for an exception only if she reported the assault to law enforcement authorities.

Many Republican legislators questioned why the party should be immediately targeting abortion and immigration when voters repeatedly cited economic and foreign policy issues as their primary concerns. *Washington Post* reporter Ed O’Keefe wrote bluntly: “The episode exposed a growing concern within the GOP that emphasizing culture-war issues in the new Congress could distract from the party’s broader agenda and upend hope of retaking the White House.”

House GOP leaders apparently wanted to pass a symbolic 20-week ban on January 22, when anti-choice activists descended on Washington. Unable to do so, they passed a meaningless ban on federal abortion funding (H.R. 7), which was already banned by the Hyde Amendment in 1976 and upheld by the Supreme Court a year later. It includes exceptions in cases of rape, incest, or threats to the woman’s life.

Thomas Voting Reports analyzed the 242-179 vote: “The House passed a Republican-sponsored bill (HR 7) that would ban taxpayer-subsidized insurance policies that cover abortion from the Affordable Care Act’s state and federal marketplaces. The bill would prohibit any use of federal funds or tax credits to subsidize premiums for such policies. Opponents called those provisions unnecessary because the ACA requires policyholders to pay the portion of their insurance premium that reflects coverage of reproductive services.”

Washington Post reporter Dana Milbank was withering in his assessment. “Why was a 20-week abortion ban so important to them and so urgent? And were restrictions on abortion for rape victims really worth fomenting a rebellion by Republican women in Congress?”

Democrats were united in their opposition to Republican attempts to restrict abortion. Rep. Rosa DeLauro of Connecticut said, “The role of Congress should not be to deny women a medical procedure that they have decided with their physician is the right course of action. What Congress should be doing is working every day to reduce unintended pregnancies and keep women healthy.”

Even if such a ban is reintroduced, it is given no chance of passing the 60-vote hurdle in the Senate. Sens. Lisa Murkowski (R-AK), Susan Collins (R-ME), Dean Heller (R-NV) and Mark Kirk (R-IL) have already announced their opposition, as have almost all Democrats.

(For more news about abortion rights see page 8) ■

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Charter Schools Create New Controversies

Education Week reported that eight states prohibit charter schools. “Most are heavily Republican and largely rural,” wrote Colleen Jaskot in the journal’s October 27 issue. Seven of the eight went for Romney in 2012 (Alabama, Kentucky, Nebraska, Montana, North Dakota, South Dakota and West Virginia) while only Vermont supported Obama.

A strong push for charters is now occurring in **Kentucky**, but solid opposition came from retired University of Kentucky professor Marty Solomon, who wrote in the *Lexington Herald-Leader* on January 5 that “Charter schools would be an unwise investment for Kentucky” largely because “charter schools are essentially private schools, run by private operators, under private rules, with private teachers, operating with far less accountability than public schools, and are exempt from all state statutes and administrative regulations.” These schools also “suck scarce funds away from our public schools, thereby making quality public education more difficult. At the same time, the vast majority of charters fail to deliver on their hollow promise to provide a superior education.”

Two states that allow charters may see more of them. **Maryland’s** new Republican Gov. Larry Hogan said his administration would submit legislation making it easier for public charter schools to operate. At present, 51 of Maryland’s 1,450 public schools are charter schools.

In **Virginia** a proposed constitutional amendment making it easier to establish charter schools passed the state senate on February 4. Backed by Republicans, it would grant the state Board of Education authority to establish charter schools within local school districts, a power that currently rests with local school boards. The proposal still faces hurdles, since Virginia requires a proposed amendment to pass the General Assembly in two consecutive years and then face voter approval in a referendum.

A new study of college completion rates in **Boston** shows that public school graduates outperformed charter school graduates. The report, says Diane Ravitch, “compared members of the respective classes of 2007 from the city’s high schools and found that 50% of those who attended public schools earned a college degree within six years of graduation compared to 42% of those who attended charter schools.” What’s more, the college attainment rate for Boston’s public high schools increased significantly, from 35% in the class of 2000.

NBC’s affiliate in Miami reported on December 8 that 49 charter schools in **South Florida** had closed in the past five years. More than 40% owed money to the state. In Broward County (Fort Lauderdale), 12 defunct charters owed \$1 million in taxpayer funds. Of Florida’s 600 charter schools, 246 have closed since 2009.

The first suit alleging religious (as well as gender and nationality) discrimination in a charter school associated with the Gulen movement was filed in the Court of Common Pleas in Cuyahoga County, **Ohio**, in February. Former teacher Mary Addi, who was employed at the Horizon Science Academy in Cleveland from August 2006 until her dismissal on February 12, 2009, said repeated discrimination and her complaint to the EEOC resulted in her firing. Furthermore, her husband, a Turkish national and teacher at the same school, was told he should divorce her and find a suitable Muslim wife (The school offered to assist in that search!)

Addi’s complaint said her husband was “harassed and intimidated” in Ohio and in Turkey because his wife was “not a Muslim or a member of the Gulen movement.”

Her complaint with EEOC was inconclusive but issued a “Notice of Right to Sue” on July 30, 2010.

The case, *Addi v. Horizon Science Academy Denison Middle School*,

could have national implications for the Turkish-oriented Gulen schools, 140 of which operate in 25 states.

A survey by Advocates for Children of New York (AFC), a non-profit civic group, found that a large number of **New York City** charter schools employed disciplinary and suspension policies that violate state law.

AFC surveyed 164 charter schools and found significant violations of state laws that are supposed to apply to all public schools, including charter schools.

Some of the highlights are:

- 82 schools permit suspension or expulsion for lateness, absence, or cutting class
- 133 schools failed to give written notice of a suspension
- 25 schools failed to include the right to a hearing prior to long-term suspension
- 59 schools have no right of appeal
- 52 schools failed to include the right to alternative instruction during the suspension period.

As a result, AFC provided guidance or legal representation to more than 100 parents in charter school suspension and expulsion cases.

AFC called on New York State legislators to amend laws to make sure that charter school discipline policies “meet the requirements of state public school law and are aligned with federal guidance.” Charter schools must report suspension and expulsion data and must provide full-time alternative instruction. Failure to do so should be a factor in approval or renewal of charter school applications by charter school authorizers and the state Board of Regents.

Education writer Diane Ravitch wrote, “If charter schools are public schools, they should abide by the law. As matters stand, when children enroll in charters, they check their rights at the door.”

Despite these scandals, the National Alliance of Public Charter Schools estimated that 2.9 million students attend 6,700 such schools, an increase of 14% over the past year. ■

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Home Schooling Gains Political Clout

The home schooling movement, which emerged as a political movement about three decades ago, has convinced every state to allow the practice, draining at least about two million students from public schools. The movement's political arm, the Home School Legal Defense Association (HSLDA), headquartered in Purcellville, Virginia, is closely associated with the Religious Right, though it purports to represent all types of home-schoolers.

The last remaining hurdle is how much regulation states should have in order to determine or certify whether home-schooled children have received an adequate education.

Pennsylvania is the latest state to cave in and require fewer regulations. HSLDA legal counsel Dewitt T. Black III even wrote a version of the bill that was passed in October. *New York Times* education reporter Motoko Rich wrote on January 4: "Pennsylvania educators fought the recent changes, which eliminated the requirement that families submit their children's portfolios, as well as the results of standardized testing in third, fifth and eighth grade, to school district superintendents. The new law also allows parents to certify that their children have completed high school graduation requirements and to issue homegrown diplomas without any outside endorsement."

Rich reported that other states have similarly loose or nonexistent regulations. "Eleven states do not require families to register with any school district or state agency that they are teaching their children at home, according to the Coalition for Responsible Home Education, a

nonprofit group that is pushing for more accountability in home schooling. Fourteen states do not specify any subjects that families must teach, and only nine states require that parents have at least a high school diploma or equivalent in order to teach their children. In half the states, children who are taught at home never have to take a standardized test or be subject to any sort of formal outside assessment."

Connecticut, Oklahoma and Texas do not even require home-schoolers' families to register with the local or state education agency. Utah's legislature removed academic subject requirements for home-schoolers and eliminated the requirement that families file annual affidavits with school districts, indicating their intent to educate their children at home. Iowa, New Hampshire and Minnesota removed similar requirements.

The HSLDA, which has an annual budget of \$9.6 million, wants all state regulation to end. Critics, including some who were homeschooled themselves, have formed the Coalition for Responsible Home Education to fight the trend toward deregulation.

One Pennsylvania educator, Jim Buckheit, executive director of the Pennsylvania Association of School Administrators, decried this trend. "Here we are loosening standards for a subset of students while at the same time giving them the same credential as all other students." He noted that public school students are being held to higher testing standards while home-schoolers are getting a free pass. ■

Supreme Court Hears Religious Speech Case

A case involving an unusual overlap between free speech and religious freedom reached the U.S. Supreme Court on January 12. The town of Gilbert, Arizona, has a law that allows political signs to be larger and to remain in place for months, while signs advertising church services must be small and must be removed an hour after the event ends.

A small church, the Good News Community Church, has had a long-running dispute with town authorities because it has no permanent home and has limited financial means to erect signs. The church claims it is being treated differently from political candidates, builders, and homeowner associations. Organizations supporting the church say the town is guilty of arbitrary content discrimination against religious speech.

Under the town's ordinance, church signs must be 60% smaller than ideological signs and 81% smaller than political signs. (In other words, six square feet versus 20 square feet versus 32 square feet.)

Church or synagogue signs can be erected only 12 hours before a service and must be removed one hour after the service ends, while political signs can stand for months and ideological signs can remain indefinitely.

In the oral arguments, most justices across the spectrum seemed unsympathetic to the town. *Washington Post* legal affairs reporter Robert Barnes commented, "The Supreme Court found so many things to question about an Arizona town's sign ordinance Monday that it was difficult to tell exactly which grounds the justices might ultimately cite if, as seems likely, they strike it down."

The town prevailed in lower courts over the past seven years by claiming that municipalities have a right to regulate temporary directional language. But several justices seemed concerned that content regulation resulted in differential treatment, thus raising First Amend-

ment issues. Ira Lupu, a law professor at George Washington University, said, "This is a speech case, not a religious rights case."

A decision in *Reed v. Town of Gilbert* is expected by June. ■

Vouchers: AAUW Says No

The American Association of University Women urged its members on January 26 to contact their U.S. Senators, urging the lawmakers to "oppose vouchers and support education priorities that benefit all children." AAUW stressed these points:

1. "School choice" is "a disingenuous euphemism sometimes used for vouchers.
2. "Private and religious schools are among the biggest proponents of voucher schemes, and they want your federal tax dollars to teach their religion. Students who want to attend a secular school are left with few options, as the vast majority of schools that accept vouchers are religious schools.
3. "Voucher programs systematically exclude students with disabilities from participation. Private voucher schools often fail to provide equal access for students with disabilities, and there are reports that children with disabilities have either not been enrolled at all or have been asked to leave schools.
4. "Private voucher schools can enforce their own morality when it comes to enrollment of students and hiring of teachers.
5. "Entrance tests allow some voucher schools to reject students with poor academic achievement, and admissions can discriminate based on gender, religion, ability, race, and income (especially if you can't afford the difference between your voucher and tuition)."

Prisoner May Wear Beard for Religious Reasons

A Muslim prisoner in Arkansas was vindicated in his claim that his religion required him to wear a beard, a unanimous U.S. Supreme Court held on January 20. The decision in *Holt v. Hobbs* was based on the Free Exercise Clause of the First Amendment, as strengthened by the Religious Freedom Restoration Act (RFRA) and the Religious Land Use and Institutionalized Persons Act (RLUIPA).

Justice Samuel Alito, writing for the majority, said Arkansas prison officials had not proved a compelling government interest to override the requirements of the law and had not sought the least restrictive means of achieving that goal.

In this case the prisoner, Gregory Houston Holt, also known as Abdul Maalik Muhammad, compromised with corrections officials and kept his beard trimmed to one-half inch. But prison authorities said beards could only be allowed for medical, not religious, reasons, and must be one-quarter inch in length. Lower courts had upheld these prison rules and ignored the religious issue.

Alito wrote on behalf of the entire court: “We conclude in this case that the Department’s policy substantially burdens petitioner’s religious exercise. Although we do not question the importance of the Department’s interests in stopping the flow of contraband and facilitating prisoner identification, we do doubt whether the prohibition against petitioner’s beard furthers its compelling interest about contraband. And we conclude that the Department has failed to show that its policy is the least restrictive means of furthering its compelling interests. We thus reverse the decision of the United States Court of Appeals for the Eighth Circuit.”

The majority held that Congress, in passing RLUIPA, “underscores its expansive protection for religious liberty and ‘ordered any exercise of religion; whether or not compelled by, or central to, a system of religious belief.’” Alito added that Congress intended that this protection “shall be construed in favor of a broad protection of religious exercise, to the maximum extent permitted by the Constitution.” Furthermore, “Congress stated that RLUIPA ‘may require a government to incur expenses in its own operations to avoid imposing a substantial burden on religious exercise.’”

The majority was unusually critical of the original District Court decision. “First, the District Court erred by concluding that the grooming policy did not substantially burden petitioner’s religious exercise because he could practice his religion in other ways. Second, the District Court erroneously suggested that the burden on petitioner’s religious exercise was slight because petitioner testified that his religion would ‘credit’ him for attempting to follow his religious beliefs, even if that attempt proved unsuccessful. RLUIPA, however, applies to religious exercise regardless of whether it is compelled.”

The Arkansas Department of Correction’s policy was criticized. “The Department fails to show that enforcing its beard prohibition against petitioner furthers its compelling interests in preventing prisoners from hiding contraband and disguising their identities.” The fact that 43 state prison systems and federal prisons allow half-inch (or more) beards was also cited. “Second, the Department failed to show, in the fact of petitioner’s evidence, why the vast majority of States and the Federal Government permit inmates to grow ½-inch beards, either for any reason or for religious reasons, but it cannot. . . . That so many other prisons allow inmates to grow beards while ensuring prison safety and security suggests that the Department could satisfy its security concerns through a means less restrictive than denying petitioner the exemption he seeks.”

The Court held that RLUIPA “provides substantial protection for the religious exercise of institutionalized persons [but] also affords

prison officials ample ability to maintain security.”

The Court did not give blanket protection for illegitimately asserted claims, particularly “if an institution suspects that an inmate is using religious activity to cloak illicit conduct” or “abuses the exemption in a manner that undermines the prison’s compelling interests.”

Two concurring opinions were also filed. Justice Ruth Bader Ginsburg, joined by Justice Sonia Sotomayor, emphasized that “accommodating petitioner’s religious belief in this case would not detrimentally affect others who do not share petitioner’s belief.” This was interpreted as a slap at last year’s *Burwell v. Hobby Lobby Stores, Inc.* decision, which pitted the employer’s religious liberty claims against those of employees.

In a separate concurring opinion, Justice Sonia Sotomayor was persuaded that the Arkansas Department of Corrections “offered little more than unsupported assertions in defense of its refusal of petitioner’s requested religious accommodation.” While expressing support for the necessity of prison security, Sotomayor noted, “The Court correctly notes that the Department inadequately responded to the less restrictive policies that petitioner brought to the Department’s attention during the course of the litigation, including the more permissive policies used by the prisons in New York and California.”

The decision was widely praised by religious and civil liberty groups, including the American Jewish Committee and the Baptist Joint Committee on Religious Liberty, whose executive director Brent Walker said, “Everyone’s religious liberty is precious, but that of incarcerated persons is particularly fragile.” ■

School Vouchers Bad in Many Ways

Re: January 21 commentary, “School choice is crucial for Texas economy,” regarding Arthur Laffer’s proposed school voucher plan, vouchers are a bad idea for at least the following reasons:

- They would fragment the school population along religious, political, ideological, class, ethnic and other lines.
- They would violate the Texas Constitution (Article I, Sections 6.7; Article VII, Section 5).
- They would violate every taxpayer’s religious freedom by forcing them to support religious institutions against their will.
- They would undermine the teaching profession and make it less attractive.

Millions of voters from coast to coast have rejected vouchers or their variants in 28 referendum elections by an average margin of 2 to 1, most recently in Florida (Jeb Bush’s plan) in 2012 and in Hawaii in 2014.

—Edd Doerr
Austin American-Statesman
January 23, 2015



Church and State in the Courts

At the U.S. Supreme Court, 2015 “could shape up to be a particularly active and influential year when it comes to religious liberties issues,” wrote David Masci, senior researcher at the Pew Research Center. Noting that the High Court had just expanded the religious liberty rights of prisoners, Masci added, “In the coming weeks, the high court will hear arguments in a case involving religion in the workplace, and the justices also will decide whether to hear another challenge to the Affordable Care Act’s contraception mandate – this time from religiously affiliated nonprofits.”

One upcoming case, *Abercrombie & Fitch v. EEOC*, “offers the Court a clear opportunity to set guidelines on how much employers need to accommodate employees’ religious practices” and is scheduled to be heard on February 25.

The Court may also decide to return to the contentious issue of contraceptives under the Affordable Care Act as it applies to religiously affiliated nonprofits, including hospitals and schools.



South Carolina, which pioneered political secession a century and a half ago, seems to like the idea as it relates to religion today. A South Carolina court ruled on February 3 that the Episcopal Diocese of South Carolina legally seceded from the national church in 2012 and can retain control of \$500 million in church property and assets. Circuit Court Judge Diane Goodstein held that the national church “has no provisions which state that a member diocese cannot voluntarily withdraw its membership. With the freedom to associate goes its corollary, the freedom to disassociate.”

Most courts nationally have ruled in favor of national denominations (particularly those with a hierarchical structure) but Goodstein’s ruling coincides with similar decisions supporting breakaway Episcopal dioceses in Fort Worth, Texas and Quincy, Illinois.

The 30 parishes that remain a part of “The Episcopal Church USA” plan to appeal the ruling. The victorious side includes 38 parishes which seceded. One factor that may have influenced the decision is that the Diocese of Charleston was established in 1785, four years before the National Episcopal Church was created and separated from the Church of England in 1789.



Faith-based organizations can fire employees for religious reasons in the same manner as churches, the U.S. Court of Appeals for the Sixth Circuit ruled on February 5. The InterVarsity Christian Fellowship (IVCF) is an evangelical parachurch organization that fired an employee, Alyce Conlon, in 2011 for filing for divorce. Conlon filed suit against IVCF in 2013, claiming sex discrimination because two male colleagues had been divorced but were not terminated.

The Sixth Circuit invoked the U.S. Supreme Court ruling in the *Hosanna-Tabor* case, which allows religious organizations to define the religious nature of its employee positions. The appeals court held: “Because IVCF is a religious organization and Conlon was a ministerial employee, IVCF’s decision to terminate her employment cannot be challenged under federal or state employment discrimination laws....It is undisputed that InterVarsity Christian Fellowship is a

Christian organization, whose purpose is to advance the understanding and practice of Christianity in colleges and universities. It is therefore a ‘religious group’ under *Hosanna-Tabor*.”

Religious Right legal groups hailed the decision in *Conlon v. InterVarsity Christian Fellowship*.



An Ohio Muslim woman, Sakeena Majeed, charged in a federal lawsuit filed on December 18 that she was forced to attend Christian church services during her 60-day incarceration. Majeed said corrections officers forced her and other inmates in the Cuyahoga County jail to attend Friday afternoon services conducted by a Baptist minister. Failure to do so would result in solitary confinement, she alleged. “That should be offensive to anybody, no matter what your religion is,” her attorney Matthew Besser told Associated Press. Besser added, “Forcing someone to attend a church service against his or her will is a clear violation of the constitutional right to freedom of religion, a right that is not lost when someone is incarcerated.” ■

President Obama Proclaims January 16, 2015, Religious Freedom Day

The following are excerpts from President Obama’s Proclamation:

From many faiths and diverse beliefs, Americans are united by the ideals we cherish. Our shared values define who we are as a people and what we stand for as a Nation. With abiding resolve, generations of patriots have fought—through great conflict and fierce debate—to secure and defend these freedoms, irrevocably weaving them deep into the fabric of our society. Today, we celebrate an early milestone in the long history of one of our country’s fundamental liberties.

On January 16, 1786, the Virginia Statute for Religious Freedom was adopted. It was one of the first laws in our Nation to codify the right of every person to profess their opinions in matters of faith, and it declares that “no man shall be compelled to frequent or support any” religion. Drafted by Thomas Jefferson and guided through the Virginia legislature by James Madison, this historic legislation served as a model for the religious liberty protections enshrined in our Constitution.

The First Amendment prohibits the Government from establishing religion. It protects the right of every person to practice their faith how they choose, to change their faith, or to practice no faith at all, and to do so free from persecution and fear. This religious freedom allows faith to flourish, and our Union is stronger because a vast array of religious communities coexist peacefully with mutual respect for one another. Since the age of Jefferson and Madison, brave women and men of faith have challenged our conscience; today, our Nation continues to be shaped by people of every religion and of no religion, bringing us closer to our founding ideals. As heirs to this proud legacy of liberty, we must remain vigilant in our efforts to safeguard these freedoms.



The Voucher Watch

- “One third of Louisiana’s voucher students are enrolled at private schools doing such a poor job of educating them that the schools have been barred from taking new voucher students,” the New Orleans *Times-Picayune* reported on February 2. The newspaper said that the state Education Department had made this decision. Despite this appalling finding, the total enrollment in the state voucher program increased from 6,775 to 7,362 over the past year.

- One of Florida’s leading newspapers, the Orlando *Sun-Sentinel*, called upon the state’s courts to “review the state’s school voucher program after this year’s massive expansion by the legislature.”

Endorsing a suit challenging the program in a November 29 editorial, *Sun-Sentinel* editors cited clear violations to the state constitution forbidding the sending of public funds to religious schools. The constitutional requirement of a “uniform system of public schools” is violated since a voucher program is really a “parallel” system of education that is not under public control.

The editors also questioned the lack of accountability in the mostly faith-based voucher schools. “The most recent independent assessment confirms there is no way to accurately compare voucher students with Florida public school students. Absent that accountability, parents who praise the program don’t know with certainty if their children are doing better.”

Furthermore, the program does not really help poor and disadvantaged children. “Families of four making roughly \$62,000 will be eligible for a voucher. Three federal surveys place the median income for a Florida family of four at roughly \$65,000. That is middle class, not poverty or working poor.”

In short, “There is no compelling evidence the program is succeeding,” despite the fact that “Florida spent \$286 million on just 2.7% of all students last year.”

The editors concluded, “Legal review of the voucher program is

long overdue.”

- Indiana Gov. Michael Pence proposed an additional \$4 million to expand the statewide school voucher program in his proposed budget for fiscal years 2016 and 2017.

- In Nevada Gov. Brian Sandoval is reportedly planning to propose business tax credits to aid private and religious schools, even though the state constitution prohibits tax support for faith-based schools in Article XI, Section 10.

- In New Orleans, Danielle Dreilinger reported in the *Times Picayune*, “This year, 131 private schools are participating. But 23 of them failed to meet the bar and may not take new students in the fall. These schools have 2,550 voucher students, according to the new data.” Students in the failing schools may stay there, even though no new students can be accepted. Louisiana spends \$42 million on the program, an average cost of \$5,545 per student. While the growth in voucher school enrollment was 9% in 2014-2015, it had been 38% in the previous year.

The New Orleans daily also reported that an analysis by the conservative American Enterprise Institute found that fewer than a quarter of voucher schools planned to take any more students, and 13% planned to reduce enrollment. Voucher promoter, Gov. Bobby Jindal, told the legislature that \$3.7 million of the allotment for school vouchers had gone unused.

- Maryland’s Republican Gov. Larry Hogan has endorsed “tax credits” for businesses and others who contribute to private and religious schools. Similar bills have failed in the past in Maryland. The bills (HB 487 and SB 405) would allow tax credits against state income tax for “contributions made to specified student assistance organizations” and would go into effect on July 1. The primary beneficiaries would be faith-based schools. The Democratic House speaker is a co-sponsor. ■

Remembering Isaac Asimov

This April will mark the 23rd anniversary of the death of Isaac Asimov, one of the world’s most distinguished writers and science popularizers. Although Americans for Religious Liberty was founded principally by Edward Ericson and the late Sherwin Wine, it was Isaac Asimov who signed ARL’s membership prospecting letters during its first decade and thus helped to build the organization’s membership. Asimov was the author of over 500 books, covering every field in the Dewey Decimal System – science fiction, science, history, religion, Shakespeare, the Bible, etc.

In the late 1980s Asimov and philosopher Corliss Lamont were among the plaintiffs in the successful ARL/ACLU lawsuit challenging American government tax aid to faith-based schools overseas. On September 26, 1991, the Second U.S. Court of Appeals ruled in ARL’s favor. As the George H.W. Bush administration did not appeal the ruling to the Supreme Court, the appellate court ruling (*Lamont v. Woods*) stands, though, curiously, the great victory for church-state separation is rarely mentioned. (See *VOR* No. 39, Fall 1991)

On January 23, 1989, Asimov and ARL president Edd Doerr presented a statement defending reproductive choice at a Religious Coalition for Abortion Rights (now Religious Coalition for Reproductive Rights) press conference. (See *VOR* No. 28)

In November 1988 Asimov had Doerr introduce him at an awards conference held jointly at Harvard and M.I.T. Doerr said that Asimov “is not a Renaissance man, but a one-man Renaissance,” and said that the first contact with Asimov was 44 years earlier as a high school freshman when he bought his first science fiction magazine, with a story by Asimov, and held up the very issue.

Isaac Asimov was but one of the eminent scientists who have supported or been associated with ARL. Others have included Carl Sagan, Stephen Jay Gould, Ernst Mayr, Francis Crick, Hans Bethe, Edward O. Wilson, Eugenie Scott, Morris Goodman, Philip Appleman, plus many who signed an ARL amicus curiae brief in an important Supreme Court case on abortion rights.

—Edd Doerr

Updates

Oklahoma Shelves Bible Course

An Oklahoma school district that had approved a controversial Bible curriculum withdrew its support at the end of November. The Bible course, designed by Hobby Lobby president Steve Green, was criticized by numerous scholars, who called it more of a conservative Protestant Sunday school class than an objective study suitable for public high school students. Mustang School District Superintendent Sean McDaniel announced on November 25 that “the topic of a Bible course is no longer a discussion item nor is there a plan to provide such a course in the foreseeable future.”

However, Oklahoma Republican state senator Kyle Loveless has introduced a bill (SB 48) that would allow Bible courses in public schools without the “fear of legal liability.” The bill claims to support “an elective course in the objective study of the Bible.”

ARL board chairman and Temple University law professor Burton Caine told *The Huffington Post*, “This sounds like a dodge. Distinctions make the field of religion in schools very foggy, but this one is foggier than any.” Caine added that it “makes no difference” in terms of First Amendment law whether the course was an elective or required class.

Sen. Loveless said his bill was “not endorsing one religion over the other,” but added, “Oklahoma is a predominantly Christian state.”

Creationists Lose in Several States

Supporters of teaching creationism in public schools lost in Kansas and Ohio. On December 5 a federal court in Kansas dismissed a lawsuit (*Cope v. Kansas*) alleging that new science standards adopted for public schools promote atheism and violate religious freedom. U.S. District Judge Daniel Crabtree concluded that the challengers failed to claim specific injuries from adoption of the guidelines. Therefore, the case could not continue. Kansas joined 25 other states in adopting National Research Council standards that treat evolution and climate change as key scientific concepts that must be included in school curricula.

In Ohio a bill to limit discussion of evolution (House bill 597) is unlikely to reach a full House vote. It would have required the state’s science standards law to “prohibit political or religious interpretation of scientific facts.”

Wyoming may join 13 other states in adopting the Next Generation Science Standards, which includes evolution and climate change, according to the *Billings Gazette*, December 15, 2014.

Abortion Rights News

An **Indiana** law targeting a Planned Parenthood facility that provides only drug-induced abortions was ruled unconstitutional on December 3. U.S. District Judge Jane Magnus-Stinson said the law “results in disparate treatment” of clinics and medical facilities. Betty Cockrum, president of Planned Parenthood of Indiana and Kentucky, said the law was “medically unnecessary and designed to chip away at a woman’s right to access a safe, legal abortion.”

The U.S. Supreme Court on December 15 declined to review an appeals court ruling that blocked an anti-abortion rights law in **Arizona**. The state had enacted restrictions on early stage medical abor-

tions. The U.S. Court of Appeals for the Ninth Circuit blocked the law’s implementation, and the Supreme Court’s refusal to hear a challenge lets that decision stand. “The court did the right thing today, but this dangerous and misguided law should never have passed in the first place,” said Cecile Richards, president of Planned Parenthood Federation of America.

Washington Post legal affairs writer Robert Barnes explained, “The legal issue in the case is whether Arizona’s law imposes an ‘undue burden’ on women seeking abortions before the point of fetal viability. That is the standard the Supreme Court set in a 1992 decision, and the legal battle over abortion since then has focused on when abortion regulations—which are increasing in states with Republican-led legislatures—cross that line.”

Kentucky Withdraws Tax Breaks for Ark Park

Kentucky tourism officials killed \$18 million in tax incentives for a proposed Noah’s Ark theme park. The decision, announced on December 10 by Cabinet Secretary Bob Stewart, said the state could not support projects that discriminated by religion in hiring practices. The group behind the project, Answers in Genesis (AIG), made evident that only those who subscribe to fundamentalist religion and Biblical literalism could be hired.

Stewart, who heads the state’s Tourism, Arts and Heritage department, declared, “State tourism tax incentives cannot be used to fund religious indoctrination or otherwise be used to advance religion. The use of state incentives in this way violates the separation of church and state provisions of the Constitution and is therefore impermissible.” He added, “It is readily apparent that the project has evolved from a tourist attraction to an extension of AIG’s ministry that will no longer permit the commonwealth to grant the project tourism development incentives.”

Answers in Genesis is likely to appeal the decision, basing its contention on a 2013 Kentucky law “designed to protect religious people and organizations from burdens imposed by state government,” according to an Associated Press report of January 5.

Religious Profiles of the Parties Vary

In the new 115th Congress, 67% of the now-historic Republican majority defines itself as Protestant, while only 44% of Democrats are Protestant. The Protestant Republicans are almost all white and include large numbers of evangelicals and Southern Baptists. Many Protestant Democrats are African American.

Catholics constitute 35% of Democrats, many of them Hispanic, and 27% of Republicans. The Democratic margin among Catholic members has declined.

Among other groups, 12% of Democrats are Jewish, while Jews constitute only 0.3% of Republicans (one member from New York). Mormons comprise 5% of Republican ranks and 1% of Democrats. “Other” religions represent 8% of Democrats and 0.7% of Republicans. The Christian orientation of the GOP is seen even in the other category. Among Republicans they are likely to be Greek Orthodox, while Democratic members include Buddhists, Hindus, Muslims, and the nonaffiliated.

In the entire Congress, 57% are Protestant, 31% Catholic, 5% Jewish, 3% Mormon, 1% Eastern Orthodox and 3% others.

In terms of change since the previous Congress, Baptists and Lutherans gained the most, six and four respectively, while Presbyteri-

ans declined by seven and Jews by five.

Religious differences are strong regionally. Catholics outnumber Protestants among Northeastern members 57% to 33%, while Protestants are dominant in the South 76% to 19% and in the Midwest 60% to 31%. The West is more diverse, with 45% Protestant, 28% Catholic, 12% Mormon, 7% Jewish and 8% other or none. Jewish members are strongest in the Northeast, where they represent 9% of members. All Mormons, except one from Florida, represent Western states.

Some religious groups have a higher percentage of members in one chamber than the other. Baptists, Episcopalians and Catholics are stronger in the House than the Senate, while Presbyterians, Jews, Mormons and Lutherans are stronger in the Senate.

Republicans gained among all groups, owing to the national trend in 2014, but gained the most among Baptists, Catholics and Lutherans. Fully half of Catholic House members are Republicans, while a majority of Senate Catholics are still Democrats.

U.S. Education Performs Well Despite Economic Adversity

The United States still has the world's most educated workforce among large nations, despite unparalleled levels of poverty, inequity and violence. This is the conclusion of a study commissioned by the National Superintendents Roundtable and the Horace Mann League, released on January 20.

The report, *School Reform in Context*, "challenges the practice of ranking nations by educational test scores and questions conventional wisdom that the U.S. educational system has fallen badly behind school systems abroad." To arrive at its conclusions, the study examined six dimensions that affect student performance, including social stress, economic equity, support for families, public support for schools, student outcomes and system outcomes. The G-7 nations (Canada, France, Germany, Italy, Japan, the United Kingdom and the United States) were the primary targets for study, along with China and Finland. "Many policymakers and business leaders fret that America has fallen behind Europe and China, but our research does not bear that out," said James Harvey, executive director of the National Superintendents Roundtable.

"The United States reported the highest rates of violent death and teen pregnancy, and came in second for death rate from drug abuse," but "student performance is promising despite these challenges."

Looking solely at test scores in assessing educational achievement skews the findings because so many factors influence the outcome. Superintendent James Harvey added, "We don't oppose using international assessments as one measure of performance. But as educators and policymakers, we need to compare ourselves with similar nations and on a broader set of indicators that put school performance in context—not just a single number in an international ranking."

Obama Stresses Religious Freedom

"Promoting religious freedom has always been a key objective of my Administration's foreign policy," the president observed in his January 16 Religious Freedom Day Proclamation. The president added, "History shows that nations that uphold the rights of their people—including the freedom of religion—are ultimately more just, more peaceful, and more successful." He said the United States is committed to "advancing the cause of religious freedom worldwide," especially since "millions of individuals are subjected to discrimination,

abuse, and sanctioned violence simply for exercising their religion or choosing not to claim a faith."

Obama reiterated his commitment on a state visit to India. He urged India to allow its people to freely "profess, practice, and propagate" religion. "India will succeed so long as it is not splintered along the lines of religious faith," he told an audience in New Delhi on January 27.

Public School Spending Declines

Public school spending has declined nationwide since 2010, according to the National Center for Education Statistics (NCES). The most recent available data showed a decline of 2.8% in the 2011-12 school year. The average per-pupil funding is \$10,667. NCES reported on January 29 that 37 states recorded a 1% or greater decline in school funding. The sharpest drops came in Arizona, Florida, Texas and Wisconsin. Federal grants to state school systems declined by 20%, while state spending was reduced by 1.2%, and local funding by 0.6%.

Meanwhile, the percentage of children living in poverty has steadily increased. Jill Barshay lamented in *The Hechinger Report*, "It is troubling to see the rise in poverty and a decline in education spending happen at the same time."

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ARL in Action

ARL Urges Congress to Drop Vouchers

Americans for Religious Liberty urged Congress to reject the portability proposal in the "Every Child Ready for College or Career Act of 2015." This scheme would dismantle the 1965 Title 1 program that helps public schools with high concentrations of poverty and high-need students. At present Title 1 funds flow to the states, which distribute them to poorer, smaller and under-resourced districts.

The "portability" argument, backed by supporters of public funds for religious private schools, would divert these funds away from needy, disadvantaged public school students.

In a January 26 letter to Senators Lamar Alexander (R-TN) and Patty Murray (D-WA), ARL and its 55 allies in the National Coalition for Public Education (NCPE) wrote: "Even though the existing bill language limits portability to public schools, we remain concerned that passage of this provision will be a stepping-stone for an expansion of vouchers for private and religious schools using either federal or state funds, which our organizations vehemently oppose. We oppose vouchers for many reasons, including that they do not improve academic achievement; threaten religious liberty by predominantly flowing to religious schools; undermine civil rights protections; and contain virtually no accountability measures."

NCPE concluded: "Furthermore, by dismantling the Title 1 funding formula, not only would public schools and students in poverty be harmed, but portability would also allow the dollars to be more easily transferred to private schools to either create a voucher or to be combined with existing state voucher programs."

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Saperstein Confirmed

Rabbi David Saperstein, a longtime advocate of religious liberty and church-state separation, won confirmation by the U.S. Senate as the U.S. Ambassador at Large for International Religious Freedom, a State Department post. The confirmation vote on December 12 was 61-35, with a majority of Republicans opposing the first Jewish individual to hold this post. The first three ambassadors were Christians.

Saperstein has served as director of the Religious Action Center for Reform Judaism since 1974. He frequently testified before Congress and delivered the invocation at the 2008 Democratic National Convention. ARL president Edd Doerr praised Saperstein's selection as a wise choice for an unusually important position in a world rife with religious persecution and discrimination.

Holiday Display Support Falls

Polls in recent decades usually showed overwhelming support—in the 70% to 80% range—for allowing Christian religious displays as symbols on government property. Today, only 44% believe that Christian symbols such as Nativity scenes should be allowed, even if they are not accompanied by symbols from other religions. Another 28% endorse such symbols only if they are included in a multi-faith display, while 20% oppose all religious displays on public property. The remaining 8% have no opinion or are undecided about the propriety of religious symbolism in public places. These are findings of a new Pew Research poll released on December 15.

White evangelical Protestants, Republicans and weekly churchgoers were the strongest supporters of Christian-only religious symbols on government property. Opposition to all displays was highest among the religiously unaffiliated, Democrats, and those who rarely or seldom attended religious services.

Religious Profiling Limited

The U.S. Department of Justice issued new guidelines on December 8 that would prohibit profiling of potential suspects based on religion. Federal law enforcement officers may not use religion to single out individuals. Federal law already bans the use of race, ethnicity, gender, national origin or sexual orientation unless “there is trustworthy information, relevant to the locality or time frame that links persons possessing a particular listed characteristic to an identified criminal incident.” The new guidelines were praised by a number of civil and religious liberty groups.

Assisted Suicide Bills Introduced

While assisted suicide is legal in only four states (Oregon, Washington, Montana, and Vermont), several states are considering changes.

Attention ARL Supporters

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Assisted suicide bills have been introduced recently in New York, Maryland, Pennsylvania and Wyoming. The state House in New Jersey passed a bill in January but it has not yet been debated in the Senate. Gov. Chris Christie has indicated that he will veto it.

Connecticut, Maine and New Hampshire legislatures have debated the issue, and Massachusetts voters narrowly rejected legislation in a referendum.

In some states the law is not clear. Mark Pattison of Catholic News Service noted, “North Carolina, Utah and Wyoming abolished a common-law prohibition on assisted suicide, according to an analysis conducted last year by the National Catholic Bioethics Center. In these instances, assisted suicide is not specifically criminalized.” An Ohio Supreme Court decision in 1996 decriminalized assisted suicide but an earlier case from 1872 “may indicate that assisted suicide is banned by common law.” A New Mexico court ruled in 2014 that terminally ill, mentally competent persons may request a doctor to end their lives, but that decision is pending an appeal.

Pattison added, “States where assisted suicide is banned by common law are Alabama, Massachusetts, Nevada and West Virginia.” All other states ban the procedure under criminal law, as does the District of Columbia.

Finally, the Disability Rights Legal Center filed suit on February 4 to give New York State residents the right to end their lives under certain circumstances.

Ohio Favors Private Schools

Akron, Ohio's, school board must soon spend an additional \$1 million to bus private and charter school students because the state says their walk to public bus stops is too long. *Akron Beacon-Journal* education writer Doug Livingston wrote on February 11, “Ohio law allows traditional public school districts to force their own students to walk up to two miles to the neighborhood building. But if a parent chooses to send children to a private or charter school, then the school district must pick them up within a half-mile of their home.”

At present those who choose private and charter schools are given a yearly stipend. But the state audit found Akron in violation of state law. The Akron public school district faces more than \$1.5 million in new expenditures for nine more buses to handle the longer bus routes and multiple bus stops. One student must be bused to a charter school across county lines, one of 50 schools that will benefit from the requirement. Livingston reported that the number of private and charter school students being transported was doubled from 2,077 in 2013 to 4,300 this year. The new costs exceed school budgets and “would come from general fund revenues supported by local property taxpayers.”

Ohio's generosity toward nonpublic schools is costly. Wrote Livingston: “Across the state, publicly funded buses are traveling about a mile a day to pick up public school students, between 1.5 and 2 miles on average to transport charter school students and between 1.8 and 2.8 miles for private school students....Between 2005 and 2013, Ohio's school districts have spent 11% less to transport their own students and 123% more to transport charter school students.”

ARL president Edd Doerr lamented this situation. “For many decades in states which allow what used to be called ‘parochial busing,’ (the expenditure of public funds on private school transportation), this disparity has occurred. That is because private, mostly faith-based schools, generally cover a wider geographic area, thereby requiring longer distances for buses. It really amounts to discrimination in favor of the private sector at the expense of public school students, who are the vast majority of our kids.” ■

International Updates

Ankara: Turkey has approved the building of a Christian church for the first time since the modern Republic of Turkey was created in 1923. Prime Minister Ahmet Davutoglu announced on January 2 that a church for Syriac Christians will be erected in an Istanbul suburb on the shores of the Sea of Marmara. Turkey, which claims to be 99% Muslim, has only recently restored and reopened some Christian churches. Christians make up only 100,000 of Turkey's 76 million people, though the unofficial leader of most Eastern Orthodox Christians, the Ecumenical Patriarch of Constantinople resides in Istanbul.

Agence France-Presse reported: "The country's ancient Syriac minority, which now numbers less than 20,000, live mostly in the south-east and tend to be either affiliated to the Orthodox or Catholic churches....The various Syriac churches are among the oldest surviving Christian denominations, and use Aramaic, the language of Jesus Christ, in their services."

Athens: The January election victory of the Syriza Party, considered extreme left on the European political spectrum, has already shaken up church-state relations in a nation where the Greek Orthodox Church is officially established by law. The new Prime Minister, Alexis Tsipras, informed Archbishop Ieronymos of Athens that the cleric would not be present at the swearing-in ceremony. *The Economist* reported on January 26: "An avowed atheist who has nonetheless made a point of dealing courteously with senior clergy, Mr. Tsipras lost no time in making known that his oath of office would be a secular procedure. It was also explained that when the whole cabinet was sworn in, a more junior cleric (but not the archbishop) would be invited to assist those who wished to take a religious oath."

The Economist noted that this "constituted a rupture with the ceremonial culture of Greece," where "as long as anybody can remember, every senior office-holder, from socialists to right-wing dictators, assumed the post with a ritual involving Bibles, crosses and often holy water, sprinkled about with a sprig of basil." The British weekly added that "Syriza is committed to disentangling church and state, but it won't be done hastily or confrontationally." Syriza, which toppled long-established parties, is expected to adopt economic policies that can bring Greece into conflict with the European Union.

Belfast: Northern Ireland's sectarian-based politics is changing rapidly as traditionalists and progressives in both the Protestant and Catholic communities are regrouping. The major issues are same-sex marriage, equality for gays, and abortion. The staunchly fundamentalist Democratic Unionist Party (DUP), founded by the late Rev. Ian Paisley, has agreed with the Catholic bishops on gay marriage and on adoptions by same-sex couples. The DUP and conservative Catholics have twice blocked gay marriage legislation, though by surprisingly slim margins, in the Northern Ireland Assembly. The main Catholic party, Sinn Fein, supported gay marriage.

Catholic bishops withdrew support of a church-based adoption agency, after a series of judicial rulings saying the agency must be open to same-sex couples, as is true throughout the United Kingdom. A DUP leader, Paul Givan, proposed a "conscience clause" on December 4, which would allow organizations to refuse services if it would offend their religious beliefs. "The Catholic church should not have to act in violation of its deeply held beliefs," said Givan, in an amazing reversal of previous antagonisms. An evangelical-owned bakery is also facing legal action from the Equality Commission, a government agency, for refusing to serve a same-sex couple. Their refusal would be covered if the Assembly approves a religious exception bill.

Cairo: A new Egyptian law bans all foreign publications deemed "offensive to religion." President Abdel Fattah el-Sisi issued a decree on January 13 giving the country's prime minister the power to ban any publication that offends religion. This appears to be a response to terrorist actions in France aimed at a newspaper that satirized the Prophet Muhammad. Prime Minister Ibrahim Mahlab will now have the authority to add two new amendments to the country's publication laws. *International Business Times* reporter Lora Moftah reported on January 14: "The first article stipulates that 'to maintain order in the society, publications issued abroad can be banned in Egypt by an order from the cabinet....' The second article stipulates that 'the cabinet has the right to ban publications offensive to religion or publications promoting erotica in a way that can disturb the public peace.'"

Egypt's powerful religious authorities applauded the action.

Dublin: Irish voters will face a referendum in May on legalizing same-sex marriage. The government of Prime Minister Enda Kenny supports the Marriage Equality Bill. Ireland legalized civil partnerships for gay couples in 2011. Passage would be a major setback for the political influence of the nation's Catholic hierarchy, which has already announced its opposition. However, an expected referendum on removing the Republic's blasphemy laws was shelved. The 2009 law defines blasphemy as "publishing or uttering matter that is grossly abusive or insulting in relation to matters sacred by any religion, thereby intentionally causing outrage among a substantial number of adherents of that religion, with some defences permitted."

An unusual coalition of Muslims and atheists has (perhaps unintentionally) sought to enforce the blasphemy statute. The Islamic Cultural Centre said the sale of the French satirical magazine *Charlie Hebdo* is a "clear breach of the country's blasphemy legislation," according to *The Guardian*, a British newspaper, on February 5. Meanwhile, added *The Guardian's* Henry McDonald, "The advocacy group Atheist Ireland is to meet the Irish prime minister, Enda Kenny, in Dublin next Tuesday, to urge the Taoiseach to hold a referendum on abolishing the law before the general election in 2016." Atheist Ireland co-founder Michael Nugent and Islamic Cultural Centre executive secretary Ahmed Hasain agreed that the publication, widely available in Ireland, techni-

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"Push on Climate Change"

Pope Francis, Tom Roberts and Brian Roewe (*NCR*, Jan 2-15) are to be commended for their forward push on climate change. Many of us are hoping that Francis will do the one thing that he and he alone can do about climate change: rescind Paul VI's 1968 *Humanae Vitae* encyclical, promulgated in defiance of the vast majority of his own advisers.

Since 1968, there have been 1.5 billion abortions worldwide, 50 million in the U.S. alone. Vacating *Humanae Vitae* would seriously lower the abortion rate, save women's lives, and contribute to reducing overpopulation and such concomitants of climate change as resource depletion, environmental degradation, deforestation, soil erosion and nutrient loss, biodiversity shrinkage, rising sea levels (40% of the world population lives in coastal areas), and increasing sociopolitical instability and violence.

—Edd Doerr
National Catholic Reporter
February 13-26, 2015

International Updates, *continued from page 11*

cally breaches the law. The law has never been enforced but is seen as an embarrassment to the Irish Republic. UN special rapporteur for religious freedom, Heiner Bielefeldt, urged its repeal.

Geneva: Switzerland's federal criminal court rejected on January 26 an appeal by the Vatican bank for secrecy in one of its accounts. Italian prosecutors are seeking information about an alleged money laundering scheme in 2007 and 2008 that may involve the account. The Vatican bank, officially the Institute for Religious Works, invoked "sovereign immunity" for the Holy See, but Swiss judges ruled that the transactions under scrutiny did not relate to functions covered by the immunity.

Islamabad: Human rights groups based in Pakistan's capital and in London charged that religious persecution of minorities has intensified in recent months. A report issued on December 9 concluded: "Violent attacks against religious minorities occur against a backdrop of legal and social discrimination in almost every aspect of their lives, including political participation, marriage and freedom of belief. . . . This oppressive environment has made it increasingly difficult for many religious communities to live securely and free from danger in places where they have often spent the majority of their lives." The report warned that the government's failure to protect Ahmadi Muslims, Christians and Hindus encouraged perpetrators to act with impunity and threatened Pakistan's "future stability."

Istanbul: Supporters of secular, democratic schools are up in arms over the rapid rise of Islamic religious schools under the Islamist-oriented rule of President Tayyip Erdogan. Nearly a million students attend "imam hatip" schools this year, up from 65,000 in 2002, when Erdogan's AK Party came to power. Schools are rigidly separated by gender and require 13 hours of Islamic instruction in addition to secular courses. The religious classes include the study of the Koran and the Arabic language. "When there is no such thing as religious culture and moral education, serious social problems such as drug addiction and racism fill the gap," Erdogan told a symposium on drug policy and public health earlier this year, according to a December 2 report in Reuters.

In some areas public schools were converted to Islamic schools. Even in the public sector religious education was extended to middle schools in 2012. It had previously been limited to high schools.

Erdogan has pressured the schools to introduce compulsory classes in "Ottoman Turkish," an early version of the language that was discontinued in 1928 by reformist President Mustafa Kemal Ataturk. Erdogan told the Religion Council on December 8, "Whether they like it or not, the Ottoman language will be learned and taught in this country." He also instructed Turkey's schools to teach more "religious values" and to emphasize Islam's contribution to arts and sciences.

Back Issues of *Voice of Reason*

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London: The London-based International Humanist and Ethical Union (IHEU) has launched a global campaign to challenge blasphemy laws that exist in 47 nations. Most are unenforced but those in predominantly Muslim countries in North Africa and the Middle East are especially harsh and frequently enforced, as in Pakistan and Saudi Arabia.

Of the 47 countries, 15 are in the Middle East, nine in Africa, seven in Europe, seven in the Caribbean, five in Asia and four in Central and South America. Islam is the dominant religion in 27 of the countries, Christianity in 18, and Hinduism in one. One country (Nigeria) is roughly half Muslim, half Christian.

It is rare for blasphemy laws in Europe to be enforced, though some examples came from Malta and Greece. Even countries without official laws may crack down on public criticism of religion. BBC News reported on January 29 that "three men in Myanmar (Burma) were charged by the authorities in December with insulting religion after they allegedly distributed a picture depicting Buddha wearing headphones."

Lucknow: Hindu extremists, who are a major part of the new BJP (Bharatiya Janata Party) government, continue to sow discord in the nation. One party leader, a former Hindu priest, said he will lead a "conversion" ceremony on Christmas Day, in which Christians and Muslims will convert to Hinduism. Reuters reported on December 12, "Religious conversions in multi-faith India are threatening to sow fresh discord as Muslim groups and opposition parties accuse organizations tied to Prime Minister Narendra Modi's ruling party of trying to undermine the nation's secular foundations. . . . The constitution grants equal rights to everyone, but critics say hardline Hindu groups have become more assertive since the BJP came to power with a strong election victory this year and that the worst fears of minorities may be coming true."

The Washington Post reported that Christians, who make up 2% of the nation's 1.2 billion people, fear a new wave of persecution, citing the burning of a Catholic church in New Delhi and an attack on Christmas carolers in Hyderabad. Hindu nationalists in Parliament threatened to remove Christmas as a recognized holiday, forcing children to attend school. The foreign minister called for making the Hindu text, the *Bhagavad Gita* the "national scripture."

Post reporter Annie Gowen wrote that Prime Minister Narendra Modi is seen as an ally of Hindu nationalism. "India's 64-year-old prime minister has a troubling history of religious intolerance, opponents say. In 2005, while he was chief minister in the state of Gujarat, the United State revoked Modi's U.S. visa on the grounds that he had committed 'severe violations of religious freedom' by not acting to stop Hindu-Muslim riots in Gujarat in 2002."

Modi intervened to stop the Christmas conversion ceremony but he has not made any official statement on the controversy. An extremist organization which is embedded in the BJP Party vows to continue his campaign even if it disrupts the nation. Reuters reported on December 21 that the conversion campaign is "stoking a sensitive debate that has stalled parliament and threatened the prime minister's economic reform agenda."

New Delhi: India's small Christian community has protested that the national government and local police are ignoring what Catholic Archbishop Anil Couto claimed was "a clear pattern of orchestrated attacks as more churches are targeted, vandalized and set on fire." Christian protesters were arrested in India's capital on February 5 as they attempted to march to the Home Minister's residence to demand a government investigation. They are particularly disturbed that Prime Minister Narendra Modi has not condemned the attacks. His Hindu nationalist party (the BJP) contains extremist elements that have threat-

ened to drive all Christians, Muslims and Sikhs out of India. Home Minister Rajnath Singh promised that two policemen will be posted at all 225 churches in New Delhi.

Ottawa: Canada's Supreme Court unanimously ruled on February 6 that Canadian law allows the right to doctor-assisted suicide, thereby reversing a 1993 ruling. All nine justices concluded that bans on "physician-assisted death" in consenting patients with incurable diseases that cause "enduring and intolerable suffering" cannot stand. The court gave the federal government and the provincial governments one year to devise new laws (Quebec has already passed the "Act Respecting End-of-Life Care," which will go into effect by the end of 2015).

Sean Fine, justice writer for *The Globe and Mail*, wrote, "The unanimous ruling by establishing that the 'sanctity of life' also includes the 'passage into death,' extends constitutional rights into a new realm. The courts have used the 1982 Charter of Rights to establish gay marriage and to strike down a federal abortion law. The new ruling will change the way some Canadians are permitted to die." Fine added, "The court did not strike down the Criminal Code's prohibitions on assisted suicide, but said they no longer apply 'to the extent that they prohibit physician-assisted death for a competent adult person who (1) clearly consents to the termination of life and (2) has a grievous and irremediable medical condition (including an illness, disease or disability) that causes enduring suffering that is intolerable to the individual in the circumstances of his or her condition.'"

Canada becomes the sixth nation to allow assisted suicide. The others are Belgium, Colombia, Luxembourg, the Netherlands, and Switzerland.

Santiago: Chile's president, Michelle Bachelet, announced draft legislation that would allow abortion up to the 12th week of pregnancy in cases of rape, fetal deformity, or threat to the life of the woman or fetus. The legislation would extend to 18 weeks for girls under age 14. Bachelet told a national television audience on January 31, "Facts have shown that the absolute criminalization of abortion has not stopped the practice. This is a difficult situation and we must face it as a mature country." Since 1989 abortion has been totally outlawed and is punishable by up to five years in jail.

BBC News reported that "twelve bills to decriminalize abortion have been rejected by Chile's Chamber of Deputies and the Senate since 1991 but polls show most Chileans support the legalization of abortion."

Chile is one of seven Latin American countries that ban the procedure for any reason. They include: El Salvador, Nicaragua, Honduras, Haiti, Suriname, and Dominican Republic in addition to Chile, according to BBC News Latin America and Caribbean division.

Strasbourg: Turkey was condemned by the European Court of Human Rights on December 2 for discrimination against the Alevi religious minority. The seven-judge court slammed Turkey for failing to grant the Alevis the same rights as other religions. The issue was whether Alevi places of worship, called cemevis, should receive the same status, including exemption from electricity fees. Turkish courts, dominated by Sunni Muslims and an Islamist government, had concluded that the Alevi faith was not a legitimate religion and therefore its worship sites were not religious sites. The courts based their ruling on an opinion from a Sunni Muslim religious authority.

The European Court concluded, "The court rules that the plaintiff foundation was subjected to differing treatment, without objective or reasonable cause, and the method of exemption from payment of electricity bills for religious sites in Turkish law was enacting discrimination on the basis of religion." The court gave Turkey six

months to propose an estimate of damages. Turkey signed the European Convention on Human Rights in 1954, which gave the court jurisdiction over such issues.

Reuters reported, "Making up about 15-20% of Turkey's 76 million people, Alevis draw from Shi'a, Sufi and Anatolian folk traditions, practicing distinct rituals which can put them at odds with their Sunni Muslim counterparts, many of whom accuse them of heresy."

Vatican City: The important role of Pope Francis in brokering the restoration of diplomatic relations between Cuba and the United States has provoked considerable commentary. Jim Yardley in *The New York Times*, December 19, said Francis has "a vision of diplomatic boldness, a willingness to take risks and insert the Vatican into diplomatic disputes, especially where it can act as an independent broker."

Philip Pulella, writing in Reuters on December 22, observed: "Argentine Pope Francis and a trio of top Vatican officials who helped broker the historic deal between the United States and Cuba represent an unprecedented brain trust in Latin American affairs at the Holy See." Pulella added that this represents "a shift from the largely Europe-oriented foreign policy priorities of the Vatican under previous popes."

Pope Francis is also "reshaping the geography of the College of Cardinals and has continued to shift the balance of the Roman Catholic Church's leadership away from the continent it has long called home," observed Michael Lipka, editor of the Pew Research Center's Religion and Public Life Project. The vast majority of the 31 new cardinals named in 2013 and 2014 came from Latin America, Southeast Asia and Sub-Saharan Africa. New cardinals named in 2014 include those from Burma, Thailand, Vietnam, New Zealand, Tonga, Uruguay, Panama, Cape Verde and Ethiopia. ■



Books and Culture

Going Ape: Florida's Battles over Evolution in the Classroom, by Brandon Haught. University Press of Florida, 2014, 277 pp., \$24.95.

When people think of evolution controversies in public schools, they are likely to mention Tennessee, Arkansas, Louisiana or Kansas. But this sharply contested issue has also bedeviled Florida for 90 years, as this excellent book reveals.

Amazingly enough, it was three-time Democratic presidential candidate William Jennings Bryan who led the anti-evolution crusade in Florida. Bryan settled in Miami after resigning as Woodrow Wilson's Secretary of State. He was noted for his Bible classes in a public park, when he took time off from his Prohibitionist, and anti-evolution, activities. As Haught explains, Bryan "was the most prominent anti-evolution agitator in Florida."

The author, a founder of Florida Citizens for Science, tells this dramatic and compelling story well. He describes "a war over the teaching of evolution in Florida's schools that has lasted ninety years and still engulfs the state with undiminished strength. Over the years it has featured some of the most tenacious culture warriors imaginable. Many governors, state legislators, school board members, and teachers have endured raucous battles in the local and national spotlights, some by choice and others unwittingly."

Anti-evolution zealots invoked "themes of religious persecution and child endangerment" as they pleaded for the introduction of creationism in the classroom. "To these anti-evolutionists, nothing less than the future of the country is at stake."

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The author's history of nearly a century of conflict shows how the tactics of both defenders and foes of evolution have changed over the decades. He identifies the principal players on both sides and shows how the conflict shifted from the state legislature to the counties, affected school board elections, and even several governors' races.

The author notes that attempts to introduce elective Bible classes in public schools usually have a creationist component. He laments that "three voucher programs in Florida" divert tax money to "some private schools that teach various forms of creationism in science classes." In fact, 164 of 310 private schools that teach creationism while accepting tax-supported vouchers are in the Sunshine State, according to researcher Zack Kopplin, whose work Haught cites. The author reminds us: "Nine decades after the 1923 Florida legislature first tackled the problem of evolution in the state's schools, the battle continues."

This case study shows the importance of this issue in one of America's most important states.

—Al Menendez

The School Choice Journey: School Vouchers and the Empowerment of Urban Families, by Thomas Stewart and Patrick J. Wolf. Palgrave Macmillan, 2014, 217 pp., \$95.00.

This strange, Twilight Zone book purports to be a study of the school voucher ("opportunity scholarship") plan that the Bush administration foisted on the District of Columbia in 2004 against the opposition of local elected government officials. But aside from a brief mention that well over half of the participating private schools are faith-based and that a 1981 voucher plan was defeated by D.C. voters, this pseudo-scholarly propaganda screed is singularly devoid of facts. Totally missing from the book is any information about the following:

The nature of the private schools accepting vouchers; Religious requirements for participating students; Percentages of voucher students in the participating private schools; What programs or services are offered in D.C. public schools but not in the voucher schools; How many student applicants are turned down and why; Any information about differences between voucher applicants and other parents; How many voucher students are pushed out of the voucher schools and why; Any objective comparison of voucher and public schools; Any reference to a fact that D.C. voters rejected the backdoor voucher plan in 1981 by 89% to 11%; Any mention of the 28 state referenda from coast to coast between 1966 and 2014 in which vouchers or their variants were rejected by an average 2 to 1 margin; No mention whatever of the gold standard annual Gallup/PDK education polls showing 40 years of public opposition to vouchers.

Hoosiers on Vouchers

Conservative Republican Indiana, whose legislature, recent governors, and courts have all-initiated and endorsed school vouchers, may not be as pleased with the results as their political and judicial leaders. A January poll in the *Goshen News* found that nearly 53% of those polled said "the voucher system is harmful to public schools and taxpayer money should not be used to help fund private schools." While 47% endorsed vouchers, that is hardly a ringing endorsement in one of America's most conservative states.

Equally absent is even a slight discussion of public education or of the serious and abundant literature critical of vouchers or of school finance problems.

The book's foreword is by former senator Joe Lieberman, a co-sponsor of the original D.C. voucher plan. As for the authors: Stewart is on the faculty of the notorious school voucher program at the University of Arkansas, believed to be promoted by the pro-voucher Walton interests; Wolf is president of Patten "University" in California, which was originally Oakland Bible Institute until 2012 when it became a for-profit university offering online degrees.

Why a reputable publisher like Palgrave Macmillan would put its name on this hodgepodge of microcephalic rubbish is a mystery. It should withdraw and avoid further embarrassment. But with a price tag of \$95, who would waste good money buying it anyway?

—Edd Doerr

Heirs to Forgotten Kingdoms: Journeys into the Disappearing Religions of the Middle East, by Gerard Russell, Basic Books, 2014, 320 pp., \$28.99.

Former British diplomat Gerard Russell has written a quite extraordinary book about many ancient religions, whose existence is being threatened by radical Islamist movements.

Included are such groups as the Yazidis, who were targeted for extinction by ISIS, the Druze, who play a significant role in Lebanon, and the Copts, the most influential Christian community in Egypt.

Many readers will be surprised to learn that the Zoroastrians of Persia (Iran) still exist, though in dwindling numbers due to discrimination in the Islamic Republic. This group, whose motto is "good thought, good work, good deed" have their own sacred book (the Avesta) and traditions, and from whom the Magi, mentioned in the New Testament gospel of Matthew, may have come. Also surviving, though just barely, are the Samaritans, celebrated in Jesus' "Parable of the Good Samaritan." The world's remaining 750 Samaritans live in a village in the West Bank and in a suburb of Tel Aviv.

These and other now-forgotten groups (the Mandaeans, the Kalasha) "are now more vulnerable than ever, and this book aims to give them a voice." All the religious minorities he surveys "are usually not well enough organized to defend themselves and so they become especially vulnerable in times of conflict."

Islam, which the author stresses was once a more tolerant religion, has changed and its intolerant and fundamentalist elements have seized control of governments, which themselves are more centralized. Hence, the repression of religious minorities is a central fact of life in the region, from North Africa to Iran. As a result, many members of these ancient faiths have emigrated to the United States, Canada, Australia and Europe. There are three-quarters of a million Copts in the United States, as well as thousands of Assyrian Christians from the "Church of the East" living in metropolitan Detroit.

The author stresses that Western governments "should take a firm stand against those who incite religious hatred, whatever their religion." He also warns, "Western military interventions have generally set back the cause of minorities, not advanced them," because "instability usually unsettles minority groups, who feel (and are) particularly vulnerable."

Based on extensive research and on-site investigations, this is both a travelogue and an insightful study of religion and politics in a time of intense conflict. It ought to be required reading for U.S. policy makers in the Middle East.

—Al Menendez

Every Third Woman in America: How Legal Abortion Transformed Our Nation, by David A. Grimes, M.D. with Linda G. Brandon. Daymark Publishing, 2014, 433 pp., \$20.76 softcover, \$37.76

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Fully one third of American women will have had an abortion in their lifetimes. Since the Supreme Court recognized, not created, every woman's constitutional right to have a problem pregnancy terminated, that amounts to about 50 million abortions, without which the U.S. population would be approaching 400 million. Worldwide, in the same 40 year timespan, there have been about 1.4 billion abortions, far too many of them illegal and dangerous, without which world population would be nearly an unsustainable 9 billion, with serious consequences for global climate change and all that goes with it; but that is something beyond the scope of this review.

Meanwhile, the more conservative of our two parties, in the driver's seat in Congress and most state legislatures, has enjoyed two years of free-ranging attacks on fundamental women's reproductive rights and health. So publication of this important new book could not be more timely. The primary author is a noted physician and scholar with over four decades of experience studying, providing and teaching in this field, including having headed the Abortion Surveillance Branch of the federal Centers for Disease Control and Prevention.

Every Third Woman is encyclopedic in scope, with 985 endnotes of documentation. Divided into 23 topical chapters, it is immensely easy to follow, a great read. Among many other things, Grimes shows that abortion is far safer for women than carrying a pregnancy to term. He notes that the consensus of psychiatrists and psychologists is that psychological problems stemming from abortions are negligible, a fact that even Dr. C. Everett Koop, Reagan's Surgeon General, had to admit, and notes that giving up a baby for adoption is more traumatic than having an abortion. The book leaves no stone unturned.

Among the author's conclusions: access to safe, legal abortion is important for the health of American women; opposition to abortion and contraception is a manifestation of misogyny and patriarchalism; spontaneous abortion is common and is a healthy, necessary part of human reproduction; current attacks on safe, legal abortion are designed "to turn women to the back alley once again."

The only thing that Grimes does not go into is the "theological" case against abortion rights used by anti-choicers to mask their patriarchalism and misogyny. In confronting these arguments it is simple to show that the Bible nowhere condemns abortion. Indeed, the Bible at Genesis 1:27 and 2:7, holding that "God created man in his own image" (which obviously must refer to consciousness and will, rather than flesh, blood and DNA) and "became a living soul" with his/her first breath, gibes with the view of scientists that what we call "personhood" is not possible until the cerebral cortex is suffi-

ciently developed to permit consciousness, sometime after 28 to 32 weeks of gestation. About 90% of abortions are performed during the first trimester, 99% by 20 weeks, with later ones performed only for serious medical reasons.

This book does not duplicate Katha Pollitt's equally important *Pro: Reclaiming Abortion Rights*, which I reviewed in *VOR* No. 129. Both are must read books for all who care about women's rights and religious liberty. And both are critical of the political inadequacy of the defenders of abortion rights. It easily rates five stars.

—Edd Doerr

The Stronghold: How Republicans Captured Congress but Surrendered the White House, by Thomas F. Schaller. Yale University Press, 2015, 354 pp., \$32.50.

Political scientist Thomas Schaller has a good track record. His book, *Whistling Past Dixie*, correctly forecast that Democrats could win the presidency without winning the South by casting their nets in more favorable waters. His new book tackles an unusual reversal of postwar political history. Republicans won Congress while Democrats Bill Clinton and Barack Obama were elected president. (Both Democrats had a Democratic Congress for only two years in their two terms.). In the recent past, it was usually Republican presidents (Eisenhower, Nixon and Reagan) who had to face mostly Democratic-controlled Congresses. Nixon was the first president to win election (in 1968) while his party failed to carry either house of Congress.

Schaller's book, though written before the 2014 Republican landslide, explains how and why this has happened. "In purely political-electoral terms, congressional Republicans shrewdly parlayed their power to fill the party's campaign coffers, take control of the redistricting process, and recruit, train, and elect a new generation of national legislators." There are consequences to this strategy. Congressional Republicans rely "largely on appeals to white men" and as a result have "made little progress in electing women or minorities at a time when the nation is rapidly diversifying on gender and race."

Even political and policy failures in recent decades have not harmed Republican strengths in Congress. But, "Institutional choices have ideological consequences, and the chief consequence of the Republicans' dedication to forging and protecting their congressional stronghold in the post-Gingrich era has been a decline in the party's presidential competitiveness."

Schaller also explores the intrinsic relationship between the GOP and political conservatism, in its multiple manifestations. "The Re-

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Books and Culture, *continued from page 15*

publican Party's move to the right and its increasing competitiveness in congressional elections created a feedback loop in which the GOP became more comfortable with congressional rule as it became more conservative, and became more conservative because it ruled Congress."

Professor Schaller has written an ideal book for election junkies and indeed for all who are interested in the future of American politics.

—*Al Menendez*

God vs. the Gavel: The Perils of Extreme Religious Liberty (Revised Second Edition), by Marci A. Hamilton. Cambridge University Press, 2014, 476 pp., \$27.99.

On June 30, 2014, the Supreme Court ruled 5-4 in *Burwell v. Hobby Lobby* and a companion case that a corporation whose owners have "sincere religious beliefs" may impose those beliefs on employees with regard to reproductive health care insurance (see *VOR* No. 3 [128]). This seriously damaging ruling was based on the 1993 Religious Freedom Restoration Act (RFRA). In *God vs. the Gavel*, litigator, constitutional scholar, Cardozo School of Law professor and strong advocate of church-state separation Marci Hamilton sets out to show that RFRA, the 2000 Religious Land Use and Institutionalized Persons Act (RLUIPA) and their federal and state progeny, while originally broadly supported, have had unintended and perverse consequences, which she spells out in great detail. The results, she writes, have been an unnecessary upsetting of over a century of legal precedents on religious liberty issues, leading to confusion and to court rulings that actually weaken church-state separation and citizen rights. The book is encyclopedic in scope and abundantly documented.

While I may not totally agree with Hamilton on all points, this book is an important contribution to the literature on religious liberty and merits wide readership.

—*Edd Doerr*

Reality Check: How Science Deniers Threaten Our Future, by Donald R. Prothero. Indiana University Press, 2013, 369 pp., \$35.00.

Isaac Asimov: "Democracy cannot survive overpopulation. Human dignity cannot survive it. Convenience and decency cannot survive it." And Neil deGrasse Tyson: "If you are scientifically illiterate, in a way, you are disenfranchising yourself from the democratic process, and you don't even know it." These and a wealth of delicious other

quotes abound in this important book.

Before proceeding let me repeat what needs to be said loud and often. Climate change is real and is anthropogenic, caused by human activity. The big picture involves atmospheric carbon dioxide and methane buildup, environmental degradation, non-renewable resource depletion, renewable resource overuse, deforestation, desertification, soil erosion and nutrient loss, toxic waste accumulation, shrinking biodiversity, increasing ice melt, ocean acidification, rising sea levels (40% of humanity live in coastal areas), and increasing sociopolitical instability and violence. And all this is the result of human overpopulation, tripled since the end of World War II to well over 7 billion and still rising.

Geologist Donald Prothero, a real scientist and science educator with 32 books to his credit, wastes no words in confronting the widespread denial of what the consensus of scientists is on climate change, overpopulation, creationism, opposition to vaccinations, and other issues. He carefully explains how science works, with abundant tables and charts, how it is self-correcting, and how widespread ignorance of science on the part of politicians, the media, and especially conservatives and the Religious Right threatens the very future of humanity. He doesn't hesitate to name names, and blames much of the degeneration of media coverage of these and other issues on the Reagan administration's deregulation of the airways and ending of the old Fairness Doctrine.

"The attack on evolution," Prothero writes of the fundamentalist assault on biology teaching in public schools, "is the leading edge of an attack on all of science." I only wish he had added that the drive by conservatives and privatizers to divert public funds to private schools and undermine public education is a big part of the problem, and that he had tackled the accelerating war on women's rights of conscience and health with regard to abortion, but the book as it stands is a treasure trove.

Suitable for readers at all levels of scientific literacy, *Reality Check* easily rates five stars. This is a book that ought to be a bestseller.

—*Edd Doerr*

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