



VOICE OF REASON

The Journal of Americans for Religious Liberty

2016, No. 1 [134]

The Race for President

This is the first of a series of in-depth articles about the presidential primaries, by editor and veteran election analyst Al Menendez, up to and including the March 1 results. Final exit polls and county results from CBS News were available just in time for our *Voice of Reason* deadline. Future issues will continue to examine the voting patterns, issues, and religious factors in what is likely to be one of the turning-point elections in U.S. history.
— Edd Doerr

Iowa

In Iowa the close three-way race in the GOP caucus broke down along distinct lines. Evangelicals, who made up 62% of caucus voters, favored Cruz, though his 33% support among them was not spectacular. Trump and Rubio tied for second. “Non-evangelicals” (which includes everyone else, from Catholic to atheist) went for Trump with Rubio second. Carson also did much better among evangelicals (13%) than non-evangelicals (5%). There was little difference by gender but age mattered. Trump’s vote rose by age, polling 26% among those over 65 and 19% among those under 30. Rand Paul drew 13% of the youngest Republicans and only 2% among the oldest (and subsequently ended his campaign). Bush also ran strongest among older Republicans.

Those who called themselves “very conservative” voted for Cruz, “somewhat conservative” for Rubio, while “moderates” supported Trump. College graduates went for Rubio, those with some college for Cruz, and those with only a high school diploma favored Trump.

New Hampshire

There was little difference by gender, though Trump ran five points better among men and Bush five points better among women. The vote by age was just the opposite from Iowa. Trump did best among younger voters, while Kasich’s vote rose by age. Cruz also did better among younger voters. As in Iowa, Trump did much better among voters whose education ended in high school (46%) than among those with a post graduate education. Kasich’s vote was the opposite, nearly tying Trump among post graduates. Trump won a plurality among all income groups, though he ran best among voters with an income below \$50,000. Kasich ran strongest among those whose income exceeded \$200,000.

Trump ran first among all ideological groups. Kasich was much stronger (28%) among moderates than among the very conservative (7%), while Cruz received 23% among the very conservative and only 4% among moderates, who comprised 27% of the Republican electorate (double that of Iowa).

The anti-immigration vote went heavily for Trump, who took 50% among voters who thought illegal immigrants should be deported. A majority of New Hampshire Republicans, however, favored “legal sta-

tus” for immigrants over deportation by 56%-41%. Trump did slightly better among Independents who voted in the GOP primary than among registered Republicans.

Trump led among evangelicals, 25% of the GOP primary vote. He gained the surprising endorsement of Rev. Jerry Falwell, Jr. Cruz, whose big-name evangelical endorsements include the far-right Focus on the Family founder James Dobson, pseudo-historian David Barton, and former presidential candidate Gary Bauer, ran second with 23%. Marco Rubio, whose evangelical advisers include Rick Warren, took 13%. Rubio has consistently led among evangelical “leaders,” including university presidents and denominational heads, in the monthly polls by *World* magazine, an evangelical monthly. (He received 37% in the last poll.) Among evangelicals 11% voted for Kasich, 10% for Bush, 6% for Carson, 5% for Fiorina, and 5% for Christie.

The exit polls put all non-evangelicals (75%) in one category, which is misleading since New Hampshire has above-average nonaffiliated and Catholic communities. Still, Trump ran ahead with 37% of non-evangelicals, compared to Kasich’s 18% and Rubio’s 11%. Cruz received only 8% (6th place) among non-evangelicals, and Carson ran last with only 1%.

Christie and Fiorina withdrew from the race after their dismal showings in the first two states. (Christie had been endorsed by the Manchester *Union-Leader*, the state’s largest newspaper, but it apparently did not boost his acceptability.)

continued on page 3



Inside:

| | |
|---|---|
| Religion, Politics and Geography | 2 |
| Religion, Democrats and Republicans | 6 |
| Religion Pervades Immigration and Refugee Debates | 7 |

Regular Features

| | |
|--------------------------------------|----|
| Church and State in the Courts | 8 |
| Voucher Watch | 10 |
| Updates | 11 |
| International Updates | 12 |
| Books and Culture | 13 |
| ARL in Action..... | 14 |
| Editorial: Irish Anachronism | 16 |

Religion, Politics and Geography

In most states two religious groups, broadly speaking, comprise the majority of the population. For example, 15 states have a majority of evangelicals and nones. These states are frequently culture war battlegrounds, which may reflect the fact that these two groups are at the opposite ends of the religious spectrum and hold very different views on religion, culture and the role of government. They are Arizona, Colorado, Georgia, Indiana, Missouri, North Carolina, Ohio, Oregon, South Carolina, Virginia, and Washington. (Evangelicals are strong in Georgia, North Carolina, South Carolina, and Virginia, but many new residents or migrants are not affiliated with any religion.) These states split—six for Romney, five for Obama.

Four other states (Alaska, Hawaii, Montana and Wyoming) are part of this religious pattern, but their secular communities tend to vote Republican, which seems to reduce the propensity toward culture conflicts. Three of the four favored Romney. (Hawaii, Obama's birth state, was an exception where Catholics and Buddhists are also influential.)

Catholics and nones form the majority of the population in 11 states, mostly in the Northeast (Connecticut, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont), as well as in California, Illinois, Nevada and Wisconsin. The nonaffiliated voters in these states appear to have gained at the expense of Catholics, who have declined considerably in the past couple of decades (except in California and Nevada, whose Hispanic populations have increased). All 11 went for Obama.

Eight states can be regarded as "pluralistic," i.e., where it takes at least three major religious groups to form a population majority. They are Delaware, Florida, Idaho, Maine, Maryland, Michigan, Nebraska and Pennsylvania. Six of these went for Obama.

Six states are clearly dominated by evangelicals: Alabama, Arkansas,

Kentucky, Mississippi, Oklahoma and Tennessee. All went for Romney. These states have seen the largest pro-Republican shift in the past 20 years, since three of them supported Bill Clinton twice. Four were among Romney's top ten states.

Four states could be labeled the "old Protestant" belt, where evangelicals and mainliners form solid majorities: Iowa, Kansas, South Dakota, and West Virginia. Three supported Romney. West Virginia, once a Democratic bastion, was Romney's fifth strongest state, though it had been on Carter's top ten in 1980 and Stevenson's in 1952. Swing-state Iowa supported Obama.

Three states in the southwest (Louisiana, New Mexico, and Texas) are Catholic-evangelical strongholds. Evangelicals have even displaced Catholics by 1% in Louisiana. Two of the three backed Romney. New Mexico, which has the highest Hispanic percentage of any state, went for Obama.

Two states in the German-Scandinavian northwest (Minnesota and North Dakota) are mostly mainliners and Catholics. Lutherans are particularly strong. These states have very different political histories, though. North Dakota is Republican and Minnesota is Democratic, having last supported a GOP presidential candidate in 1972 (Nixon). Wisconsin used to be in this category, but mainliners have slipped to fourth place. It may be that many Wisconsin Lutherans define themselves as evangelicals rather than mainline Protestants, since the deeply conservative Wisconsin Synod and Missouri Synod Lutherans are concentrated in the German-American counties of America's most German state.

Finally, Mormon Utah is in a category by itself, unshakably Republican and Romney's number one state.

The above information shows that the religious profile of a state has definite political consequences.



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

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

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

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

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

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

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

Race for President, *continued from page 1*

Among Democrats the 60% landslide for Sanders carried virtually every demographic group except voters who made over \$200,000, who favored Clinton 53% to 46%. (Older voters went for Clinton 55% - 44%). Sanders won among the poorest voters 71% to 25%, and among all educational groups, though Clinton was supported by 48% of postgraduates (who also have the highest income). Independents who voted in the Democratic primary backed Sanders 72% to 25%, while registered Democrats gave him only a 52% - 48% margin. Voters under 30 gave Sanders an incredible 83% (as in Iowa). There was a small gender gap, with 66% of men and 55% of women supporting Sanders. Even young women went for the Vermont senator. There was no religious question on the Democratic exit poll, but Sanders' huge victory among men and younger voters suggest a large margin among the religious "nones."

South Carolina

The February 20 South Carolina Republican primary had a record turnout of 733,204 voters, a more than 22% increase over 2012. Trump won with just under 33%, followed by Rubio (22.5%) and Cruz (22.3%). The others, Bush, Kasich, and Carson trailed with under 8% each, causing the early favorite, Bush, to end his campaign.

As in New Hampshire, Trump's margin over his rivals was enough to carry almost all parts of the state, losing only two of the state's 46 counties. Charleston and the state capital, Columbia, went for Rubio, who also ran a close second in Hilton Head. The conservative stronghold of Greenville was split almost evenly among the top three candidates.

Trump led among most demographic groups, except college graduates, who favored Rubio, as did the highest income voters. On ideology the "very conservative" went for Cruz, "somewhat" conservative for Trump, while "moderates" (20% of all) gave the edge to Trump, with strong showings for Rubio and Kasich. Trump did better among men, middle income voters and older voters. Trump won heavily among "nativist" voters, winning half among those who favored deportation and supported a ban on Muslims.

Evangelicals went narrowly for Trump over Cruz, with Rubio a strong third. Their inability to agree on a candidate has diminished their influence, though that may change in future primaries. Cruz did much better among evangelicals than non-evangelicals, while Kasich ran stronger among non-evangelicals. Finally, 45% of voters said it mattered "a great deal" if a candidate shared their religious views. Cruz won among these voters.

Geographically, the Palmetto State has some very distinct areas. Trump did well in all of them, winning a spectacular 49% in Myrtle Beach, which is filled with middle income retirees from the North. In the coastal high-income region around Charleston and Hilton Head, Rubio and Trump were neck and neck, while Kasich edged out Cruz for third. (This is the region where moderate Republicans are numerous). The Charleston vote went for Trump with Rubio second. Three counties that always go Republican by huge margins in November (Aiken, Lexington and Pickens) went for Trump with Cruz second. Conservative upstate cities (Anderson and Spartanburg) also went for Trump with Cruz second, as did rural Baptist counties. (Cruz ran a strong second, with 32% in the state's most heavily Southern Baptist rural area, Chesterfield County.)

South Carolina Democrats chose Clinton by a 3-1 margin over Sanders, but the voter turnout was only half that of the Republicans. Blacks cast 62% of the vote, of whom 84% supported Clinton. She

Religion and the Republican Primaries

| State | % Evangelical | Winner Among Evangelicals | Winner Among Non-evangelicals |
|----------------|---------------|---------------------------|-------------------------------|
| Alabama | 77 | Trump | Trump |
| Arkansas | 77 | Cruz | Trump |
| Georgia | 69 | Trump | Trump |
| Iowa | 62 | Cruz | Trump |
| Massachusetts | 26 | Trump | Trump |
| Nevada | 40 | Trump | Trump |
| New Hampshire | 23 | Trump | Trump |
| Oklahoma | 75 | Cruz | Trump |
| South Carolina | 67 | Trump | Trump |
| Tennessee | 76 | Trump | Trump |
| Texas | 51 | Cruz | Trump |
| Vermont | 30 | Trump | Trump |
| Virginia | 43 | Trump | Rubio |

won 90% in the rural black majority counties and 96% of African-Americans over age 65. Clinton received only 56% of blacks under age 30, slightly over half of white voters, and 54% of voters under age 30.

Interestingly, 65% of white voters called themselves liberals, compared to 46% of blacks. Independents who voted in the Democratic primary went for Sanders 64% to 36%. There was no gender difference, as 74% of women and men supported the former Secretary of State. There was no religious identification question.

Nevada

Trump took 46% of the vote and won every demographic category. Rubio ran second with 24%, though he was a strong second among college graduates. Cruz received 21% and was a strong second among the "very conservative." (Carson received 5% and Kasich 4%).

Trump beat Cruz among evangelicals, 40% to 26% with Rubio capturing 23%. Non-evangelicals gave Trump an even higher 50%, with Rubio at 24% and Cruz 18%. He carried every county except two rural counties, Elko and Lincoln. Nevada is completely dominated by Las Vegas, which casts 69% of the state vote and Reno, where 19% of state residents live.

The Democratic race was closer, with Clinton edging out Sanders 53% to 47%, winning among older voters and African Americans. Sanders picked up his usual 82% among young voters and apparently won 54% among Hispanics. There was no religious question in the Democratic exit poll, and Republicans were categorized only as evangelical (40%) and non-evangelical (60%), even though Mormons and Catholics have strong communities.

Super Tuesday

Alabama

Trump swept the "Heart of Dixie" with 43%, carrying every county and every subgroup. He did much better among males (52%) than females (36%) and among older voters. Trump won easily among evangelicals (77% of voters) and non-evangelicals. Cruz ran second almost everywhere, while Rubio ran second among college graduates and voters under 30.

continued on page 4

Race for President, *continued from page 3*

Clinton won 4-1, sweeping every county and demographic group. She received 91% of blacks, 85% of those over 65, and 86% of weekly churchgoers. Lower leads came from whites (59%), under 30 (52%) and independents (52%).

Arkansas

Arkansas turned out to be a close three way race: Trump 33%, Cruz 30%, Rubio 25%. Evangelicals went for Cruz, non-evangelicals for Trump. Trump won the non-college educated, while Rubio won among those with college degrees. As was true in other states, Rubio won the biggest city, Little Rock, and Benton County, a Republican stronghold in the state's northwest corner, home to Walmart. Cruz won the "very conservative." Trump swept the rural areas, including the old Republican Ozark Mountains region (a historic center of Nativism).

Clinton won 66-30% in the state where she was First Lady for a dozen years. She gained 90% of blacks, 79% of those over 65, and 73% of weekly churchgoers. She lost voters under 30, independents,

and those who never attend church. She ran stronger among women (74%) than men (57%).

Georgia

With a huge turnout of 1.3 million, Trump won 39%, while Rubio (25%) edged out Cruz (24%) for second place. Trump carried almost every county except vote-rich Atlanta and its suburbs. Rubio won the Atlanta area 37% - 30%, piling up a 21,000 vote majority. But Trump swept rural Georgia from the Tennessee to the Florida borders. (The only small county to vote for Rubio was Clarke, home of the University of Georgia.) Trump won 53% in a traditional Republican mountain county, Fannin, a feat he replicated in Virginia's mountains.

Clinton swept the Democratic primary, winning among every group except white men and voters under 30. She won 85% of blacks, 80% of all voters over age 45, and 83% of weekly churchgoers. Those who never attend church services voted 53% for Sanders.

Massachusetts

The Bay State was a real shocker. This liberal stronghold, which alone supported George McGovern in 1972 and elected Elizabeth Warren to the Senate in 2014, was Trump's strongest Super Tuesday state, winning 49%. The billionaire mogul carried every county and demographic subgroup. Kasich and Rubio ran about even for second, each with 18%. More independents than Republicans voted in the primary.

Massachusetts was the only state with a really large Democratic turnout, and Clinton barely beat Sanders by one point, thanks to a 20,000-vote margin in Boston and a 25,000 vote edge in its suburbs. The rest of the state, from the Berkshires to Cape Cod and the islands, favored Sanders.

There was a significant gender gap: 57% of women favored Clinton compared to 41% of men. If their turnout had been equal, she would have lost. But 58% of Democratic voters were female. The age gap was large, as 65% of those under 30 voted for Sanders and 59% of the oldest voters chose Clinton. Clinton also carried among college graduates, upper income voters, liberals, and regular Democrats. Sanders won among independents, lower socioeconomic groups and the unmarried. These disparate characteristics show up in town results. Old-line liberal and Jewish areas like Brookline and Cambridge went for Clinton, while college towns like Amherst supported Sanders 2-1. (There was no religious question.)

Oklahoma

The Sooner State voted for its neighbor Cruz (34%), though Trump (28%) and Rubio (26%) made it close. Cruz won among evangelicals, non-college graduates, and very conservative voters. Trump won among non-evangelicals, moderates and the hardscrabble, once-Democratic counties in the state's southeast. Rubio carried college graduates, the somewhat conservative, and the state capital, Oklahoma City.

Democrats in the state favored Sanders by 10 points, winning 60% of men, 82% of young voters, 56% of whites, 55% of non-college graduates, and 69% of independents. Clinton won 71% of blacks, and a slim majority of women and registered Democrats.

Oklahoma's quirky reputation and its populist/Baptist heritage produced victories for Cruz and Sanders – opposite ends of the political spectrum.

Tennessee

The Volunteer State gave Trump a comfortable win (39%), followed by Cruz (25%) and Rubio (21%). He won all regions, and among evangelicals and non-evangelicals, men and women, and all age

Exit Polls on Religion: Accurate or Not?

Dr. James Guth, a political science professor at Furman University and author of many books on religion and politics, told *Voice of Reason* that he and other colleagues are "frustrated and disappointed" by the omission of comprehensive religious questions in the national exit polls. This glaring omission will make comparisons with previous elections impossible, and will make it difficult to determine whether appeals to varied religious constituencies were successful or not.

Pew polls showed that voters considered Ben Carson and Ted Cruz the most personally religious and Donald Trump the least. Among Democrats the religiously non-affiliated voters favored Bernie Sanders by a wide margin. But the Pew polls were conducted nationally before the primaries.

Baptist minister and author Brian Kaylor complained in *The Washington Post* on February 29, "I find the treatment of religion in exit polls woefully lacking.... How did Catholics vote? We do not know – even though in the 2012 general election Catholics were more than one-quarter of Iowa's electorate and nearly 40% of the New Hampshire vote. Catholics outnumbered evangelicals in the 2012 general election turnout in New Hampshire by more than three-to-one and edged out evangelicals in Nevada, but exit pollsters only asked about evangelicals."

Democratic primary voters are treated as if religion does not matter. "Adding more questions for Democratic voters beyond the evangelical question could shed light on what types of voters are resonating with the various candidates. It would also highlight important diversity. In the 2012 general election, one-quarter of New Hampshire voters and one-third of Nevada voters identified with either a non-Christian religion or with no religion. Now exit pollsters act as if those voters are invisible."

Religious affiliation questions have been included in every Gallup Poll since 1936, and in all exit polls since they were inaugurated in 1972. Leaving out this important identification characteristic is intellectually dishonest and ignores an important component in voting behavior.

groups. Only one county eluded Trump: the high-income, well-educated Nashville suburb of Williamson County, which supported Rubio. The Florida senator ran close in the four urban counties containing Nashville, Memphis, Chattanooga and Knoxville. These four counties only backed Trump 32% to Rubio's 29%. Rural voters and voters with a high school or less education gave majorities to Trump. He also won the Republican strongholds of rural East Tennessee, which have supported the GOP since the Civil War.

Democrats went 2-1 for Clinton, with her support reaching 89% of blacks, 82% of over age 65, 81% of weekly churchgoers, and 74% of registered Democrats. She lost to Sanders among 18-29 year olds and independents. She barely carried Knoxville and east Tennessee, losing three counties in the region.

Texas

Cruz won his home state easily, dominating most subgroups, though Trump led among non-evangelicals, moderates, and in the Dallas-Fort Worth area. Cruz won middle income voters, while Rubio won among upper income voters. Among Latino Republicans Cruz led, with Rubio and Trump tied for second. (They were 10% of GOP primary voters.)

Texas Democrats went 2-1 for Clinton, especially among over age 65 (87%), blacks (83%) and Hispanics (71%). She won by smaller margins among moderates and whites. Sanders won heavily (60%) among voters ages 17-29, and among independents who voted in the Democratic primary. The only religious question in the Democratic exit poll was frequency of attendance at "religious services," a vague category that is meaningless. Clinton ran strongest among weekly and occasional attendees, while 55% of those who never attend church went for Sanders. Clinton carried almost every county, except the state capital, Austin, where Sanders won 51%.

Vermont

Tiny Vermont, once the nation's most Republican state, and now a Democratic stronghold, surprisingly went for Trump (33%) over Kasich (30%), who recorded his best showing anywhere on Super Tuesday. Trump won among non-college graduates, conservatives and registered Republicans. Kasich won the college-educated, high-income, moderates, and independents who voted in the GOP primary. The state's only large city, Burlington, went for Kasich. Trump led among religious voters and in the "Northeast Kingdom," a rural area bordering Canada.

State Democrats turned out in droves for its Senator, giving him 87% and a victory in every town. Younger voters gave him 95% support.

Virginia

An enormous turnout topping one million in the Republican primary produced a narrow Trump win (35% - 32%) over Rubio, who swept the Northern Virginia suburbs of Washington, D.C. Rubio carried the ten counties that constitute the D.C. suburbs and exurbs by 37,000 but Trump carried the rest of the state by 66,000, especially rural areas. Trump won among evangelicals, while Rubio won among non-evangelicals, with Kasich also strong. Trump won also half among those without a college degree, while Rubio won college graduates. Trump led among the "very and somewhat" conservatives, while Rubio took the moderates. Men and voters over age 45 supported Trump, while women and voters under 45 favored Rubio. The "Old South" counties in the South Central region and the depressed coal-mining areas went heavily for Trump, as did military veterans.

As in every state, Trump won the lion's share of anti-immigrant voters, those who favor deportation, oppose Syrian refugees, and support a temporary ban on Muslims entering the U.S.

To Safeguard the Future

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

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

Please contact us if you would like further information.

Americans for Religious Liberty

PO Box 6656

Silver Spring, MD 20916

Telephone: 301-460-1111

email: arlinc@verizon.net

Rubio carried all the college towns, receiving nearly half the vote in Charlottesville and Williamsburg. Rev. Jerry Falwell Jr.'s endorsement of Trump failed in the Liberty University stronghold of Lynchburg, where Trump ran third behind Rubio (the winner) and Cruz. Rubio also won among the 14% of Republicans who were "non-whites."

Clinton easily beat Sanders with 64% of the Democratic primary vote. She carried all regions of the Commonwealth, winning especially among blacks, women, weekly churchgoers, and voters over 65. Clinton also won among moderates and voters whose income exceeded \$100,000. Sanders won 69% among young voters and 58% of independents who voted in the Democratic primary, and half of white men and 46% among non-churchgoers.

Summary

The Super Tuesday results, which produced 595 Republican and 859 Democratic delegates, recast the election somewhat. Most commentators see Clinton's path to the Democratic nomination as nearly insurmountable, while Trump has clearly taken a lead in the GOP race. While he has never won a majority in any state, he has had the benefit of numerous opponents. Another change may occur on March 15, when winner-take-all primaries are held in many states, including delegate-rich Florida and Ohio.

Here is what we know so far:

1. Trump is winning across the board, especially among men, lower income and non-college educated voters as well as veterans. While he has received only 34% of the primary vote through March 1, he is well ahead of his opponents in the delegate count.

2. Cruz is doing well among evangelicals (but is still second to Trump), the very conservative, and rural voters.

3. Rubio is winning among college graduates and high-income voters, particularly in cities and suburbs. Even while losing the states, he carried the Washington, D.C. suburbs of Northern Virginia, Richmond, Atlanta, Charleston, Columbia, Little Rock, Des Moines, and Oklahoma City, and came a close second in Tennessee's urban counties.

4. Clinton has a commanding lead but some segments of the Democratic electorate support Sanders and may continue to surprise party leaders as the election turns toward the Midwest and West.

5. The turnout in Republican primaries is 8.3 million compared to 5.5 million for the Democrats, a complete reversal from 2008 when Democrats held a three million voter turnout lead at this stage of the election. ■

Religion, Democrats and Republicans

Our two great national parties have always had distinct religious appeals. The Republicans were the northern Protestant party in a century of Protestant predominance, which kept them competitive and, in fact, the majority party from Lincoln until FDR. The Democrats were the Catholic party in the North and the Protestant party in the South, thanks to the Civil War. The much smaller Jewish vote leaned Republican until they voted for Al Smith in 1928 and overwhelmingly for FDR in his four campaigns and have remained Democrats since. This was the paradigm of the old triad of Protestant-Catholic-Jew enunciated by Will Herberg in the 1950s.

Since then, and especially in the last few decades, the rise of the religiously nonaffiliated, not even a factor in polls until the 1990s, has changed the religious profiles of the parties. So has the rise of other religions, the rebirth of an evangelical subculture, and many political positions of the parties, some of them rooted in the religious differences.

Today the Republicans are heavily evangelical (38%) in their makeup and are strongest in the South, where they were not even competitive until Eisenhower. About 21% of Republicans are Catholics, while 17% are mainline Protestants (who used to dominate the party) and 14% are unaffiliated. Mormons make up 3%, black Protestants 2% and Jews 1% of the GOP coalition, according to the most recent (2015) Pew Research Center survey.

Table 1: Party Profiles

| | <i>% Republican</i> | <i>% Democrat</i> |
|------------------|---------------------|-------------------|
| Evangelical | 38 | 16 |
| Catholic | 21 | 21 |
| Mainline | 17 | 13 |
| Black Protestant | 2 | 12 |
| Mormon | 3 | 1 |
| Jewish | 1 | 3 |
| Other religions | 4 | 6 |
| Unaffiliated | 14 | 28 |

The above data are the percentages of each party supporters that belong to these religious groupings. Source: Pew Research Center, November 5, 2015.

Democrats are increasingly influenced by the 28% unaffiliated, while Catholics have declined to 21%. Evangelicals are 16% and mainline

continued on page 7

Table 2: Religion in the States

Top ten states for major religions:

| | <i>Evangelical</i> | <i>Catholic</i> | <i>Mainline Protestant</i> | <i>Black Protestant</i> |
|----|---------------------|-----------------|---------------------------------|--|
| 1 | Tennessee | Rhode Island | South Dakota | Mississippi |
| 2 | Alabama | Massachusetts | Iowa | Louisiana |
| 3 | Kentucky | New Jersey | Minnesota | Georgia |
| 4 | Oklahoma | New Mexico | West Virginia | Alabama |
| 5 | Mississippi | Connecticut | North Dakota | Maryland |
| 6 | West Virginia | New York | Kansas | South Carolina |
| 7 | Georgia | California | Nebraska | North Carolina |
| 8 | Missouri | Illinois | Pennsylvania | Virginia |
| 9 | North Carolina | Louisiana | Delaware | Delaware |
| 10 | South Carolina | New Hampshire | Maine | (Arkansas, Florida, Michigan, Tennessee tied for 10th) |
| | <i>Unaffiliated</i> | <i>Mormon</i> | <i>Jewish</i> | |
| 1 | Vermont | Utah | New York | |
| 2 | New Hampshire | Idaho | New Jersey | |
| 3 | Massachusetts | Wyoming | Connecticut | |
| 4 | Washington | Alaska | Delaware | |
| 5 | Alaska | Arizona | Florida | |
| 6 | Maine | Montana | Maryland | |
| 7 | Oregon | Nevada | Massachusetts | |
| 8 | Montana | Oregon | California | |
| 9 | Colorado | Hawaii | New Hampshire | |
| 10 | Nevada | Washington | Oregon (Vermont, Alaska, Maine) | |

Note: Buddhists rank first in Hawaii, Eastern Orthodox Christians in Alaska, and Muslims in New Jersey.

Religion Pervades Immigration and Refugee Debates

Republican presidential candidate Donald Trump's call for excluding all Muslim immigration to the United States created an uproar in December. Most of his fellow candidates spoke out against the proposal, some forcefully and others in ambiguous tones. Ted Cruz and Jeb Bush both expressed a preference for Christian immigrants from war-torn Syria, while the others denounced using religion as a criterion. (Trump also called for a possible register of all Muslims and for monitoring certain mosques). His proposals received widespread criticism from religious liberty advocates and from Democrats and Independents, but were endorsed by a majority of Republicans, according to polls.

But the question of refugees and visa waivers remains complex, especially when it applies to Syria. The civil war there and the ISIS uprising have caused four million refugees to flee, settling mostly in Turkey and Lebanon. But hundreds of thousands have fled to Europe and some to North America.

World Relief reported in November that 18% of Syrian refugees are Christians, but only 2% of those resettled in the United States since 2011 are Christian. (The statistics from the Refugee Processing Center show 2,098 Muslims and 53 Christians have been resettled in the U.S.).

While President Obama told Turkish reporters in November that "We don't have religious tests to our compassion," others wonder. Michael McConnell, a professor at Stanford Law School—and often mentioned

as a possible future Supreme Court justice – wrote in Politico on November 30, "The Immigration and Nationality Act of 1965, which governs these issues, defines 'refugee' as someone who has fled from his or her home country and cannot return because he or she has a well-founded fear of persecution on account of 'religion'—as well as race, nationality, political opinion or membership in a particular social group."

He added, "In the face of the deliberate targeting of particular religious minorities by ISIS and related forces, it is altogether proper for asylum countries, such as the United States, to prioritize protection to the victims over economic refugees and other displaced persons."

McConnell criticized the death of Christian refugees from Syria. "But there is something seriously amiss when those who bear 'the largest brunt of persecution' are the least likely to get asylum."

Nina Shea of the Hudson Institute's Center for Religious Freedom criticized the United Nations'

refugee processing system for "disproportionately excluding Christian refugees."

Congress may reduce the numbers further. The House's overwhelming passage of H.R. 4038, the American Security Against Foreign Enemies (SAFE) Act, in November forbids additional Syrian and Iraqi refugees unless approval is granted by three national intelligence agencies. ■



Democrats and Republicans, *continued from page 6*

Protestants are 13%, while black Protestants represent 12% of the Democratic coalition. Nearly 3% are Jewish and 5% represent other faith traditions.

Compared to 2007, mainline Protestants have dropped 4% among Republicans and the "nones" are up 4%. Among Democrats, mainline Protestants have dipped 4%, evangelicals and Catholics 3%, while the "nones" are up 9%.

There is not a direct correlation between the changing religious composition of the party coalitions with voter turnout, since the "nones" have consistently lower turnout rates, thereby diluting their influence in the electorate.

Age, income, education, gender and geography also affect the religious composition factor. Nones, for example, are young and male and are not only less likely to vote, but are less likely to even register. Gregory Smith, Pew's associate director of research, explained, "Politically speaking, religious nones seem to punch a little bit below their weight." He added, "that suggests that the political consequences of the growth of the nones might not be as pronounced as the consequences for the American religious landscape as a whole."

There is also the factor of how much an individual's religious convictions will affect his or her presidential vote. Evangelicals are clearly conservative on most issues, though their younger voters are less so. Catholics are the classic swing vote, liberal on some issues, conservative or moderate on others. (They usually end up voting for the winner.) Mainline Protestants are the same, though historical Republican lean-

ings are hard to break. Jewish voters are strongly Democratic, especially in congressional voting, though 30% supported Romney in 2012. "Other" religions and the "nones" are 70% or more Democratic, but there is a libertarian wing that is influential among nonaffiliated Republicans.

These factors will reveal themselves in the early caucus and primary states. Iowa's Republican caucus-goers are nearly 60% evangelical, which is more than double their percentage in the state, where mainline Protestants (Lutherans and Methodists especially) are still influential. The nonaffiliated were a big chunk of the New Hampshire Republican primary vote (and the Democrats, too).

South Carolina Republican voters are heavily evangelical. Nevada is a religiously diverse state, where over half are either "nones" or Catholics, while Mormons have a disproportionate segment of the GOP vote.

The "Super Tuesday" primaries on March 1 were dominated by Southern evangelicals, but Florida's huge and diverse electorate voting on March 15 might be the first example of a national-type result.

Tables 1 and 2 on page 6 spell out the data. ■

Attention ARL Supporters

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



Church and State in the Courts

Courts continue to weigh in on abortion-related issues even though the U.S. Supreme Court is expected to issue a major ruling on how far states may go in regulating the procedure without unduly violating a woman's constitutional rights. The U.S. Supreme Court on November 10 agreed to review a Texas law that sharply restricts abortion. *Washington Post* legal writer Robert Barnes explained on November 13, "The court agreed to review a sweeping law from Texas. Abortion providers say full implementation of the Texas law would reduce from 42 to 10 the number of clinics in the nation's second-largest state."

The Obama administration urged the Court to strike down the Texas abortion law that was heard by the Court on March 22 (*Whole Women's Health v. Hellerstedt*). Reuters legal correspondent Joan Biskupic wrote on January 4: "Intervening in the Supreme Court's first abortion case since 2007, the administration said the new Texas rules for clinics and physicians who perform abortions are far more restrictive than other regulations upheld by the justices over the years."

U.S. Solicitor General Donald Verrilli wrote on behalf of the executive branch: "Those requirements are unnecessary to protect—indeed, would harm—women's health, and they would result in closure of three quarters of the abortion clinics in the state."

The law's requirements concerning hospital-grade facilities and physician admitting privileges at local hospitals have already resulted in the closure of nearly half of abortion clinics.

The Court took no action on a case from Mississippi, where a similar law there would close the state's only clinic if it were allowed to proceed. It was stopped in a lower court.

The U.S. Supreme Court refused on January 18 to revive an Arkansas law that would have banned abortions after 12 weeks. The law had been invalidated by a federal district court in 2014 and by a federal appeals court in 2015. It also refused to review similar rulings in North Dakota.

Meanwhile, the U.S. Court of Appeals for the Seventh Circuit ruled 2-1 on November 23 that a Wisconsin law requiring doctors who perform abortions to have hospital privileges within 30 miles is unconstitutional.

Alabama authorities on December 1 reinstated funding for Planned Parenthood services under Medicaid after an order from U.S. District Judge Myron Thompson. A federal court in Missouri blocked the state from revoking an abortion license for a Planned Parenthood clinic in Columbia on December 28. Judge Nanette Laughrey said the state had singled out the clinic because of political pressure. The clinic still has no physicians who meet the state requirement that a doctor have local hospital admitting privileges.

The Kansas Court of Appeals held on January 22 that the state constitution protected a woman's right to seek an abortion. It upheld a lower court ruling blocking a law passed in April 2015 that attempted to ban the most common method used in second-trimester abortions. It was a close ruling, a 7-7 tie that upheld the original court decision. Erik Eckholm noted in *The New York Times* January 22, "In a tie, the lower-court ruling is upheld, but the split suggested that the interpretation of abortion rights under the state Constitution is far from settled and is likely to be considered by the state Supreme Court." He added, "According to the Center for Reproductive Rights, the supreme courts of at least 10 states have ruled that their state Constitutions protect the right to abortion: Alaska, California, Florida, Massachusetts, Minnesota, Mis-

issippi, Montana, New Jersey, New York and Tennessee. Lower courts in Connecticut, Kansas, Ohio and Oklahoma have also done so."

On a related issue, both Ohio and Wisconsin ended state funding for Planned Parenthood.



The Supreme Court on January 15 agreed to hear a case involving a Missouri government agency decision barring a church school from receiving state funds for a playground repair. Trinity Lutheran Church in the college town of Columbia was denied a playground grant in 2012 from the Missouri Department of Natural Resources, citing a state constitutional ban stating: "No money shall ever be taken from the public treasury, directly or indirectly, in aid of any church, sect, or denomination of religion."

A federal court agreed with the state, and the U.S. Court of Appeals for the Eighth Circuit affirmed that ruling 2-1 on May 29, 2015, in *Trinity Lutheran Church v. Pauley*.

This is the third church-state case that will be heard this term. *Washington Post* legal affairs correspondent Robert Barnes wrote, "The Missouri case is the latest reflecting the court's recent interest in religious rights." He added, "Both sides say the case will require justices to reexamine a 2004 Supreme Court ruling that said states that offer college scholarships can deny them to students majoring in theology."



A fundamentalist theme park that features a replica of Noah's Ark won a federal court victory on January 25 that allows the project to receive up to \$18 million in sales tax incentives. State tourism officials in the administration of Democratic Gov. Steve Beshear blocked the group's participation in tourism tax rebates in 2014 after learning that the "Ark Encounter" theme park in Petersburg, Kentucky, would "be an extension of Answers in Genesis Ministry," a creationist group.

U.S. District Judge Gregory Van Tatenhove held that though the group is "clearly a religious organization," tourist destinations could be affiliated with religion if they serve the "secular goal" of "increasing revenues and benefit the state's economy through jobs and spending." According to Reuters on January 26, the judge's decision will allow the theme park "to use religious beliefs as part of their hiring criteria and still retain tax incentives." The decision was applauded by the state's newly-elected Republican Gov. Matt Bevin.



ACLU filed suit on December 30 against Dignity Health and Mercy Medical Center in Redding, California, for refusing to provide a woman with a tubal ligation recommended by her physician. Dignity Health is a Catholic-affiliated hospital network which enforced a medical code called Ethical and Religious Directives for Catholic Health Care Services (ERD). Established by the U.S. Conference of Catholic bishops, ERD bans sterilization, abortion and some other forms of birth control and prenatal genetic tests.

“This case is an example of gross overreach and the harm done to women and their families when religion is invoked to deny medical services,” Ruth Dawson, staff attorney for the ACLU, told *BuzzFeed News*. “But this isn’t just happening in Redding, and this isn’t just happening in California.”

BuzzFeed News reporter Azeen Ghorayski wrote on December 30, “Chamorro’s case is just the most recent in a slew of legal actions being brought by the ACLU against Catholic hospitals that deny medical procedures for religious reasons.”

In a surprisingly early decision, Superior Court Judge Ernest Goldsmith ruled that it “would violate the freedom of religion” if Mercy Medical Center were compelled to provide the sterilization. Goldsmith rejected the significant hardship argument, saying his order would merely be an “inconvenience” for the woman to travel 70 miles to the nearest hospital that allows tubal ligations. The judge also rejected the sex discrimination claim, since the hospital prohibition “applies to everybody, men and women.”

“California law allows Catholic hospitals to refuse to perform abortions but does not expressly exempt them from providing other reproductive services,” wrote Bob Egelko in the *San Francisco Chronicle* on January 14, the day of the decision.

Other courts have also ruled in favor of Catholic hospitals. On June 30 the U.S. District Court for the Western District of Michigan dismissed a similar claim in *Means v. U.S. Conference of Catholic Bishops*. Judge Robert Holmes Bell ruled, “When the court must scrutinize religious doctrine to assess the merits of a legal position, the court risks excessively entangling the law in the free exercise of religion. The court lacks jurisdiction and shall not adjudicate the negligence claim because it would impermissibly intrude upon ecclesiastical matters.” Judge Bell said the plaintiffs should file a medical malpractice claim against the hospital involved.



The New York Police Department (NYPD) agreed to reforms designed to protect the city’s Muslims from discriminatory surveillance. The January 7 settlement came as a result of two lawsuits: *Raza v. City of New York* and *Handschu v. Special Services Division*. The agreement is subject to federal court approval.

The settlement prohibits investigations in which race, religion, or ethnicity is a substantial or motivating factor. A civilian representative will be assigned to the NYPD as a check on investigations. The use of undercover and confidential informants will be limited.

Arthur Eisenberg, legal director for the New York Civil Liberties Union, which brought the suits, praised the agreement. “This settlement is a win for all New Yorkers. It will curtail practices that wrongly stigmatize individuals simply on the basis of their religion, race or ethnicity. At the same time, the NYPD’s investigative practices will be rendered more effective by focusing on criminal behavior. The preservation of constitutional freedoms and the protection of public safety are not incompatible.”



In what may be the first of its kind nationally, a Massachusetts state judge ruled on December 16 that a Catholic school in Milton discriminated against a gay man when it rescinded a job offer after learning he was in a same-sex marriage. The couple’s attorney, Ben Klein, told the

Boston Globe on December 17: “Marriage equality has been the law of Massachusetts for over a decade and is now the law of the land. But you can’t have equality if you can get married on Saturday and fired on Monday.”

Globe reporter Laura Crimaldi added, “Several legal experts contacted Thursday by the *Globe* said they believed the ruling was the first in a legal dispute involving a religious organization and an employee in a same-sex marriage.”



Voucher supporters in Louisiana won a victory on November 10 when the U.S. Court of Appeals for the Fifth Circuit ruled 2-1 that the U.S. Department of Justice cannot require Louisiana to provide periodic reports on the racial makeup of students attending voucher schools. The appeals court ruled that the intervention of the federal government and support for the district court were “void for lack of subject matter jurisdiction.” The Fifth Circuit held in *Brumfield v. Louisiana State Board of Education*, “How the voucher program affects statewide public schools racially has nothing to do with the narrow issues.” The majority even snidely commented that there was “no basis for the Department of Justice to intrude into the affairs of Louisiana and its disadvantaged student population.”

Civil rights groups and public educators were dismayed. But the Illinois-based pro-voucher Heartland Institute applauded the ruling, saying, “This is an excellent time for Louisiana lawmakers to expand their voucher program” because “families are clamoring for extensive school choice.”

The November 21 election of a Democratic governor, John Bel Edwards, may halt the voucher juggernaut. Edwards told the Louisiana Federation of Teachers Convention two days after his victory, “I know the power and the promise of a public school education when it’s done right and when you’ve got a good partner in the governor’s office.” AP writer Melinda Deslatte observed on November 23: “His wife a public school teacher, Edwards is a long-time critic of the voucher program that provides taxpayer-financed tuition to private schools. As a state lawmaker, he has unsuccessfully sought to place more restrictions on the expansion of charter schools, which are run with broad autonomy from state and local education officials.”

However, Edwards faces a majority GOP legislature and a pro-voucher state school board.



A federal court in Maryland ruled that a war memorial in Prince George’s County does not violate the First Amendment, even though it is shaped like a cross. The Bladensburg World War I Veterans Memorial was erected by the American Legion in 1925 and is known locally as the “Peace Cross.” It is used as a site for celebrations of Memorial Day and Veterans Day, and is under the jurisdiction of a government agency, The Maryland-National Capital Park and Planning Commission.

The November 30 decision by U.S. District Judge Deborah K. Chassanow concluded, “There is overwhelming evidence in the record showing that the predominant purpose of the Monument was for secular commemoration.”

She added, “Nothing in the record indicates that the Commission’s maintenance and display of the Monument is driven by a religious purpose whatsoever. The evidence of the Commission’s secular purpose

continued on page 11



Voucher Watch

• Indiana's voucher program is a boon for the wealthy, and the very religious, a report in the *Fort Wayne Journal-Gazette* discovered. Reporter Niki Kelly wrote, "Two-thirds of the credits go to Hoosiers who make more than a half million dollars a year."

Kelly reported that the Lutheran Scholarship Granting Organization told her that the "Indiana School Scholarship Tax Credit program is almost too good to be true." Kelly noted, "And it's also a good deal for private schools like those represented by the Lutheran group and the other four Scholarship Granting Organizations that dispense the tax credits. No one else gets such generous help from the state to help with their fundraising. But it's arguably not so good for the Indiana taxpayers who are paying more and more money every year to fund private schools, most of them religious. And it's not a good deal for public schools that struggle as the state sends more money to private schools."

The program was supposedly designed to help "children from poor families escape 'failing' public schools." It hasn't turned out that way. "But the idea that families should first give public schools a chance was quickly dropped. As of 2014-15, two-thirds of new voucher recipients entered the program through the scholarship program. Four-fifths of new voucher recipients had never attended a public school."

The *Journal Gazette* blasted the Indiana state voucher program in a hard-hitting editorial on January 24. "Though the number of voucher recipients grew by 13% this school year, there is no evidence tax dollars are being spent effectively. Instead of approving two voucher expansion bills, lawmakers should instead call for a comprehensive and independent study of Indiana's five-year-old entitlement program. Do they truly believe support of private schools is an effective use of tax dollars, or do they fear that data on Indiana's program will reveal the same results as voucher evaluations elsewhere?"

The daily newspaper in a very conservative, Republican area in the state's northeast added, "Preliminary figures from the Department of Education show 32,955 Indiana students using a voucher this year. The final cost is undetermined until the enrollment number is final, but it's likely to show Indiana taxpayers spending about \$130 million on private schooling this year. Is the cost justified? To know, Hoosiers need an independent study."

• A Nevada court declared the state voucher law unconstitutional on January 11. Judge James Wilson of the First Judicial District Court of Nevada ruled in *Lopez v. Schwartz* that the voucher law, which is almost unlimited, violated two provisions of the Nevada Constitution. He issued an injunction stopping implementation of the program.

The Education Law Center (ELC) reported, "The Court explained that the Nevada Constitution requires the Legislature to appropriate funds for the operation of the public schools, which 'must only be used to fund the operation of the public schools.' [Nevada Constitution,

Article 11, Section 6.1 and 6.2] However, the Court continued, under the voucher law, if implemented, 'some amount of general funds appropriated to fund... the public schools will be diverted to fund the vouchers for private school tuition and other uses.' ELC executive director David Sciarra praised the decision. "We're pleased that Judge Wilson found that the Legislature cannot take funding designated for the operation of the public schools and transfer that funding to private schools and other private education expenses." The Nevada Supreme Court announced in February that it would review the decision.

• Even a lottery cannot improve voucher outcomes, according to three scholars who examined the results of the first year of the "Louisiana Scholarship Program" (LSP). They found that "participation in LSP substantially reduces academic achievement in math, reading, science and social studies."

Students who won a lottery enabling them to attend a private school received lower scores. "Attendance at an LSP-eligible private school lowers math scores... and increases the likelihood of a failing score by 50%. Voucher effects for reading, science and social studies are also negative and large. The negative impacts of vouchers are consistent across income groups, geographic areas, and private school characteristics, and are larger for younger children."

Legislators should be wary of voucher experiments, they say. "These results suggest caution in the design of voucher systems aimed at expanding school choice for disadvantaged students."

This study, "School Vouchers and Student Achievement: First-Year Evidence from the Louisiana Scholarship Program," was published by the National Bureau of Economic Research in December.

• Senator Ted Cruz took time off his presidential campaign to introduce a bill to force D.C. residents to fund a school voucher program opposed by the mayor and a majority of City Council members. (D.C. voters crushed a voucher program by an 8-1 margin in 1981.)

Cruz's bill would require D.C. public schools to give families up to \$9,500 per student to utilize private schools, 80% of which are run by religious groups. A companion bill was introduced in the House by Rep. Mark Meadows (R-NC).

The present federally-funded D.C. voucher program sent 1,442 students to 47 private schools during the 2014-2015 school year.

The Cruz-Meadows proposal is in the form of an educational savings account program, similar to Nevada's, which is being challenged in the courts.

• The Tennessee House Finance Committee approved a school voucher bill on January 26 by an 11-10 vote. The bill would give \$6,628 per pupil, limiting the program to 5,000 participants the first year and up to 20,000 by the fourth year. Public schools will lose \$17 million in funding if vouchers are approved. The state Senate passed a similar bill in 2015, and it has the support of the governor.

However, an amendment restricting vouchers to Memphis (Shelby County) was filed on February 10. The Senate Education Committee expanded the "Individualized Education Act," a voucher for the disadvantaged set to launch in 2017. As we went to press, the bill died in committee. ■

Moving?

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

Updates

Religious Right Still a Threat

Frederick Clarkson and Political Research Associates issued a report on January 12 that examines the “religious freedom strategy of the Christian right.” He argues, “By creating zones of legal exemption, the Christian right seeks to shrink the public sphere and the arenas within which the government has legitimacy to defend people’s rights... This conservative Christian alliance is challenging a century or more of social advances and many of the premises of the Enlightenment underlying the very definition of religious liberty in the United States. Its long-range goal is to impose a conservative Christian social order inspired by religious law, in part by eroding pillars of undergirding religious pluralism that are integral to our constitutional democracy.”

Clarkson notes that redefining religious freedom is an insidious goal that threatens the rights of others. “The Christian Right is seeking to undermine and evade civil rights law beyond the courts by ‘religifying’ organizations. This means rewriting mission statements, contracts, and job descriptions to claim that the entire organization or jobs within it are essentially religious in nature and subject to the longstanding exemption of clergy from the Civil Rights Act.”

The president of the United Church of Christ, Rev. John C. Dorhauer, endorsed Clarkson’s views. He argued in the document’s preface, “We can’t allow the Religious Right to twist the meaning of religious liberty to the point that it becomes the means by which their theocratic vision is finally and fully realized. For decades now they have fought to erode or redefine the very freedoms the Constitution was written to protect. It would be unwise of us to either turn a blind eye to their machinations or to dismiss the ongoing effectiveness of their efforts.”

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

is uncontroverted.” The court also noted that the National Park Service placed the monument on the National Register of Historic Places.

Opponents of the decision may appeal to the Fourth Circuit Court of Appeals.



On December 2 a federal court disallowed an Indiana public high school district’s Nativity scene. U.S. District Judge Jon E. Deguilio granted a permanent injunction against Concord Community Schools, ruling that the inclusion of a 20-minute religious segment of a Christmas Spectacular “conveys a message of endorsement of religion, or that a particular religious belief is favored or preferred.”

This decision came even after Concord High School in Elkhart, Indiana, agreed to remove some portions of the program. The court was not convinced that this was adequate. “Accordingly, the court finds that the plaintiffs are likely to succeed on the merits on their claim that the inclusion of the living Nativity scene in the show, as currently proposed, violates the Establishment Clause.” The court added that, “based on the manner in which it is presented and its current context within the show, the living Nativity scene impermissibly conveys an endorsement of religion and thus runs afoul of the Establishment Clause.” ■

The New York City Council diverted \$20 million annually for “safety agents” at Catholic, Jewish, and Muslim private schools. There was apparently no justification for the decision, according to the New York Police Department’s (NYPD) School Safety Division. So the Council approved spending public money for unarmed security guards not associated with the NYPD.

Errol Louis, political anchor at NY1 News, wrote in the *New York Daily News* on December 22: “In short, there was a political play by politically potent religious organizations to pressure the Council into handing over public money for local jobs. And they got what they sought. Ten years from now, assuming modest inflation, the public may end up having paid close to quarter of a billion dollars for what looks a lot like a pure pork-barrel gift to private and parochial schools.”

Louis added a personal note, “And as the parent of a child who attends a Protestant private school, I can think of a dozen better uses for public money than paying for unarmed personnel to sit and ‘guard’ mine or any other private academy.”

ARL president Edd Doerr, in a letter published in the *Daily News* on December 31, blasted the giveaway. “Not only does this apparently violate Article XI, Section 3 of the New York State constitution, but it also forces taxpayers to support religious institutions, in violation of their religious freedom, and the fragmentation of students along religious lines.”

Waivers Granted to Religious Colleges

At least 27 church-related colleges have received waivers from the federal government that allow the schools to avoid federal anti-discrimination laws affecting transgender students. Citing data obtained through the Freedom of Information Act by *The New York Times* reporter Liam Stack wrote on December 10, “The exemptions are in some cases wide-reaching and exempt schools from abiding by provisions of the law that they feel are inconsistent with their religious beliefs on a range of topics, including gender identity, sexual orientation, marital status and whether a person has had an abortion.”

He added, “The federal civil rights protections under Title IX of the Education Amendments of 1972 prohibit discrimination on the basis of sex in education or other activities, like school sports, that receive federal funding. However, schools ‘controlled by a religious organization’ have always been permitted to apply for exemptions from parts of the law whose application ‘would not be consistent with the religious tenets’ of their institution.”

Transgender students were included under Title IX in 2013. Church colleges, of course, receive generous public funding.

More U.S. Clergy Seek Political Office

About 500 evangelical clergy are running for political office, mostly at the local level, in 2016. The campaigns are being spearheaded by David Lane of the American Renewal Project, who has announced plans to recruit 1,000 clergy-candidates before November.

Reuters correspondent Michelle Conlin noted on December 11 that this “represents a tactical shift within a Christian far right seeking to regain its political influence after losing several big battles in the so-called culture wars, including the Supreme Court ruling this year allowing gay marriage. That shift is being brought into sharp focus as activists prepare the battleground for the 2016 general election.”

continued on page 12

The clergy are thumbing their noses at the IRS. Added Conlin, “In some instances, pastors are trumpeting their candidacies or those of other evangelicals directly from the pulpit, in violation of Internal Revenue Service rules governing tax-exempt churches. Some are launching church-wide voter registration drives. . . . Since 2012, about 900 preachers from evangelical fundamentalist churches across the United States have made recordings of politically infused sermons and sent them to the IRS. The federal tax agency, which declined to comment, has yet to take any action.”

Charter and Voucher Schools Vary Regionally

The conservative Thomas B. Fordham Institute and Columbia Teachers College teamed up to rank states and large cities in terms of “school choice,” which to them meant charter schools, private schools, magnet public schools and homeschooling. The researchers rated “political support, policy environment, and the quantity and quality of choices.” States ranking highest were Ohio and Nevada. The lowest were Maryland, Virginia and Kansas.

The cities considered friendliest to the private and charter sectors are New Orleans, Washington, D.C., Denver, Indianapolis and Columbus. The least friendly are Albany, Austin, Pittsburgh, Charlotte and Seattle.

Phoenix Opts for Silent Prayer at Meetings

Phoenix City Council members voted 5-4 on February 3 to observe a “moment of silent prayer” at the beginning of meetings instead of an opening spoken prayer. It was designed to block a group of Satanists from giving an invocation at the next scheduled meeting. Conservative opponents of the change threatened to put the issue on the ballot in a referendum.

Internet Censorship Widespread

Freedom House reported in November that 21 nations ban “blasphemous content considered insulting to a religion” from the Internet. Fourteen are predominantly Muslim (Iran, Sudan, Turkey, Egypt, Saudi Arabia, the United Arab Emirates, Bahrain, Malaysia, Pakistan, Gambia, Indonesia, Tunisia, Bangladesh, and Jordan). Others include mostly Christian Russia, Hindu India, Buddhist Burma, and four religiously mixed nations (Ethiopia, Kazakhstan, Lebanon and Singapore).

Fourteen countries “do not block content and are still struggling to balance free speech with public safety”: Argentina, Armenia, Australia, Canada, Estonia, Georgia, Germany, Hungary, Iceland, Italy, Japan, the Philippines, South Africa and the United States. France and the United Kingdom only restrict “news or opinion on conflict, terrorism, or violence.”

Most other countries maintain varying degrees of censorship on corruption, satire, ridicule, criticism of authorities, information about minorities, and reports on gays and lesbians. This is achieved by “blocking relevant web pages, initiating deletion request or detaining users who post about them.” The two nations with the highest degree of censorship are Ethiopia and Iran.

International Updates

Belfast: The Belfast High Court held on November 30 that Northern Ireland has breached article 8 of the European Convention on Human Rights by failing to allow abortions in any instance except to save the mother’s life. Justice Mark Horner found that Northern Ireland’s restrictive laws did not allow exceptions in the case of sexual crimes and fatal fetal abnormalities, thus violating European Human Rights laws.

Northern Ireland is the only region of the United Kingdom to maintain almost total bans on abortion, forcing thousands of women to travel to Scotland, Wales or England each year to obtain an abortion. The UK liberalized its abortion laws in 1967, but Northern Ireland, with its own parliament, refused to implement the change.

Among other things, Justice Horner said the province’s law “constitutes a gross interference with a woman’s personal autonomy.”

The Northern Ireland Assembly has refused to make changes in the law over the past five decades, and its Attorney General plans an appeal.

Catholic bishops, whose jurisdiction covers both Northern Ireland and the Republic of Ireland, said they were “profoundly shocked and disturbed” by the ruling. Protestant churches are also cross-jurisdictional and mostly conservative. Fundamentalists control the largest party in the North, the Democratic Unionists, and they are adamantly opposed to abortion rights.

Northern Ireland’s first female leader, Arlene Foster of the evangelical Democratic Unionist Party, vowed to oppose any liberalization of the province’s laws. She told the *Guardian* on January 6, “I would not want abortion to be as freely available here as it is in England and don’t support the extension of the 1967 act.”

Brunei: The Sultan of Brunei, who imposed a strict version of Sharia in 2014, issued a 2015 proclamation banning Christmas celebrations, saying they could “damage the beliefs of the Muslim community.” The punishment for celebrating Christmas is a fine of \$20,000, up to five years in prison, or both.

Alexander Sehmer, writing in the *Independent* on December 22 added, “Christians can celebrate Christmas in private but must first alert the authorities. Officials from the Ministry of Religious Affairs have reportedly visited local businesses to ensure that they are not displaying Christmas decorations.”

The oil-rich Asian nation of 420,000 is 65% Muslim.

Cairo: Egypt’s President Abdel-Fattah-el-Sissi made a rare appearance at Christmas Eve Midnight Mass at the Coptic Orthodox Cathedral of St. Mark. The president brought many Muslim cabinet members with him, and apologized for the frequent attacks on Christian homes, businesses, and churches: “We have been late in restoring and fixing what has been burned. Please accept our apologies for what happened.” The service was broadcast on national television.

Canterbury: A report by a prominent think tank has recommended that the United Kingdom reduce the Christian tone of major state occasions to recognize the country’s “pluralist character.” The controversial statement, issued in December by The Commission on Religion and Belief in British Public Life, favored a scaled down Coronation Service for the next monarch so that leaders of other faiths play major roles. It endorsed an end to the dominance of 26 Anglican bishops in the House of Lords and called for a reduction in their numbers. Imams, rabbis, and clergy of other faiths should be included. The Commission called for “The scrapping of religious assemblies for schoolchildren, along with ending of the segregation of children by faith at schools

throughout the land” and endorsed the creation of a “Magna Carta-style secular statement of values governing public life.”

RNS reporter Trevor Grundy wrote on December 8, “Although membership in the commission included leaders and academics from every major religious tradition, a spokesman for the Church of England blasted the findings as ‘dominated by the old-fashioned view that traditional religion is declining in importance and that non-adherence to a religion is the same as humanism or secularism.’”

Dublin: Ireland seems to be moving toward reducing Catholic religious influence in the tax-supported public schools. The outgoing education minister, Jan O’Sullivan, abolished Rule 68, which required 30 minutes of religious instruction daily in primary schools. Reliable polls showed 85% support for that move. Another poll found that two-thirds of respondents would choose a nonreligious school for their children. The general election on February 26 may further the progress. (See editorial “Irish Anachronism” on page 16.)

Jakarta: Indonesia’s so-called “religious harmony” law passed in 2006 has been applied almost exclusively to the Christian minority. Religious freedom specialist Morgan Lee wrote in *Christianity Today* on November 10, “Since the passage of this ‘religious harmony’ bill, which was touted by lawmakers as a long-term solution to religious conflicts, more than 1,000 Indonesian Christian churches have closed. Others have never been built.”

Human Rights Watch researcher Andreas Harsono told *Foreign Policy* magazine: “It shows the failures of the religious harmony regulation. It discriminates [against] minorities, thus making way for the majority, mostly Muslim hard-liners in Indonesia, to pressure the government to close down churches.”

The worst persecution has occurred in Aceh province, the only part of the large island nation where Muslim Sharia law is enforced. Both local authorities and mobs have destroyed numerous churches, despite condemnation of their actions by the Indonesian Supreme Court.

Marrakesh: A declaration by hundreds of Muslim scholars and leaders called upon Muslim governments to protect religious minorities currently suffering persecution in many Muslim societies. Religion News Service reported on January 27, “Sponsored by Moroccan King Mohammed VI and the United Arab Emirates-based Forum for Promoting Peace in Muslim Societies, the January 25-27 conference included 300 prominent Islamic clerics and experts from Morocco to Indonesia.”

The “Marrakesh Declaration” said, in part, “We call upon all religions to confront all forms of religious bigotry, vilification, and denigration of what people hold sacred, as well as all speech that promotes hatred and bigotry. It is unconscionable to employ religion for the purpose of aggressing upon the rights of religious minorities in Muslim countries.”

Mogadishu: The government of Somalia banned all observations or celebrations of Christmas and New Years as “contrary to Islamic culture.” The December 24 announcement from the Ministry of Religious Affairs said such celebrations “could damage the faith of the Muslim community,” even though the country has almost no Christians. The Supreme Religious Council of Somalia said the holidays “are not relevant to the principles of our religion.” The ban affects 22,000 peacekeepers from the African Union, a contingent of 13 African countries, many of whom are Christian. ■



Books and Culture

Church and State in Russia

Russian journalist, editor, and publisher Serge I. Chapnin wrote recently in both *First Things* and *The Economist* that the “Russian Church has become a Church of Empire, with ecclesiastical practices and institutions shaped accordingly.” The Church is now “a post-Soviet civil religion providing ideological support for the Russian state.”

The author, a convert to Orthodoxy in 1989, says the church has little impact on the daily lives of its members and of society at large, except in supporting state actions to encourage “traditional Russian mores in opposition to the decadence of the West.” But this “rhetoric” is meaningless. Chapnin cites data that only 1% of members attend worship weekly. “The actual statistics in Russia are disastrous: 640,000 divorces to 1.2 million marriages and 63 abortions per 100 live births. The supposed revival of Russian morality is propaganda, not a genuine effort of social renewal.”

A January 4 article by Fred Weir, foreign correspondent for *The Christian Science Monitor*, largely concurs in this assessment. “The line between sacred and secular appears increasingly blurred in Russia. Unlike in the West, where religion and politics occupy separate spheres, the Orthodox Church sees itself as the spiritual generator of public policy and the ideological bulwark of the state. Priests have become regular fixtures in the Army, schools, hospitals, and other public institutions. When President Putin gave his recent state-of-the-union address to parliament, Patriarch Kirill—the Orthodox equivalent of the pope—was seated prominently among top government officials in the audience.”

But influence has its price. “But clerical support for the authorities comes with a hefty price tag. Under Putin, the Kremlin has transferred back to the church about 28,000 objects once nationalized by the Soviets and worth billions of dollars, including churches, monasteries, and precious artifacts, mostly at the expense of state museums.”

The Church also maintains radio stations, newspapers, websites and a nationwide television network.

President Vladimir Putin remains a key player in the church-state rapprochement. “In addition to inviting church figures to participate in major state functions, and putting in appearances at key religious ones, Putin reportedly pays frequent, unpublicized private visits to famous churches and sites of Orthodox significance whenever he is traveling around the country.”

Putin attended Christmas Eve Midnight Mass in a village northwest of Moscow. Patriarch Kirill presided over Midnight Mass at Moscow’s Christ the Savior Cathedral, a service broadcast on state television and attended by Prime Minister Dmitry Medvedev.

—Al Menendez

The End of Public Education: The Corporate Reform Agenda to Privatize Education, by David W. Hursh. Routledge, 2016, 123 pp., \$49.95.

David Hursh’s new book is a devastating, spot-on, detailed, documented survey of the crescendoing assault on public education, teachers and teacher unions. The assault is funded mainly by mega-rich foundations and privatizers eager to reap profit from the over \$600 billion spent annually on K-12 education in the U.S. It goes well beyond just vouchers and tax credits for sectarian private schools to public funding

continued on page 14

Books and Culture, *continued from page 13*

of for-profit charter schools, management companies, and suppliers of services to schools. And most of the besiegers are people with little or no experience as classroom teachers. I am not criticizing properly run charters that play by the same rules as regular public schools, noting that the respected 2014 Stanford CREDO study found that nearly 40% of charters are worse than regular public schools, while fewer than 20% are any better, and that due mainly to their various forms of selectivity.

The pseudo-reformers, or “reformists,” and privatizers ignore these facts: student performance has less to do with the efforts of teachers than that it is closely related to family socioeconomic status and education level; and over two-thirds of Americans regularly give an A or B rating to the schools serving their own kids, according to decades of annual Gallup education polls, despite our schools’ acknowledged problems. The privatizers, generally lacking actual teaching experience, seem to think that reform means turning teachers into factory assembly-line drones producing widgets.

Missing from the privatizers’ grandiose plans are consideration of what real, experienced educators know is needed to improve public education: more adequate and more equitably distributed funding, smaller classes, richer curricula, wraparound social and medical services, serious efforts to alleviate the poverty that affects nearly half of America’s kids, an end to the diversion of public funds to sectarian private schools through vouchers and tax credits, and an end to overemphasis on unpiloted standardized tests.

Hursh, professor of Teaching and Curriculum at the University of Rochester (New York), names names and pins tails on donkeys. He concludes that the reformists’ efforts, if not halted, will wreck public education in the U.S. and send the teaching profession down the drain.

This book, though a bit pricy, easily rates five stars.

— Edd Doerr

Why Liberals Win the Culture Wars (Even When They Lose Elections), by Stephen Prothero. HarperOne, 2016. 326 pp., \$26.99.

This ingenious interpretation of history explains in a credible way the cyclical nature of “culture wars” from the Jefferson-Adams election of 1800 until the present. Prothero argues that “the term ‘culture wars’ refers to angry public disputes that are simultaneously moral and reli-

gious and address the meaning of America.” They “are part of a recurring pattern in U.S. history” and “began in the birth pangs of the republic itself.” So much for those who thought culture wars began with Jerry Falwell.

He further defines culture wars as “public disputes... that extend to moral, religious and cultural concerns, which are typically less amenable to negotiation and compromise.” These conflicts “give rise to normative questions about the meaning of America and who is and who is not a true American.” Finally, “They are heated by rhetoric of war and driven by the conviction that one’s enemies are also enemies of the nation.”

He includes the Jefferson era, the longstanding episodes of anti-Catholicism and prejudice against Mormons, and the Prohibition era, which was really a war against pluralism and religious minorities. “Prohibition made the United State more evangelical at the expense of Catholics and Jews.”

Many readers will be cheered by his belief that while conservatives start the wars and initially win the early battles, liberals win the war in the end. America’s culture wars “are conservative projects, instigated and waged disproportionately by conservatives anxious about the loss of old orders and the emergence of new ones.” They “typically fire the first shots... and are “enamored of the rhetoric of war,” not only “instigating” it but “waging it disproportionately.”

But they consistently lose in the end. “Liberals win because they typically have the force of American tradition on their side, not least the force of the Bill of Rights itself, which on any fair reading protects the rights of minorities against the impositions of majorities.” Also, “conservatives typically choose for their rallying cries causes that are already on the verge of being lost.” He reiterates, “The most important reason they win is because their opponents attach themselves to lost causes.”

Since culture wars are about “principles more than pragmatic politics,” they have a certain staying power. But while cultural conservatives may prolong the antagonisms, they have “already lost the contemporary culture wars and they lost them badly.” Still, “There has been no truce in the contemporary culture wars, and no surrender.”

Prothero sees these liberal victories as a positive reaffirmation of “an increasingly expansive understanding of religious liberty... Protestantism served as an unofficial religious establishment... Religious liberty was afforded infrequently and inconsistently to religious minorities.”

This book deserves the highest rating and should be read by legislators, religious leaders, and those involved in today’s culture wars, as well as informed citizens everywhere.

Prothero, professor of religion at Boston University, is author of the now-classic book, *Religious Literacy*.

— Al Menendez

Losing Our Religion: How Unaffiliated Parents Are Raising Their Children, by Christel Manning. NYU Press, 2015, 245 pp., \$26.00.

Much is being made of recent poll findings that about a quarter of Americans are now religiously unaffiliated or “nones.” These findings, however, obscure the considerable diversity among the “nones,” just as there is enormous diversity among religious “believers.” Manning, a professor of religious studies at Sacred Heart University and herself a “none” and a parent, shows that only a minority of the unaffiliated are actually nonbelieving secularists, the rest being “seekers,” unaffiliated believers, or simply indifferent. She shows that the “nones” tend to be younger, under 35, and that their positions often change when they marry and especially when they become parents. Manning’s well-researched book explores the various ways that “nones” deal with the life changes that accompany marriage and parenting. Her book rates five stars.

— Edd Doerr

ARL in Action

ARL joined more than 50 educational, civic, religious and civil rights organizations, urging the U.S. House of Representatives to reject a private school voucher program. The February letter stressed religious liberty concerns: “Vouchers violate religious liberty by funding primarily religious schools. One of the most dearly held principles of religious liberty is that government should not compel any citizen to furnish funds in support of a religion with which he or she disagrees, or even a religion with which he or she does agree. Voucher programs, however, violate that central tenet: they use taxpayer money to fund primarily religious education.”

The letter noted that state-run voucher programs do not serve all students equally, fail to improve academic opportunities, and offer little or no accountability to taxpayers. “Congress should ensure that public dollars remain invested in public schools for the benefit of all students.”

Join Americans for Religious Liberty!

PO Box 6656, Silver Spring, MD 20916

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

This is a: Renewal New Membership Extra Donation

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

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

Enclosed is my/our check for \$_____.

Name: _____

Address: _____

City, State, Zip: _____

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

Secular Faith: How Culture Has Trumped Religion in American Politics, by Mark A. Smith. University of Chicago Press, 2015, 287 pp., \$25.00.

The author argues, somewhat effectively, that changing cultural norms have influenced historic stances within the churches, thereby leading to often dramatic changes in public policy. Challenging the commonly-held view that the culture wars are obdurate and unchanging, he says, "By examining how issues develop over time, we will see just how narrow the culture war's boundaries really are. . . . Religion in America seems less divisive once we learn how and why the prevailing culture causes people to adjust and update their values."

He observes that "the general public does not participate in the culture war waged by intellectual, political, and religious elites" and they "do not typically embrace the polarized positions that supposedly characterize the culture war." His research, as a professor of political science and comparative religion at the University of Washington, has convinced him that "most Americans hold relatively moderate views but find themselves surrounded by politicians, activists, and interest groups who take extreme positions, use inflammatory rhetoric, and coarsen our political discourse." He continues, "The process of cultural change and religious accommodation, lead Americans to agree with each other much more frequently than observers of our polarized politics would expect."

Smith concentrates on the historic culture wars surrounding slavery, divorce, homosexuality, abortion, and "the broad cluster of issues connected to women's political and economic rights."

Most of these issues have been affected by "cultural transformations" that make it possible for societies to "find common ground on issues that used to spark conflicts." This is true even among evangelicals, the most conservative religious group and the one most resistant to change. "Evangelical churches are better described as selectively strict, upholding some elements of traditional morality while discarding others."

But one issue remains divisive. "On abortion, by contrast, public opinion has been remarkably stable for over four decades. Given this stability, religious and political strife on the issue will probably persist well into the future."

The author may be too optimistic about the possibility that today's culture wars may resolve themselves over time.

— Al Menendez

Belief, Law and Politics: What Future for a Secular Europe? Edited by Marie-Claire Foblets et al., Ashgate, 2015, 290 pp., \$134.95.

From 2010 to 2013 the European Union funded the RELIGARE project to study the status of religion and religious diversity in ten European countries (Belgium, Bulgaria, Denmark, France, Germany, Great Britain, Italy, the Netherlands, Spain and Turkey). This informative book contains a 41-page summary of the report and its recommendations, plus 228 pages of responding essays by 30 assorted legal and other scholars. It contains a wealth of information on the status of religion and religious liberty in these countries and shows how progress is being slowly, haltingly made as both diversity and secularization increase and lays out the bewildering myriad of problems they face. The whole shebang is not an easy read.

Curiously, the report and commentary deal overmuch with such issues as burqas (Muslim women's face veils) and minor employment discrimination issues, but totally ignore two huge elephants in the room: how religion is taught or dealt with in publicly funded schools; and the age-old problem of public tax support for religions and religious institutions, granted the troublesome 1,500 years of European church-state mixing that the US has largely avoided due to the separation legacy of Jefferson and Madison.

The two best commentaries in the book are by British activist David Pollock (whom I met at a religious liberty conference in Madrid several years ago) and Belgian scholar Koen Lemmens.

On balance, this book serves as a warning against church-state mixing and should serve to increase appreciation for our endangered American constitutional separation of religion and government.

— Edd Doerr

Back Issues of *Voice of Reason*

Since 1982 Americans for Religious Liberty has published 134 issues of its journal, the *Voice of Reason*. All of these issues are now available in downloadable PDF format at our website, www.arlinc.org.

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

ARL, PO Box 6656
Silver Spring, MD 20916



Americans for Religious Liberty

PO Box 6656

Silver Spring, MD 20916

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

RETURN SERVICE REQUESTED

Editorial

Irish Anachronism

Ireland is, as they say, a grand country noted for its 40 shades of green. In matters of culture, especially music and literature, it has achieved a remarkable preeminence, despite its small size. It has a vital literary tradition, producing more writers per population than anywhere else.

But it also has a tortured political history, rooted primarily in religious conflict. During the past three decades, it has made great strides in separating church and state in many key areas, helping to reduce religious conflict, particularly in Northern Ireland, which remains a part of the United Kingdom.

But in one major area, the Republic of Ireland has continued an anachronistic policy: church control of education. Despite increasing religious diversity, tolerance, and even secularization (A recent Gallup Poll found a 22% decline in religious self-identification in the past six years), religious authorities control most schools: 90% have a Catholic identity, while 6% are mostly Protestant, and 4% are without religious affiliation. The few nondenominational schools (74 out of 3,200 primary schools) are maintained by a group called Education Together. In Dublin its schools have more than four times the number of applicants than places available. "Currently there are not enough school places to cater for the growing number of families seeking an alternative to denominational education across Ireland," it says.

All schools in Ireland are funded primarily by the government. In an increasingly pluralistic society, this is leading to discrimination. *The Guardian* newspaper reported on October 21, "A drive to repeal the legislation that allows Irish schools to operate admissions criteria based on faith is gathering momentum. More than 16,000 people have backed a petition to be presented to parliament in the next couple of weeks, and campaigners are determined to raise the issue of unbaptised children in next year's general election."

It cited a case of a family that was rejected by nine Catholic schools because their son is not baptized, and his parents chose not to do so. All Irish church-run schools, says *The Guardian*, are required to follow a standard curriculum with 30 minutes a day ringfenced [set aside for] for religious instruction." Schools are allowed to set admissions criteria,

which includes religion.

This may have encouraged widespread religious indifference. An ipsos.mori poll earlier this year found that while 93% of parents had their children baptized in order to gain school admission, only a third went to church regularly. Among parents under the age of 35, just 14% attended church. (The archbishop of Dublin admitted in May that most of the 62% of Irish voters supporting same-sex marriage in a referendum are Catholic school graduates.) This policy also affects the religious rights of teachers and staff. Eight U.N. and Council of Europe human rights groups have criticized Ireland for violating the human rights of members of minority faiths.

Paddy Monahan, a Dublin barrister, has argued that Irish education policy violates article 44 of the 1937 Constitution, which says, "The state shall not impose any disabilities or make any discrimination on the ground of religious profession, belief or status."

Ireland would do well to scrap its church-run school system and provide for a system of education that welcomes all children. That could complete its transformation into a modern democracy, to the "new Ireland" that was the goal of its former president, Mary Robinson.

— *Al Menendez*

School Vouchers have been Rejected in 28 State Referendums

Why are some conservative Republican legislators so eager to pass a school voucher plan to divert public funds to private schools, a plan now narrowed to Shelby County [Memphis] due to opposition from rural lawmakers? Aren't they aware that in 28 state referendums from 1966 to 2014 millions of voters from coast to coast have made it clear that they oppose voucher and similar plans by 2 to 1? Or that the respected 2015 Gallup education poll registered opposition at 57% to 31%. Or that vouchers, which mainly benefit church-run schools, would violate the spirit if not the letter of Article 1, Section 3 of the Tennessee constitution? Aren't they aware that voucher plans have been shown to not improve education in New Orleans, Milwaukee, and other cities? — Edd Doerr, President, Americans for Religious Liberty *The Tennessean* [Nashville], February 15, 2016.