



VOICE OF REASON

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Catholics, Baptists and Methodists Are Leaders in Congressional Religious Affiliation

by Albert J. Menendez

There will be at least 149 Catholics, 70 Baptists and 61 Methodists in the newly-elected 108th Congress. These three groups comprise a majority of the members. There will be 49 Presbyterians, 44 Episcopalians, 38 Jews, 24 nondenominational Protestants, 23 Lutherans, 15 Mormons and 11 nondenominational "Christians" elected to the new Congress.

Other groups whose adherents will serve in the 108th Congress are the United Church of Christ (8), Christian Science (5), Assembly of God (4), Disciples of Christ (4), A.M.E. (3), Unitarian-Universalist (3), Eastern Orthodox (3), Christian Reformed (2), Seventh-day Adventist (2), and one each for Quakers, Church of Christ, Congregational-Baptist, Reorganized LDS, Evangelical Methodist, and Evangelical.

Seven members of Congress have no religious affiliation.

The religious affiliations, and the ranking of religious groups in

terms of membership, changed little since the 107th Congress elected two years ago. Episcopalians, Lutherans, and nondenominational Christians each gained three members. Nondenominational Protestants declined by five, United Methodists by four, and Eastern Orthodox by three. Most groups gained or lost one or two members or stayed the same.

The relatively limited change in congressional religious membership reflects both the small shifts in partisan alignment, albeit toward the Republicans in both houses, and the reapportionment process, which favored incumbents of both parties. While there were 62 newly-elected members, most replaced members who retired, not those who were denied reelection in the November 5 balloting.

The 62 newly-elected members, the freshman class, may give some clues to future trends. Episcopalians and Presbyterians did especially well. Episcopalians are 15% of the freshmen, and half of their new House members are Democrats, or double the previous Democratic

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Bush's Faith-Based Record in Texas: A Warning Signal to the Nation?

When he was governor of Texas, George w. Bush promoted faith-based programs for social betterment. But did they accomplish what they intended, or did they trample on separation of church and state and lead to undesirable social consequences?

A report just issued by the Texas Freedom Network concluded that Bush's policy led to "a system that is unregulated, prone to favoritism and co-mingling of funds, and even dangerous to the very people it is supposed to serve."

Bush's aggressive implementation of partnerships between religious entities and the government was advanced by an almost exclusively Christian Task Force on Faith-Based Programs, made up of 16 clergy

from the politically powerful churches. Of the clergy, 15 were Christian and one was Jewish. Senior Baptist, Methodist, and Presbyterian pastors were prominent.

Following are some excerpts from the study.

1: "Charitable Choice" is not a vehicle for the faith community at large, but for fringe religious providers avoiding legitimate state oversight and regulations. Only eight faith-based children's facilities sought Alternative Accreditation in lieu of state licensing, and 129 faith-based chemical dependency programs have sought exemption from state licensing to date. In contrast, over 2,000 faith-based child-care centers and more than 900 chemical dependency programs – faith-based and non faith-based alike – currently maintain state licensing. In Texas, faith-based deregulation has been a refuge for facilities with a history of regulatory violations, a theological objection to state oversight and a higher rate of abuse and neglect.

2: Faith-based deregulation endangers vulnerable populations. It has proven dangerous to exempt social service providers – simply because they are faith-based – from the health and safety regulations expressly created to protect vulnerable populations like children and chemically-dependent people. There is no question that eliminating basic health and safety standards made operations easier for a few faith-based programs in Texas, but it has also jeopardized the well-being of clients served by these facilities.

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The Iraq War Resolution: Surprising Religious Influences

Congressional authorization for President Bush to use military force against Iraq was predictably partisan. Republicans supported their president 263-7 in the combined House-Senate vote, for a whopping 97.4% level of support. Democrats were divided somewhat. In the Senate 58% of the Democrats supported Bush, but only 39% of House Democrats supported the resolution, which passed in early October. Overall, the House vote was 296-133 (69%) and the Senate vote was 77-23 (77%). Thus, the overall level of acceptance was 373-159 or 70.1%.

Regionally, the South and West were more supportive than the New England states and the Pacific Coast. Support was strong in the Midwest and the urban Northeast. (Perhaps as a result of September 11.) The president was supported in rural America, even in traditionally isolationist regions.

The religious breakdown showed some surprises. In the House, Jewish Democrats voted 16-7 (70%) in favor of the authorization for military action. This may be the first time the mostly liberal Jewish Democratic representatives supported a Republican president's call to military action. Including the two Jewish Republicans and one Jewish Independent, the Jewish House support was 18-8 (70%). (In the Senate Jews split 50-50 on the resolution.) Reform Jewish leaders had given qualified support for the impending action against Iraq, though highly respected magazines such as *Tikkun* vigorously dissented.

Methodists in the House cast an amazing 43-5 (90%) vote for Bush, including two-thirds of Methodist Democrats. This shows how little influence some church leaders have on their flocks, since United Methodist leaders have been particularly outspoken in their opposition to war with Iraq. Several prominent Methodist agencies singled out the president and vice president for criticism on this issue because both belong to the United Methodist Church.

Eighty percent of House Episcopalians and 75% of House Lutherans supported the war resolution, despite criticism of the potential military action by their bishops. Ninety percent of Mormons supported the president, which is understandable given the Mormon-Republican connection. But Mormon leaders have expressed doubts about a war.

Southern Baptists and evangelicals seem in sync with their pro-Bush, pro-war leadership. They were overwhelmingly supportive, as

were such leaders as Southern Baptist Convention bigwig Richard Land, Chuck Colson of Prison Fellowship Ministries, D. James Kennedy of Coral Ridge Ministries, and Bill Bright of Campus Crusade for Christ. Rich Cizik, vice president of the National Association of Evangelicals, said that evangelicals "give Bush the benefit of the doubt because they share the same faith."

Most Catholics ignored antiwar statements from numerous Catholic bishops and from the Vatican, but only 55% of House Catholics supported Bush – the lowest percentage for any religious group. This may reflect skepticism about military solutions rather than diplomacy that began to permeate U.S. Catholic political thought during the Vietnam War. In the Senate, though, 76% of Catholics supported Bush. (Most Hispanic Catholics and African American Baptists opposed the resolution. Both groups are disproportionately represented in the rank and file of the armed forces.)

Religious influences cut many ways on such complex and important life and death issues as war and peace. Interestingly, all six religiously non-affiliated House members voted against the war resolution. All were Democrats. In the Senate the one nonaffiliated member, a Republican, supported the President.

The Congressional War Vote by Religion

Percent for the Iraq War Resolution

	<i>In House</i>	<i>In Senate</i>	<i>Total Both Houses</i>	<i>% Republican Members</i>
Catholic	55.1	76.0	58.6	40.0
Jewish	69.2	50.0	63.9	5.6
Protestant	76.2	82.5	76.3	60.7
Other or None	65.0	87.5	71.4	59.8

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Affiliation, *continued from page 1*

percentage in the Episcopalian delegation.

But all eight new Presbyterians, who constitute 13% of the freshmen, are Republicans, mostly of a decidedly conservative orientation; they include Florida's Speaker of the House, Tom Feeney, winner in the 24th congressional district, and Katherine Harris, the Florida Secretary of State whom Democrats blame for the electoral fiasco in the 2000 election, who was victorious in the heavily Republican 13th congressional district on the west coast. In the Senate the three new Republican Presbyterians are North Carolina's Elizabeth Dole, Tennessee's Lamar Alexander and Missouri's Jim Talent, all conservatives.

Methodists were the biggest losers in the freshman class, adding only three new members (5%) compared to 12% of the returnees.

Baptists and Catholics kept pace among the newly-elected, and in both groups Republicans outnumbered Democrats among the freshmen. Both the White House and President Bush's key political operative, Karl Rove, have targeted Catholic voters. While the majority of Catholic voters are still Democrats, and 57% of the Catholics in Congress are Democrats, that is a decline from 60% in 2000. There are three new Hispanic Democrats and one new Hispanic Republican in the Catholic freshman ranks. About 60% of Catholic freshmen are Republicans, while 60% of the returning Catholics are Democrats.

The Baptist delegation remains sharply divided between African American Democrats, who are one of the most liberal voting groups in Congress, and Southern Baptist Republicans, who vie with Mormons for the most conservative voting record. Three new Jewish members were elected: Norm Coleman, the Republican who defeated Walter Mondale in Minnesota; former Clinton White House adviser Rahm Imanuel, who won a House seat in Chicago; and former Senator Frank Lautenberg, who returned to his New Jersey seat.

Texas Republican Senator John Cornyn is the only member of the fundamentalist Church of Christ elected in this Congress.

Congressional religious affiliation patterns tend to reflect the geographic areas of strength for each religious community. Catholics are strongest in the Northeast and Great Lakes region, with pockets of strength in California, Louisiana and the Hispanic Southwest. Baptists are strongly Southern, with strength in places like Mississippi and Kentucky. Methodists do well in parts of the South (Texas), the border states (Maryland), and the Midwest (Nebraska, Kansas). Presbyterians do especially well in North Carolina and West Virginia. Jews are concentrated in New York and California. Lutherans are most numerous in the Midwest and Mormons in the Rocky Mountain states. Episcopalians have been elected in many states, with Alaska, Arizona, and Florida being especially favorable.

This election cycle reveals a few interesting changes. Two Catholics, one from each party, were elected to Congress in heavily Baptist Georgia, and three Episcopalians were among the four newly elected Texans in the House.

(In the gubernatorial races, Hawaii elected the first Jewish Republican woman (Linda Lingle) ever elected to a governorship in the United States, while heavily Catholic and Irish Massachusetts elected a Mormon Republican, Mitt Romney, over an Irish Catholic Democrat, Shannon O'Brien.)

Some religious groups seem to do better in one house or the other. Jews, Episcopalians, Presbyterians, and the United Church of Christ have stronger representation in the Senate, which is sometimes seen as a more prestigious body. Baptists, Catholics, nondenominational Protestants and Christians, and the smaller evangelical bodies have a higher percentage of the House of Representatives' membership than in the Senate.

The three largest groups (Catholics, Baptists and Methodists) are only 41% of the Senate but 55% of the House members.

Scholars differ on the effect of a member's religious affiliation on political decision making. But there has clearly been evidence of some religious influences on such issues as school prayer, abortion, private school vouchers,

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Chart 1
Religious Affiliations in the 108th Congress

<i>Religion</i>	<i>Members 108th</i>	<i>Change Since 107th</i>	<i>Senate</i>	<i>House</i>	<i>Democrat</i>	<i>Republican</i>
Roman Catholic	149	-1	23	126	85	64
Baptist	70	-2	6	64	33	37
Methodist	61	-4	12	49	23	38
Presbyterian	49	0	13	36	14	35
Episcopalian	44	+3	10	34	13	31
Jewish	38	+1	11	27	33	4*
Protestant**	24	-5	1	23	8	16
Lutheran	23	+3	4	19	12	11
Mormon	15	0	5	10	3	12
Christian**	11	+3	1	10	3	8
United Church of Christ	8	0	6	2	4	3*
Christian Science	5	0	0	5	0	5
Disciples of Christ	4	0	0	4	4	0
Assembly of God	4	+1	0	4	0	4
African Methodist Episcopal	3	+1	0	3	3	0
Unitarian-Universalist	3	0	1	2	2	1
Eastern Orthodox	3	-3	2	1	1	2
Seventh-day Adventist	2	-1	0	2	1	1
Christian Reformed	2	0	0	2	0	2
Quaker	1	0	0	1	1	0
Congregationalist-Baptist	1	0	0	1	0	1
Reorganized LDS	1	0	0	1	1	0
Evangelical Methodist	1	0	0	1	0	1
Evangelical	1	0	0	1	0	1
Church of Christ	1	+1	1	0	0	1
No affiliation	7	0	1	6	6	1

* One Independent.

** Non-denominational.

Affiliation, *continued from page 3*

charitable choice (or faith-based initiatives), immigration, and the resolution granting the president authority to wage war against Iraq.

There is a persistent under-representation for Americans who do not claim any religious affiliation. Only seven of the 535 members of Congress, or 1.3%, are religiously unaffiliated while recent surveys suggest that 14% of Americans decline to identify themselves with any specific religious tradition. Also, despite the growing religious diversity in the U.S., no Muslims, Hindus, Buddhists, or Sikhs have any representation in the Congress.

Editor's Note: Because of the peculiarities of the 2002 election, this compilation is based on 531 members of Congress. A runoff will be held in the Louisiana Senate race and in that state's 5th congressional district on December 7. Special elections to replace the late Rep. Patsy Mink of Hawaii's 2nd congressional district will occur on November 30 and January 4. In Alaska Senator Frank Murkowski was elected governor, and under that state's laws, will name his successor to the U.S. Senate in December. In order to publish the religious affiliations of the 108th Congress in a timely manner, these late-occurring elections are not included.

Warning Signal, *continued from page 1*

3: Faith-based deregulation has lowered the standard of client health, safety and quality of care in Texas. Not only is this not in the best interest of program clients, but it also establishes two radically different standards of patient care and accountability for Texas service providers.

4: Faith-based deregulation has allowed physical diseases to go medically untreated. Indeed, the very reason many faith-based chemical dependency programs sought exemption from state laws was the belief that state oversight hindered the "faith factor" that was the underpinning of their success. Most of the exempt faith-based programs have no medical component and rely instead on treating drug and alcohol addiction as a sin, not a disease.

5: Regulatory changes have resulted in preferential treatment of faith-based providers in government contracting opportunities. Agency policy changes, contract and RFP language changes, establishment of faith-based liaisons, targeted outreach efforts, and set-asides for faith-based providers have gone far beyond the stated aim of leveling the playing field to now actually tipping the scales in favor of faith-based providers. The application of a spiritual philosophy on program participants appears to now play a great role in determining contract and grant recipients, often outweighing the organization's track record, experience and cost effectiveness.

6: Concerns about clients' religious freedom and the separation of church and state have proven to be valid. In Texas, it has become apparent that, when the government funds programs where the infusion of faith through every element of the program is a defining element of success, there is simply no way to ensure that taxpayer funds are not co-mingled with church funds or spent on overtly religious activities.

7: Clients are being ordered by the courts to attend unlicensed faith-based programs. Clients ordered to attend a faith-based chemical dependency program are often unaware the provider is not subject to state licensing – and the health and safety regulations that accompany that license.

8: Faith-based providers deregulated at the state level could be eligible for funding at the federal level since they are sanctioned by the state and operating legally.

Chart 2 The Freshman Class: New Trends?

Religion	% of Freshmen	% of All
Roman Catholic	29.0	28.1
Baptist	16.1	13.2
Methodist	4.8	11.5
Presbyterian	12.9	9.2
Episcopalian	14.5	8.3
Jewish	4.8	7.2
Protestant	4.8	4.5
Lutheran	4.8	4.3
Mormon	1.6	2.8

This tabulation is based on the religious affiliations reported by congressional staffs to Congressional Quarterly and to the Almanac of American Politics. The affiliations of the newly-elected members of the 108th Congress appeared in CQ's Guide to the New Congress issued on November 7, 2002. They have been compiled by ARL research director Albert J. Menendez.

9: After five years of aggressively implementing a Bush-style faith-based initiative in Texas, positive results have proven impossible to document or measure. Evidence points instead to a system that is unregulated, prone to favoritism and co-mingling of funds, and even dangerous to the very people it is supposed to serve.

10: State lawmakers have already begun to reverse the state's involvement in the Faith-Based Initiative because of its troubled record. The Faith-Based Initiative has proven to be a treacherous enterprise for houses of worship, taxpayers, and people in need alike. So treacherous, in fact, that even the very legislators who once promoted "Charitable Choice" in Texas have now abandoned the idea, choosing not to renew the Alternative Accreditation plan last year. As the state that has moved the farthest along in the Faith-Based Initiative experiment, Texas' move to shut down one of the lynchpins of "Charitable Choice" signifies a dramatic rollback of this initiative.

The full report, "The Texas Faith-Based Initiative at Five Years: Warning Signs as President Bush Expands Texas-Style Program to National Level," is available at www.tfn.org, or from PO Box 1624, Austin, TX 78767.

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“Houses of Worship” Bill Defeat Shows Religious Right Weakness

by Albert J. Menendez

The 239-178 vote against the so-called Houses of Worship Political Speech Protection Act (HR 2357) on October 2 is one of the most stunning defeats for the Religious Right in the past decade. Even a Republican-dominated House would not countenance such a dramatic departure from America's best traditions of respecting the independence of church and state.

Political party affiliation was a major factor in the vote: 78.5% of Republicans and only 5.0% of Democrats favored this effort to allow churches or clergy to endorse candidates from the pulpit and still retain their church's tax exempt status. Opposition to the proposal came from 95% of Democrats and 21.5% of Republicans. The one Independent, Bernie Sanders of Vermont, also voted no.

The fact that 46 Republicans bucked party leadership to oppose H.R. 2357, while only 10 Democrats (six of them from the South and eight of them Protestant) supported the measure showed that it lost support from many independent-minded legislators. Of the 46 Republicans who voted no, over half belong to the mainstream churches (eight Episcopalian, eight Methodist, five Lutheran and four Presbyterian), while nine were Catholics. All five Iowa members voted no as did all three from Nebraska, two states traditionally oriented toward mainline Protestantism and moderate Catholicism.

Lutherans, who come from perhaps the most nonpartisan religious tradition in America, frown on politics in the pulpit, and their 75% opposition reflects that. Even a majority of Lutheran Republicans voted no. Episcopalians, 76% of whose House members are Republicans, voted 52% no, the largest gap of any group between Republican membership and support for H.R. 2357.

Catholics voted 85 to 39 against the proposal, and the Jewish vote was 24 to one against it. Almost all African American and Hispanic legislators voted no, as did those without religious affiliation. A majority of Mormons and Protestants supported it, perhaps because so many of them are Republicans.

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House Vote on HR 2357

October 2, 2002

<i>Party</i>	<i>% For</i>	<i>% Against</i>
Democrat	5.0	95.0
Republican	78.5	21.5
<i>Region</i>		
South	60.0	40.0
Border South	61.3	38.7
New England	4.3	95.7
Mid-Atlantic	31.7	68.3
Rocky Mountains	60.9	39.1
Pacific Coast	28.8	71.2
Midwest	28.4	71.6
<i>Religion</i>		
Protestant	52.0	48.0
Baptist	49.2	50.8
(Southern Baptist)	84.4	15.6
Methodist	55.3	44.7
Presbyterian	50.0	50.0
Episcopalian	48.3	51.7
Lutheran	25.0	75.0
Catholic	31.5	68.5
Jewish	4.0	96.0
Mormon	80.0	20.0
Eastern Orthodox	33.3	66.7
Non-affiliated	0	100.0
<hr/>		
African-American	2.7	97.3
Hispanic	18.8	81.2

Pulpits and Politics

The U.S. House struck a ringing blow for religious freedom last week by defeating a bill that would have allowed tax-exempt churches to take part in partisan politics.

Federal tax law prohibits churches and other tax-exempt organizations from participating in certain political activities, including fund raising and endorsing candidates. It is a rule that for 48 years has kept firm the wall protecting both church and state from interference by the other.

North Carolina Rep. Walter Jones' bill drew sharp rebukes from moderate religious leaders who saw it for what it was, a blatant attempt to serve the cause of the politically active religious right.

No American who believes in the traditional values expressed in the Constitution would tolerate government interfering with the free expression of religion in churches. The church-state separation that some in the religious right seem to disdain protects church as much as, if not more, than it protects state. Jones' bill could have wreaked havoc with the political process and set up endless consti-

tutional confrontations.

Were tax-exempt churches allowed, for example, to make political contributions or endorse candidates, the process could be over-run by pseudo-congregations organized solely to use their tax-exempt status to fund campaigns and elect candidates.

Jones, a Republican from Farmville, attempted to portray his provision as supporting freedom of speech for ministers. Not so. Any minister or church member is free, as is any secular citizen, to donate money or take an active parting the political process. What they are not allowed to do is disguise political activities as the work of the church, thereby abusing the privilege and spirit of tax-exemption.

This being an election year, Jones promises to push the legislation again. Religious people of whatever faith and political point of view should hope it meets the same end.

— *Raleigh News and Observer*, October 3, 2002.

Faith-Based Appeals

Most candidates prefer to show their solidarity with certain religious communities by stressing a commonality of political belief or by appearing before audiences in targeted religious communities. Occasionally, though, some candidates seek to remind voters that they share the personal religious convictions of the audience, particularly in states dominated by one religious group.

In North Carolina, for example, GOP Senate candidate Elizabeth Dole repeatedly told audiences at campaign stops, “I am a believer.” While that is vague enough to mean almost anything, it was probably aimed at the state’s evangelical Christian majority to assure them that former Cabinet secretary and Harvard Law graduate “Liddy” Dole had not strayed from her evangelical Methodist roots during her 40 years outside the Tarheel State. Dole has stressed her religious convictions over the years and reportedly severed her connections with Washington, D.C.’s Foundry Methodist Church because of its liberal orientation (Foundry was First Lady Hillary Clinton’s church in the nation’s capital, and President Clinton was a frequent visitor.)

In Arkansas, the Democratic candidate Mark Pryor stressed his church attendance in TV ads and campaign rhetoric, a subtle attempt to remind voters that the Republican incumbent, Tim Hutchinson, a Bob Jones University graduate and Baptist minister, divorced his wife of 29 years and subsequently married a much younger former staffer. Pryor also refused to attend an August rally with former president and Arkansas governor Bill Clinton. Pryor’s TV ads even showed his family reading the bible and praying. This kind of religious appeal was successful, since Hutchinson was the only incumbent Republican senator to lose his seat on November 5.

In Michigan, Cardinal Adam Maida of the Detroit archdiocese pointedly reminded Catholic voters that he expected all Catholic public officials to adhere to the Church’s anti-abortion line. The remarks were aimed at Jennifer Granholm, the Democratic nominee for governor, who is pro-choice and Catholic, and who emerged victorious.

In the Arizona governor’s race, Independent candidate Richard Mahoney slammed the Republican candidate Matt Salmon, claiming

that Salmon’s Mormon faith would make it impossible for him to crack down on the polygamous practices engaged in by a fundamentalist sect of quasi-Mormons in the town of Colorado City. Mahoney aired the charges in television commercials in October. Mormon church spokesperson Don Evans responded that Mormons see the sect as an entirely separate faith, excommunicated by the mainstream Church of Jesus Christ of Latter-day Saints, which repudiated polygamy as a church doctrine and practice a century ago.

Salmon called the allegations “stupid” and suggested that the issue is no more relevant than Mahoney’s Catholicism might be in the question of prosecuting priests who are accused of child abuse.

Mahoney also attacked the Democratic nominee, attorney general Janet Napolitano, for allegedly failing to prosecute polygamists.

Religion impinged on several Arizona races. In the state treasurer’s election, Republican David Petersen, a Mormon, appeared on the Trinity Broadcasting Network’s (TBN) “Praise the Lord” program in August, stressing his religious affiliation and pleading for evangelical support. The GOP candidate for governor Matt Salmon said on the same show, “If the God-fearing people in this state would unite, there’s nothing we couldn’t accomplish.” The Republican candidate for attorney general, Andrew Peyton Thomas, told the audience that he is anti-abortion because he is a Catholic. Trent Franks, GOP candidate for the 2nd Congressional District, also appeared. No Democrats were invited to the broadcast. The TBN cable channel carries numerous fundamentalist and evangelical preachers, including D. James Kennedy of Florida’s Coral Ridge Ministries.

This identification of the Republican Party with sectarian religion has offended Democrats and the Jewish community. The Democratic candidate for governor, Janet Napolitano, is a United Methodist who refused to discuss her personal religious beliefs and won the governorship.

Arizona’s largest religious groups are Catholics (975,000 members) and Mormons (250,000 adherents). But *Arizona Daily Star* columnist Stephanie Innes wrote that “Mormons have long had a dominant role in Arizona’s political culture.” Most are Republicans, including the likely speaker of the House and the Senate president, but the leader of Senate Democrats, Jack Brow, is also a Mormon.

In Massachusetts GOP gubernatorial candidate Mitt Romney’s gift of \$1 million to his alma mater, Brigham Young University, America’s premier Mormon college, was criticized by some Democrats because Brigham Young bans homosexuality. Suggestions were made that Romney, a devout Mormon, would not enforce the state’s gay rights laws. Romney said he endorsed domestic partner health benefits and survivorship rights for gay couples but opposed a gay marriage law. Romney also said that injecting his religion into the campaign was “inappropriate.”

In Illinois’ 19th Congressional District, a redrawn district pitting two incumbents, Republican John Shimkus and Democrat David Phelps, the subtle use of religion was invoked by the Democrats. Phelps, a Southern Baptist who was one of only 10 Democrats to support the Jones bill allowing the politicizing of churches, emphasized his support for school prayer in TV ads and showed pictures of his family’s gospel-singing quartet. Southern Illinois – the 19th CD – is largely rural, Baptist, conservative and historically Democratic and resembles neighboring Kentucky, Tennessee and Missouri more than the rest of Illinois. Phelps’ tactics fell short, and Shimkus was the victor.

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Evangelicals and Jews Together: Is It Kosher?

For a decade or more, scholars and political activists have been speculating about an emerging political alliance between evangelical Protestants and conservative Catholics. While this has not come about in the way that conservative Republicans had hoped, the movement, called Evangelicals and Catholics Together (ECT), is still a strategic objective of the Bush White House.

Now comes another attempt to whittle away traditional support for the Democratic Party. Conservative Protestants, spearheaded by the Christian Coalition, are trying to unite Jews and Evangelicals over the sole issue of Israel. "Stand with Israel" rallies were held in thousands of evangelical churches over the late summer and early autumn.

A Christian Coalition "road to victory" conference in October demanded that the U.S. government oppose a Palestinian state – an objective the Bush administration has endorsed. The Rev. Pat Robertson claimed that Israel has an irrefutable historical claim to complete control over Jerusalem and lands surrounding the present boundaries of Israel. He said that the Bible had guaranteed the land to Jews in perpetuity. Oklahoma Republican Senator James Inhofe told the gathering that they were "doing the Lord's work and he will richly bless you for it." Jerusalem's Orthodox Mayor Ehud Olmert and Knesset member Benjamin Elun addressed the conference and stressed solidarity between the two groups. Mark Regev, a spokesperson for the Israeli Embassy in Washington, applauded the group's efforts.

On the other hand, most American Jews and evangelicals have sharp differences over public policy questions, especially on domestic issues affecting social justice, taxation and the cultural issues of women's rights, reproductive freedom, religion in public schools, vouchers, and unrestricted government support for faith-based enterprises.

Many American Jewish leaders have denounced the increasingly frequent and crude attacks on Islam as a religion by such evangelical clergy as Jerry Falwell, Pat Robertson, Franklin Graham and Jerry Vines. Many of these same leaders have also disparaged Judaism as a religion and called for beefed-up evangelical efforts to convert Jews and Muslims to fundamentalist Protestant Christianity. Abraham Foxman, director of the Anti-Defamation League, wrote recently, "It's no accident that evangelical support for Israel often comes bundled with efforts to proselytize the Jews."

Author Gershom Gorenberg warned Jews to reject an alliance with evangelicals and to shun the theology surrounding it. He wrote in the *Washington Post*, "By ignoring this theology, Jews both demean themselves and condescend to conservative evangelicals. They also risk undermining decades of dialogue with Catholics and mainstream Protestants who have undertaken the difficult task of reassessing Christianity's attitude toward Jews. It will be hard for Jews to affirm that reassessment if prominent Jewish groups are working closely with Christian groups that negate Judaism."

There is little evidence that an alliance has emerged, though Jewish members of Congress voted strongly for the resolution allowing Bush to go to war against Iraq, and the Jewish Republican contingent in Congress has increased from two members in 1998 to four members in 2002. This alliance, which would warm the White House political wing, is still a long shot.

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"Houses of Worship" Bill, *continued from page 5*

The South, the most monolithically religious and conservative Protestant section of the country, was the only region to support the bill (72 to 48, or 60%). Representatives from the rest of the country voted 191 to 106 (64.3%) against the bill. Opposition to the bill was strongest in the most religiously pluralistic regions, the Northeast and Pacific Coast. More than half of the yes votes came from the South or Border South.

House supporters of the bill forced it out of committee under a suspension of rules, meaning that it had to have passed by a two-thirds vote, rather than a simple majority. Its overwhelming defeat is therefore even more significant a setback to those who would politicize religion for partisan ends.

Opposition was led by Texas Democrat Chet Edwards, who told his colleagues, "This bill demeans religion and demeans houses of worship by converting them into political campaign organizations."

More than two dozen religious groups opposed the measure, including the Baptist Joint Committee on Public Affairs, the Religious Action Center of Reform Judaism, the United Methodist Church, the National Council of Churches, the Presbyterian Church (USA), the Seventh-day Adventist Church, the Interfaith Alliance, and Buddhist organizations. Supporters included the Christian Coalition, Jerry Falwell, Focus on the Family founder James Dobson and Richard Land of the Southern Baptist Convention's Ethics and Religious Liberty Commission.

A poll conducted by the Pew Forum on Religion and Public Life this spring found that 70% of Americans oppose the idea of churches endorsing political candidates.

The bill's ultimate weakness was evident when three of its original co-sponsors – Harold Ford (D-TN), Robert Aderholt (R-AL) and John Boehner (R-OH) – voted against it. Six original co-sponsors did not vote at all.

The sponsor, Rep. Walter B. Jones, Jr. (R-NC), is undaunted in defeat, however. He has vowed to bring it up against in 2003. Its margin of defeat suggests that it will not pass then either.

Editorials

Where There's a Will

Columnist-pundit George Will has spent decades campaigning indefatigably for tax support for private religious schools. His most recent rant was a post-election syndicated screed airing a wildly exaggerated claim that opposition to school vouchers stems from nineteenth century anti-Catholic bigotry.

Granted, there was anti-Catholic bigotry, stemming from memories of the religious wars after the Reformation, from British antipathy toward Catholic Spain and France, and especially in response to the reactionary policies and actions of the papacy. Still, it was unfair for American Protestants to pick on the Ryans and O'Briens for the sins of the papacy. Much was due to misguided ignorance.

But that was then and this is now. American Catholics are now mainstream, represented proportionately and adequately in Congress and economically in better shape on average than white Protestants.

But back to George Will's charge that opposition to school vouchers is anti-Catholic. Let's look at the facts.

In 2000 Catholic voters in California and Michigan voted against vouchers by two to one, according to exit polls.

Twice in the 1980s voters in predominantly Catholic Massachusetts voted strongly to retain their state constitution's ban on tax aid for religious schools.

In 1952 overwhelmingly Catholic Puerto Rico approved a commonwealth constitution that reiterates the First Amendment and contains this clause: "There shall be complete separation of church and state." This constitution was then approved by the U.S. Congress.

In twenty-five separate statewide referenda from coast to coast between 1967 and 2000 voters rejected vouchers or their analogs by an aggregate average vote of better than two to one.

Voters in the predominantly Catholic Canadian province of Newfoundland voted three to one in the 1990s to end church control of schools and to set up U.S.-style religiously neutral public schools.

Fewer than twenty percent of Catholic children in the U.S. now attend church schools, versus fifty percent around 1965, and the decline, according to Catholic researchers, is due not to economics but to changing parental preferences.

Our first Catholic President, John F. Kennedy, strongly opposed tax aid to sectarian schools and strongly supported church-state separation.

Will writes of new legal challenges to state bans on the aid to faith-based schools, but he ignores a thirty-year-old Supreme Court ruling (*Brusca*) approving such bans.

Finally, does Will really think that most American Catholics are anti-Catholic? That's what he implies.

Will's hurling of insults rather than arguments at his opponents is as sign of arrogance and desperation.

—Edd Doerr

Visit ARL's Web Site

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

Guest Editorial

School Vouchers: The Wrong Choice for Public Education

Most Americans believe that improving our system of education should be a top priority for government at the local, state and federal levels. Legislators, school boards, education professionals, parent groups and community organizations are attempting to implement innovative ideas to rescue children from failing school systems, particularly in inner-city neighborhoods. Many such groups champion voucher programs. The standard program proposed in dozens of states across the country would distribute monetary vouchers (typically valued between \$2,500-\$5,000) to parents of school-age children, usually in troubled inner-city school districts. Parents could then use the vouchers towards the cost of tuition at private schools – including those dedicated to religious indoctrination.

Superficially, school vouchers might seem a relatively benign way to increase the options poor parents have for educating their children. In fact, vouchers pose a serious threat to values that are vital to the health of American democracy. These programs subvert the constitutional principle of separation of church and state and threaten to undermine our system of public education.

Anti-Defamation League
September 25, 2002

Bush vs. Women's Rights

Women's rights, reproductive rights, and religious liberty advocates, already disturbed by President Bush's July decision to block the \$34 million that Congress had allotted for the United Nations Population Fund, have new causes for grave concern. In late October the Bush administration indicated at a population and development conference in Bangkok that it may now pull back from the agreement on population policy that the Clinton administration helped to shape at the UN's 1994 Cairo population conference. That policy has been endorsed by 179 nations.

The Bush team objects to the terms "reproductive health services and reproductive rights" in the Cairo declaration and wants them changed or deleted.

It is significant that one of the advisers to the Bush delegation to the Bangkok meeting is one John Klink, who had been one of the Holy See (Catholic Church) chief negotiators at the 1994 Cairo conference. The Holy See, the only religious body to enjoy permanent observer status at the UN General Assembly, has worked with some conservative Muslim and Latin American UN representatives to try to impede progress on women's and reproductive rights.

The Bush administration is also moving to define embryos as "human subjects" whose "welfare" should be considered along with that of fetuses, children, and adults. This action is similar to the administration's move in September to extent certain health benefits to fetuses rather than to women. And all this is part of a conscious effort to intrude into medicine, science, health policy, and politics sectarian religious dogma on when human personhood begins, which in turn is part of a Reli-

gious Right campaign to weaken the right of women to decide if and when to have children. This new policy thrust could have a negative impact on the embryonic stem cell research that many scientists believe would be beneficial in the treatment of Alzheimer's, Parkinson's, spinal cord injury, and other medical conditions.

The Bush administration's actions in the UN, its domestic support for school vouchers and tax aid for sectarian charities, its meddling with reproductive health care and women's rights, and its interest in appointing judges who are less than friendly to church-state separation and religious liberty concerns show that its aims are antithetical to the public interest and basic American democratic values.

It is ironic that it was the conservative Nixon-Ford administration that produced the enlightened 1975 National Security Study Memorandum 200 report that, though mysteriously classified and deep-sixed for 17 years, advocated much the same policies as did the 1994 Cairo conference. Indeed, the Nixon-Ford report more than a quarter century ago stated that the global population problem cannot be successfully dealt with without legalization of abortion.

This administration's kowtowing to the Holy See and our domestic Religious Right can only further stress our national environment, further endanger the lives and health of countless women and children, and undermine our guarantees of religious freedom.

Congressional Chaplains Challenged

U.S. Senate and House chaplaincies are again being challenged in a lawsuit recently filed in federal court in Washington. The two chaplains are each paid more than \$130,000 per year and their offices cost an additional quarter of a million dollars.

Justices Brennan, Marshall and Stevens pointed out in 1983 in *Marsh v. Chambers* that the congressional chaplaincies clearly contravene all three prongs of the Court's *Lemon* test: purpose, effect, and entanglement. Unfortunately, the three great civil libertarians on the Court were dissenters. The majority of their brethren upheld legislative chaplaincies on the grounds of long custom and the fact that the same Congress that wrote and approved the Bill of Rights also hired the first congressional chaplains.

We predict that the outcome in the present case will be the same and for much the same reasons. It should also be plain that if the Supreme Court should miraculously rule against the chaplaincies, there would be a stampede in Congress to offer constitutional amendments to reestablish the practice. And the amendments would probably be ornamented with school voucher, school prayer, creationism, anti-abortion and other language. Could such a steamroller be stopped?

There might have been some justification for congressional chaplains back in the 1790s, when the capital city was a tiny village. But today the Washington metropolitan area, with a population bigger than that of Norway, has over 2,000 houses of worship. We think it probable that any member of Congress needing spiritual help or counseling would prefer a clergyperson of his/her own tradition to one who serves all 535 Democrats, Republicans, and Independents in Congress.

So, don't expect the courts to deviate from the 1983 *Marsh v. Chambers* ruling.

We are reminded that when the Senate chaplain a hundred years ago, Edward Everett Hale, was asked if he looked out on the country and prayed for the Senate, he replied, "No, I look out on the Senate and pray for the country."

ARL in Action

On October 22 Americans for Religious Liberty president Edd Doerr, along with Catholic, Protestant, Jewish, and Unitarian Universalist representatives, spoke at a Washington press conference sponsored by the Religious Coalition for Reproductive Choice. Doerr is a founding board member of the coalition. His remarks:

"Religious liberty and the means of guaranteeing it are our country's most important contribution to civilization. With the First Amendment to our Constitution the Founders erected, in Jefferson's words, a wall of separation between church and state. That wall was intended to protect the freedom of conscience of every person and to ensure government neutrality toward every element of our rich mosaic of religious and lifescance traditions.

"Tragically, the present administration in Washington is doing all it can to tear down the great edifice of freedom that generations of Americans in religion and government labored to solidify. It is doing this to play to the extremists of its Religious Right base.

"This administration has threatened the lives and well-being of countless women around the world by callously gagging family planning agencies and by blocking the \$34 million that Congress designated for the United Nations Population Fund.

"This administration has worked to compel all taxpayers to support sectarian private schools and sectarian charities that are unfriendly to freedom of conscience on reproduction.

"This administration prefers unworkable 'just say no' sexuality education to more balanced and realistic programs.

"This administration favors the theological position of 'personhood at conception' over scientific and other religious views by promoting health care for fetuses rather than for women.

"This administration favors appointment of Supreme Court justices and appellate court judges who would weaken or destroy church-state separation and who are hostile to freedom of conscience for women.

"This administration has hampered stem cell research that many scientists think could offer treatment for Alzheimer's, Parkinson's, spinal cord injuries, and other debilitating conditions.

"This administration has shown opposition to newer family planning technologies.

"This administration would place on the FDA reproductive health panel a Religious Right representative antagonistic toward reproductive freedom.

"This administration, while pretending to be the great defender of religion, has clearly demonstrated unfriendliness toward religious liberty and full rights for women. It has allied itself with extremists and demagogues who would turn this country's back on the freedoms that have made it great."

In other action, Doerr addressed the Columbia Democratic Club in Maryland, plus student, Unitarian Universalist, and Humanist churches and groups in New Mexico, Maryland, and Virginia.

Also, ARL is supporting an appeal to the U.S. Supreme Court in *Steele v. Industrial Development Board*, a challenge to the use of industrial development bonds to aid a pervasively sectarian university in Nashville, Tennessee. A federal court in Tennessee ruled against the practice in 2001, but the ruling was overturned, two to one, by the U.S. Sixth Circuit Court of Appeals in August.

Update

Vouchers May Advance After Elections

The Wall Street Journal reported on November 11 that voucher advocates were heartened and emboldened by the midterm elections. The newspaper's Robert Tomsho wrote, "Republican gains in last week's elections have boosted the outlook for school vouchers, one of the most radical ideas on the conservative agenda for education overhaul.

"The GOP's advances in state legislatures in several major voucher battlegrounds promise to both spur on efforts to expand voucher programs, and to hamper moves to curb those already in place, say both advocates and opponents of the idea."

The prospects for vouchers have improved in Texas, where Republicans gained control of the state house of representatives for the first time since 1870. The speaker-designate, Tom Craddick, is a voucher supporter, as is GOP Lieutenant Governor David Dewhurst. The state's reelected Republican Governor Rick Perry is expected to support voucher legislation. The state senate is already Republican-controlled and pro-vouchers.

In Colorado the GOP captured the senate, ousting Democrats who blocked vouchers in the past, and retained control of the house and the governorship. The new Colorado senate president is John Andrews, a major supporter of earlier voucher bills that were rejected twice by the state's voters.

Voucher supporters also expect movement on the issue in Wisconsin, where the GOP captured the state senate, and in South Carolina, where Republicans control the entire state government. Republican Governor-elect Mark Sanford made vouchers a major part of his election campaign and defeated voucher opponent and pro-public school supporter Democratic Governor Jim Hodges.

Anti-Choice Lobby to Press for More Restrictions

The Republican triumph in both houses of Congress will lead to a renewed campaign to restrict access to abortion, and other assaults on reproductive health and freedom for American women.

As soon as the dust settled from the November 5 election, the incoming Senate Majority Leader Trent Lott told a Christian radio network that he would "move the partial-birth abortion bill" through the Senate to the president's desk for his signature. A bar on the late-term abortion procedure has passed several previous Congresses, but then-President Bill Clinton vetoed it. The Senate failed to override his veto. During Tom Daschle's leadership of the Senate, the ban, passed by the House, was not brought forward for a vote.

That's not all. Religious conservatives will seek a total ban on human and embryonic cloning, and will pressure the Senate to enact three House-passed measures: the Unborn Victims of Violence Act, giving legal status to a fetus injured or killed during the commission of a federal crime; the Child Custody Protection Act, making it a crime to take a minor for an out-of-state abortion in violation of a state's parental notification laws; and the Abortion Non-Discrimination Act, forbidding state and local government actions against hospitals or health-care workers who refuse to participate in abortions.

The Family Research Council and the National Right to Life Committee have demanded early action on these issues. President Bush supports them and is reportedly looking forward to signing them into law.

The Courageous Five

The following five were the only members of Congress to oppose the Sensenbrenner motion to reaffirm the words "under God" in the pledge of allegiance. The sense of Congress resolution (S. 2690) passed the House of Representatives on October 8 by a margin of 401-5.

Pete Stark (D-CA), Michael Honda (D-CA), Barney Frank (D-MA), Bobby Scott (D-VA) and Jim McDermott (D-WA).

Religious Right Lies Low But Claims Victory

Organized Christian Right political groups worked quietly behind the scenes in many states during the crucial off-year elections. Their impact was likely limited, but the apparent disappearance of national exit polling due to computer failures makes interpretation difficult. Still, the Reverend Jerry Falwell issued his usual appeal on October 7, saying, "I urge 200,000 evangelical pastors and church bodies to render unto Caesar on November 5 by advising their 70 million parishioners to cast Christian votes for the men and women who best represent their Christian values."

Former Idaho Rep. Helen Chenoweth-Hage launched a group called America 21, to turn out "Christian" voters who would elect "godly leaders" to Congress. And the Christian Coalition made its usual and undoubtedly exaggerated claims for voter education and get-out-the-vote efforts. Its president, Roberta Combs, said on November 6, "I want to congratulate President George W. Bush for his leadership and playing the key role in the election of many pro-family candidates all across America."

The evangelical *World* magazine continued its assault on Democrats and liberals, all the while claiming to be nonpartisan. Its editor, Marvin Olasky, an adviser to Bush on religious values, told readers of its October 12 issue, "If liberal Democrats control all branches of government, there will be over three million abortions per year, rampant euthanasia, gay marriage legal everywhere, home schooling illegal, Christian schools facing severe restrictions, tax rates higher, and nationalized and inferior health care our only choice."

Pro-Voucher Groups Mount Legal Challenges

The pro-voucher Institute for Justice, the spark plug behind the U.S. Supreme Court's decision upholding Cleveland's voucher program, immediately jumped into the state legal battles by filing lawsuits in October in the states of Washington and Maine.

In Washington the Institute filed a lawsuit attacking that state's constitutional prohibition on state aid to religion: It represents two education students who were not allowed to meet their state student-teaching requirements in private religious schools. One plaintiff, Caroline Harrison, is a teacher in a Catholic elementary school in Tacoma. She wanted to complete her internship at the school. The other plaintiff, Donnell Penhallurick, an undergraduate education student at Eastern Washington University, wanted to teach at a Seventh-day Adventist academy. A 1995 state attorney general's opinion said that the state constitution disallows their participation in sectarian schools as part of their student-teaching internship requirements. That decision was reiterated in a 2000 opinion. Two state universities and Washington's attorney general were named as defendants in the suit.

In Maine the Institute sued the state's refusal to pay for tuitions of students who wish to attend religious schools if they live in towns that have no public schools. The courts have ruled that Maine and Vermont can pay tuition for students who must travel to neighboring towns for public school or nonsectarian private school. Both states have a number of isolated rural hamlets where no schools (especially high schools) exist. The Institute plans to add Vermont to its list of states being sued.

Two groups of parents in Maine have filed lawsuits challenging the state's 1983 law which limited state tuition grants to public schools or to nonreligious private schools for those students residing in towns that do not provide any local public schools. This program, which began in 1903, apparently included parochial schools until a 1981 opinion by the state attorney general said the school-choice program violated the First Amendment.

Parents of children attending St. Dominic's High School in Auburn, Maine filed suit in federal court on October 18. They were supported by Pat Robertson's American Center for Law and Justice. The Institute for Justice, a nonsectarian libertarian group, filed a suit in September on behalf of six families with children in private religious schools. Both groups had tried unsuccessfully to overturn Maine's law in 1999. They lost in both the Maine Supreme Court and in the U.S. Court of Appeals for the First Circuit. The state of Maine has responded that it is not required to fund sectarian education.

Nationwide, 37 states maintain constitutional provisions barring state aid to religious institutions, particularly schools. They are called "Blaine amendments" after the 19th century political leader and 1884 GOP presidential candidate James G. Blaine, who sought to enact a national constitutional ban on state aid to church-run schools. Most were passed in the 1870s and 1880s.

In addition, 29 states have "compelled support" provisions which were added to their constitutions before the Civil War and broadly ban any compulsion in church attendance or support for religion.

Creationists Gain Ground in Ohio and Georgia

The Ohio Board of Education unanimously approved a new definition of science as "a systematic method of continuing investigation of nature" and now allows instructors to "teach the controversy" of evolution. The October decision by the 17-member school board requires that public school teachers "describe how scientists continue to investigate and critically analyze aspects of evolutionary thought."

The board rejected the demands of those who teach that the earth is only several thousand years old and took no position on the "Intelligent Design" theory.

Ohio school districts are not required to teach state science standards, but assessments of student achievement and graduation tests for high school seniors are based on the standards. The state legislature may intervene in the process, and additional public hearings are scheduled before a final vote in December.

In Cobb County, Georgia, the state's second-largest school district voted in September to give science teachers permission to introduce students to various views about the origin of life, including creationism.

The unanimous decision of the Cobb County School Board in the heavily white, Baptist, Republican suburbs of Atlanta said that "a balanced education should include discussion of disputed subjects." Biology professors from Georgia's major universities and the National Science Teachers Association urged the board to reject what they said was a backdoor way to bring a particular religious viewpoint about the origin of life into the classroom.

In 1987 the U.S. Supreme Court ruled that creationism was a

religious belief and could not be taught as science in public schools.

President Bush's "No Child Left Behind Act," now federal law, however, takes a different view. The act says, "Where topics are taught that may generate controversy (such as biological evolution), the curriculum should help students to understand the full range of scientific views that exist [and] why such topics may generate controversy."

Religious Extremism Threatens U.S. Health Care

Another Bush appointee to a federal agency is provoking angry controversy. A Kentucky physician, Dr. W. David Hager, has been appointed to head a Food and Drug Administration (FDA) advisory panel on women's health policy. Hager, an obstetrician-gynecologist, opposes RU-486 and supported a Christian Medical Association "citizen petition" calling upon the FDA to ban RU-486 (mifepristone), claiming the drug endangered the lives and health of women.

Hager, who works part-time at Central Baptist Hospital in Lexington, Kentucky, wrote two books emphasizing the "restorative power" of prayer and faith in healing such ailments as premenstrual syndrome and headaches. *Time* magazine reported that Hager refuses to prescribe contraceptives to unmarried women, opposes emergency contraception on moral grounds, and holds other views far removed from the scientific mainstream. *Time* called the Kentuckian "a scantily credentialed doctor" and also reported that he was "chosen for the post by FDA senior associate commissioner Linda Arey Skladany, a former drug industry lobbyist with longstanding ties to the Bush family."

FDA advisory panels have immense influence over crucial health questions and often determine which medicines are available for use in the United States.

Hager supporters claim the criticism is based on religious prejudice. But columnist Ellen Goodman retorted, "The question in the Hager flap is not whether religion is a *disqualification* for serving in society. It's whether belonging to the religious right is a *prerequisite* for serving on anything to do with reproduction. Who's doing the religious profiling? . . . Hager isn't a *victim* of religious profiling. He was picked because of his profile."

The Hager appointment is just the top of the iceberg, say critics of the Bush Health and Human Services Department. A 40-member interfaith group, the Religious Coalition for Reproductive Choice, in an October 22 news conference at the National Press Club, denounced "the growing influence of religious extremism in reproductive health care."

CFFC Scores Holy See at UN

As a party since 1990 to the United Nations Convention on the Rights of the Child, the Holy See (the headquarters of the Catholic Church, the only religious body in the world that enjoys permanent observer status at the UN General Assembly) agreed to promote and protect the best interests of children. Catholics for a Free Choice (CFFC), however, has submitted to the UN Committee on the Rights of the Child a 39-page document that, citing "the current sexual abuse scandal implicating priests and senior members of the church hierarchy around the world in the sexual abuse of minors, and subsequent cover-ups, raises serious questions about the Holy See's willingness to meet its obligations under the Convention."

The document, *The Holy See and the Convention on the Rights of the Child: A Shadow Report* (available from CFFC, 1436 U St. NW, Suite 301, Washington, DC 20009, for \$20), is intended to help the Committee "in conducting a comprehensive review of the laws and policies

continued on page 12

Update, *continued from page 11*

of the Holy See, and an investigation into how it often compromises the laws of other states parties to the Convention.” The report has the backing of dozens of NGOs and national child protection groups.

According to the report, which notes “over 5,000 cases of child abuse by Catholic clergy that have been reported in the media since 1995,” the Holy See “had ultimate responsibility for oversight of these cases, . . . knew the abuse was occurring, . . . did not assist the children in question, and . . . took steps . . . to prevent information about these cases from becoming public.”

Concluding the report are recommendations, among other things, that “the Holy See should provide a measure of reparations to the world’s children by reinstating its contribution to UNICEF” and by revealing to the UN “what measures it has taken to eliminate the sexual abuse of children and adolescents by Catholic clergy and religious, and what measures it proposes to take to secure justice for these children.”

Annexed to the report are 13 pages of details about clerical child abuse in the U.S. and two dozen other countries.

GAO Voucher Study Shows No Gains

A report by Congress’ investigative arm, the General Accounting Office (GAO), concluded that existing voucher programs had not resulted in significant educational gains for students.

The study, “School Vouchers: Characteristics of Privately Funded Programs,” focused on 78 programs that included 46,000 students in 38 states and provided \$60 million in private tuition assistance. The analysis was requested by New Hampshire Senator Judd Gregg. GAO reviewed numerous academic studies of existing privately-financed programs and found that only three met the agency’s standards for scholarly rigor. And those studies concluded that very limited academic gains were confined to African-American students in New York City. Other ethnic groups did not increase their test scores, and the African-American students attending private schools in Washington, DC did not score higher than African-American students in public schools.

However, Secretary of Education Rod Paige interpreted the findings in ways favorable to the Bush administration. Paige said, in a letter to GAO, that the Bush administration “encourages states to experiment more widely with this promising reform.”

The report is available online at www.gao.gov.

Court Says Mormons Cannot Muzzle Free Speech

The Tenth U.S. Circuit Court of Appeals ruled on October 9 that the Mormon Church cannot restrict free speech on the sidewalks that border Temple Square in Salt Lake City. The court held that the city, which sold land to the church, “cannot create a First amendment-free zone.” The American Civil Liberties Union brought suit against the church-state collusion after the Mormons imposed rules restricting protests, demonstrations, and even the content of speech, as well as smoking, sunbathing, bicycling and “offensive” speech, dress, or conduct in April, 1999. The Salt Lake City Council accepted the Mormon Church’s restrictions, and also granted the church exclusive rights to distribute literature and broadcast speeches and music on the block surrounding the Temple. The appeals court decision overruled a lower federal court that had sided with the authorities.

AAAS vs. ID

As the U.S. Supreme Court in 1987 derailed efforts by the Religious Right to find a place for “creationism” in public school science curricula, creationists are trying again with “intelligent design theory” (ID). This movement presents ID as a theoretical innovation, supposedly supported by science, that offers a better explanation for the diversity of living things than the scientifically accepted theory of evolution.

The country’s most prestigious science organization, the American Association for the Advancement of Science, however, approved the following resolution on ID on October 18:

“Recognizing that the ‘intelligent design theory’ represents a challenge to the quality of science education, the Board of Directors of the AAAS unanimously adopts the following resolution:

“Whereas, ID proponents claim that contemporary evolutionary theory is incapable of explaining the origin of the diversity of living organisms;

“Whereas, to date, the ID movement has failed to offer credible scientific evidence to support their claim that ID undermines the current scientifically accepted theory of evolution;

“Whereas, the ID movement has not proposed a scientific means of testing its claims;

“Therefore Be It Resolved, that the lack of scientific warrant for so-called ‘intelligent design theory’ makes it improper to include as a part of science education;

“Therefore Be Further It Resolved, that AAAS urges citizens across the nation to oppose the establishment of policies that would permit the teaching of ‘intelligent design theory’ as a part of the science curricula of the public schools;

“Therefore, Be It Further Resolved, that AAAS calls upon its members to assist those engaged in overseeing science education policy to understand the nature of science, the content of contemporary evolutionary theory and the inappropriateness of ‘intelligent design theory’ as subject matter for science education;

“Therefore Be Further It Resolved, that AAAS encourages its affiliated societies to endorse this resolution and to communicate their support to appropriate parties at the federal, state and local levels of the government.”

Judge Loses Commandments Case

On November 18 U.S. District Judge Myron Thompson ruled unconstitutional Alabama Chief Justice Roy Moore’s placing of a 5,300 pound granite Ten Commandments monument in the rotunda of the state’s judicial building. Moore was given 30 days to remove the monument.

Justice Moore, a long-time promoter of Religious Right causes, had the nearly three ton monument installed in the judicial building in the night of July 31 after the building had been closed and without informing his judicial colleagues. However, he did invite televangelist D. James Kennedy, who had a crew from his TV ministry film the installation, videotapes of which were offered for a “donation” of \$19. Justice Moore has been a frequent guest on Kennedy’s TV show.

The monument, which features the King James version of the Decalogue, was challenged in federal court by the American Civil Liberties Union and other groups.

Before the present controversy, Moore had displayed a wooden plaque of the Commandments in his courtroom in Etowah County, before he was elected to head the Alabama Supreme Court in 2000.

The federal court found that Moore’s purpose was to “acknowledge the Judeo-Christian God as the moral foundation of our laws,” and this clearly crossed the “Establishment Clause line between the per-

missible and the impermissible.” The decision criticized Moore’s belief that “only Christianity meets the First Amendment definition of Religion. . . . The First Amendment does not elevate one religion above all others, but rather places all religions on par with one another, and even recognizes the equality of religion and non-religion.”

ARL president Edd Doerr praised the ruling and noted that, “as there is no standard version of the Commandments, a government official acting in his official capacity has no authority to prefer one version over any other, or to prefer a religious moral code over a secular one. Judge Thompson’s ruling is a clear victory for religious freedom.”

Justice Department Attacks Oregon Law

The Bush administration asked the Ninth U.S. Circuit Court of Appeals on September 23 to strike down Oregon’s assisted suicide law as a violation of U.S. drug laws. “Suicide is not a legitimate medical purpose,” the Justice Department said. Oregon denied that the Controlled Substances Act had any relevance to the Oregon law that has twice been upheld by state voters.

Robertson Charity Wins Grant

A Virginia Beach charity created by the Rev. Pat Robertson, Operation Blessing International, received \$500,000 on October 3 from the Bush administration’s Compassion Capital Fund. Operation Blessing was investigated by the Virginia Office of Consumer Affairs in 1999, but a prosecution of the group was prevented by the state’s Republican attorney general.

Opus Dei Founder Canonized

Josemaría Escrivá de Balaguer, the Spanish priest who founded the ultraconservative, secretive Catholic movement Opus Dei (Latin for “God’s Work”) was rushed to “sainthood” this fall by Pope John Paul II, an enthusiastic supporter of what Canadian Catholic writer Joanna Manning calls “a Catholic version of [Jerry Falwell’s] Moral Majority.” Opus Dei, with about 80,000 members worldwide, seeks to extend its influence by quietly recruiting members in the academic and political fields. One such recruit was Robert Hanssen, the FBI official who was arrested in 2001 for espionage and is now serving a life sentence.

The Economist reported that several members of the conservative Spanish and Italian governments attended the ceremonies.

Interestingly, it has been reported that at an Opus Dei function in Rome in early 2002, U.S. Senator Rick Santorum (R-PA) remarked that “George W. Bush is the first Roman Catholic President of the United States.” (Some of us, however, are under the impression that Jack Kennedy was the first Catholic president and that W is a Methodist.)

Florida Court Says No to Clergy

In September a Florida appeals court ruled that clergy may be excluded from juries because they tend to be too sympathetic to defendants. The case arose in March 2001 when a prosecutor in West Palm Beach, Florida, used a peremptory challenge to exclude a black pastor from a case. Similar rulings have come from the Ninth and Fifth Circuit Courts of Appeals. Both courts held that prosecutors may have “a legitimate concern that ministers are uniquely forgiving or would have a higher threshold of reasonable doubt.”

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International

Ankara: The overwhelming election victory of an Islamic-based political party, Justice and Development (AKP), in Turkey is leading to fears that scrupulously secular Turkey may begin a drift to religious fundamentalism. Party leader Recep Erdogan once served four months in prison for “inciting religious hatred” at a 1997 election rally.

Erdogan, once mayor of Istanbul who banned alcohol from city-owned cafes, nevertheless ran as a reformer, a defender of human rights, and a champion of the poor and disadvantaged. He says he is “a devout Muslim who believes in a secularist state.”

These contradictions may prevent Turkey from being admitted to the European Union (EU). Former French President Giscard d’Estaing said openly that Turkey is “too Muslim and too Asian” to be a viable EU member. Erdogan, who sent his two daughters to Indiana University to evade Turkey’s prohibition against women’s wearing of Muslim head scarves in public universities, cannot become prime minister under current laws. But he is expected to be the power broker.

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Turkey's army regards itself as the defender of the secular state established by the legendary Mustafa Kemal Atatürk after the Ottoman Empire collapsed following World War I. Erdogan has assured them that his party respects that tradition. But in an interview with *Time*, he said, "For us Islam is a supreme value. We see our religion as flawless, whereas the party can make mistakes."

Brussels: A law decriminalizing euthanasia was passed in September, making Belgium the second country, along with the Netherlands, to allow doctors to end the suffering of terminally ill patients. Doctors must consult with other physicians, and patients wanting to end their lives must be conscious when the application to seek euthanasia is made.

Islamabad: Fundamentalist Islamic extremism is not dead in Pakistan. Extreme Islamic parties won nearly one-fourth of the seats in parliamentary elections held in October. The militant parties won a majority of seats in areas bordering Afghanistan and ran particularly strongly in the Northwest Frontier and in the city of Peshawar.

Because no party emerged triumphant, coalitions are expected to develop on an issue by issue basis, and the six fundamentalist religious parties, operating under an umbrella group called the United Action Forum (MMA), will be key power-brokers. Among other things, they want to do away with co-education and cable television.

While President Pervez Musharraf retains power to dismiss parliament and veto cabinet decisions and to control foreign policy and military and intelligence matters, he is likely to have problems with religious zealots in the areas of social policy and education. *The Washington Post's* foreign service analyst, John Lancaster, wrote, "[T]hey are sure to block any effort to modernize the country's *madrassas* – religious schools seen as breeding grounds for Islamic extremism – and change blasphemy laws that have been used to persecute religious minorities. (Under pressure from conservative clerics, Musharraf has backtracked on his commitments to address both issues.)" Commented Najam Sethi, editor of *Pakistan's Friday Times*, on November 8, "If I were in his place, I'd be a deeply worried man."

Jakarta: The horrific terrorist bombing in Bali on October 12, which took at least 183 lives, has led the Indonesian government to rethink its policy regarding Islamic extremism in the nearly 90% Muslim nation. The mostly Muslim government of President Megawati Sukarnoputri has been reluctant to crack down on militant Islamic groups. But the carnage in the 95% Hindu resort area, which killed mostly tourists from Australia and other nations and threatens to destroy Indonesia's tourist industry, shocked the government into issuing decrees aimed at curbing terrorist activities. A radical Muslim cleric, Abubakar Baasyir, was arrested for questioning in connection with a series of church bombings that killed 19 Christians on Christmas Eve two years ago. Baasyir, founder of an Islamic boarding school, has been identified by intelligence officials as the head of a shadowy religious terror group called Jemaah Islamiyah, closely linked with al Qaeda and said to be operating in several Southeast Asian countries.

Two large moderate Muslim organizations supported the government's actions and called for further crackdowns on organizations that encourage or engage in violence while hiding under the cloak of religion.

Katmandu: Abortion was finally legalized in the world's only nation where Hinduism is the established religion. Considerable pressure was placed on the kingdom's lawmakers by the United Nations.

Minsk: Belarus has imposed harsh new restrictions on religious activity by minority faiths, provoking strong criticism from human rights activists. Lawmakers gave final approval on October 2 to legislation recognizing Russian Orthodoxy as the official religion. All other religions must register their religious activities with state authorities,

and all religious literature must be submitted to a state agency before being published and distributed. Andrei Sannikov, head of the human rights group Charter 97, said the law is "the most repressive in Europe and would force many people to leave the country."

The law prohibits religious organizations that have not existed in Belarus (formerly called Byelorussia or White Russia) for at least 20 years from distributing literature or establishing missions. It also bans foreign citizens from leading local religious organizations and forbids most religious meetings in homes.

In recent months the state has imposed fines on Hindus who tried to meditate in a park, jailed a breakaway Orthodox priest who tried to build his own church, and demolished a 19th century synagogue in the capital city, Minsk. About 80% of the population belongs to the Orthodox Church, while 14% are Catholic and 2% are Protestant, according to official figures. The Orthodox Church's leader, Metropolitan Filaret, defended the law. President Alexander Lukashenko, often called Europe's last dictator, is expected to sign the measure.

New Delhi: The southern Indian state of Tamil Nadu has passed a law outlawing religious conversion from Hinduism to any other religious faith and imposing fines on those who attempt to convert. If the law takes effect on December 6, as expected, religious minorities plan to challenge the law in court. One group of Dalit Hindu "untouchables" plans to convert en masse to Buddhism. Another group, the Dalit Panjthers, pledged to convert to Christianity. Hindu fundamentalists welcomed the law. The leader of the World Hindu Council, Ashok Singhai, hailed the law as a "timely and bold step." The All-India Christian Peoples Forum said "the bill runs afoul of Article 25 of the Indian Constitution, which grants freedom of conscience and free profession, practice and propagation of religion to every Indian citizen."

Books

Papal Sin: Structures of Deceit, by Garry Wills, Doubleday, 326 pp., \$25.00.

In 2000, the U.S. House of Representatives passed a resolution (H. Con. Res. 253) by 416 to one (Rep. Pete Stark, D-CA) "strongly objecting to any effort to expel the Holy See" from the UN General Assembly as a "permanent observer." The resolution, sponsored by Rep. Chris Smith (R-NJ), was aimed at countering the See Change campaign, initiated by Catholics for a Free Choice and supported by more than 500 organizations in the U.S. and abroad (including Americans for Religious Liberty) which seeks to terminate the arrangement whereby the Catholic Church (the Holy See) enjoys a preferred status at the UN denied to all other religious groups. The church has used that privileged status to thwart efforts to have the UN deal more adequately with population and women's rights issues.

Smith's resolution garnered near-unanimous support because a great many members of Congress mistakenly fear offending Catholics, a fear based on the erroneous notion that the pope and bishops speak for and represent a majority of Catholics. As I have pointed out often, the Vatican's authoritarian leadership is out of sync with most Catholics on such key issues as contraception, abortion, divorce, clerical celibacy, ordaining women, and education.

The Smith resolution highlights the importance of this useful book by imminent historian and devout Catholic Garry Wills. Wills makes it abundantly clear that the papacy has long engaged in an Orwellian "selective manipulation of history" in the interest of advancing papal power at the expense of truth and such basic human values as freedom of conscience. He zeros in on the Vatican's misrepresentations regarding the Holocaust and anti-Semitism a topic explored by John Cornwell in *Hitler's Pope*) and on its "dishonesties" in dealing with contracep-

tion, clerical celibacy, ordination of women and cover-ups of clerical child abuse.

Will wants a reformed and democratized Catholicism, and repeatedly decries the “structures of deceit” which have for so long been such a notable feature of papal power politics and centralized authoritarianism. Politicians and Americans generally of all persuasions need to recognize that there are in reality two Catholic churches, one a power-hungry oligarchy and the other the vast majority of quite ordinary people who, we might note, put Bill Clinton in the White House twice.

— Edd Doerr

What You Should Know About the War Against America's Public Schools, by Gerald W. Bracey, Allyn and Bacon, 209 pp., \$18.00.

In this important, devastatingly hardhitting book, noted education writer Gerald Bracey takes on the various forces committed to weakening or even replacing this country's democratic public schools: ultra-conservative foundations, university presses that sell more books by going negative on the schools, the Religious Right, the promoters of school vouchers and many of the promoters of charter schools, and assorted educational privatizers and commercial interests. Bracey names names and backs up his findings. He scotches the myth that “money doesn't matter” in public education and blasts those who misuse international comparisons to badmouth public schools. He shows that voucher and charter schools are generally unaccountable and that they are generally no better than public schools and often much worse. He shows that adequate funding for all public schools and small class size are the answers, not privatizing for profit or vouchers. This up-to-date, readable book is as useful as the Berliner-Biddle *Manufactured Crisis* of several years ago.

— Edd Doerr

James Madison, by Garry Wills, Times Books/Henry Holt and Co., 184 pp., \$20.00.

This short political biography by historian Garry Wills, part of Times Books' American Presidents Series, deals almost entirely with Madison's career after his work as the main promoter of church-state separation in Virginia in the 1780s and his key role in the design of the Constitution and Bill of Rights. Although Madison does not rank as one of our greatest presidents, Will ends his book with this tribute: “As a framer and defender of the Constitution he had no peer . . . by a long distance. The finest part of Madison's performance as president was his concern for preserving the Constitution. As a champion of religious liberty he is equal, perhaps superior, to Jefferson – and no one else is in the running. Even if he is to be considered merely as a writer, only Jefferson and Franklin were manifestly greater stylists. No man could do everything for the country – not even Washington. Madison did more than most, and did some things better than any. That is quite enough.”

I heartily recommend this fine book for the general reader.

— Edd Doerr

A Moral Reckoning, by Daniel Jonah Goldhagen, Alfred A. Knopf, 362 pp., \$25.00.

Harvard historian Goldhagen presents a sober assessment of the role of the Catholic Church, particularly of its leaders, throughout Europe during the Holocaust. He focuses more on individual national case studies than on the Vatican per se, as so many other historians have, because he believes that the story of that tragic period is broader than merely the activity of the central governing structure of the Church.

In a nutshell the Goldhagen thesis is simple: “The anti-Semitism that the Catholic Church had directly or indirectly taught throughout Europe was a powerful motivation for Catholics to perpetrate anti-

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Jewish action. More than a few of the perpetrators derived their motivating anti-Semitism, wholly or in part, from what their trusted religious and moral shepherds had taught them.”

Most of European Catholicism saw the Jews as aiders and abettors of communism, and this political bias colored their actions toward Jewish communities from France to Lithuania, he argues. “They believed the Jews to be the driving spirit of the most dangerous political movement to confront the Catholic Church in its history, Bolshevism.”

Goldhagen writes, “The Catholic Church, its national churches, and its clergy, proclaimed, in official declarations and letters, in newspapers and other publications, and in sermons their belief in the Jews' guilt of such alleged deeds as having killed the Son of God, being the progenitors of Bolshevism, harming grievously the nations among whom they lived, and producing financial privation the world over.”

Goldhagen is likely to be denounced as anti-Catholic. But such critics will have to ignore his statement, “The Catholic Church and its moral creed, as I have said repeatedly, is at its core good and admirable. The Church has already drawn upon its own creed to alter itself substantially and positively since the war. . . . The Church and Catholicism contain the ideational and moral resources for their own renovation, for the removal of structures of authority and anti-Semitic ideas that violate their otherwise admirable principles of being a moral guide to Catholics and teaching them to seek goodness, to love others and to act well.” He also says that “It is not just the Catholic Church that owes restitution and it is not just Jews who are owed it.” He urges the church to “alter structures, practices, doctrines and theology,” including a repudiation of papal infallibility and a repudiation or reexamination of certain New Testament texts – all of which are unlikely to happen.

If there is any criticism that Goldhagen deserves, it is his rather naïve view that Protestants, specifically Lutherans, behaved well during the Holocaust. That may be true in Denmark and Norway, but further historical investigations might suggest a much worse Lutheran complicity in anti-Semitism in Latvia, Estonia and especially Germany, where Lutherans were the strongest supporters of Hitler and the Nazis in the 1932 elections. The Eastern Orthodox record in Romania is also abysmal.

— Al Menendez
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Books, continued from page 15

The Modern Inquisition, by Paul Collins, The Overlook Press, 260 pp., \$29.95.

Seven prominent Catholic writers, scholars and theologians tell the dramatic stories of their encounter with the Vatican's Congregation for the Doctrine of the Faith, a shadowy bureaucratic enclave that is the linear descendant of the Inquisition.

The editor and contributor of one essay, Paul Collins, is an Australian historian and former priest who ran into difficulty with Vatican authorities after his book, *Papal Power*, was published. His aim was calling for a more democratic church with collegial levels of authority, something clearly implied by some Second Vatican Council documents. He also criticized "the papacy's premature rush to judgment on the issue of the ordination of women."

Other essayists include Swiss theologian Hans Küng, American ethicist Charles Curran and Sri Lankan theologian Tissa Balasuriye.

Writes Collins, "The seven of us here have told our stories hoping that they may contribute, in however small a way, to the building of a more humble Christ-like Catholic Church, dedicated to ecumenism and to the building up of a renewed and free community. The transition we face is from inquisition to freedom."

Significantly, all seven have remained Catholics, refusing to be forced out by the present enforcers in the Vatican.

— Al Menendez

Spies in the Vatican: Espionage and Intrigue from Napoleon to the Holocaust, by David Alvarez, University Press of Kansas, 341 pp., \$34.95.

Vatican diplomacy has long remained a factor in world geopolitics, if only because this venerable old institution has claimed to be a moral arbiter in international affairs. This strange hybrid of politics and religion -- the Holy See -- has, as this solid historical work demonstrates, frequently been the target of espionage by unfriendly powers.

Alvarez challenges the idea that the Vatican has the best information-gathering network in the world.

He shows how often "inadequate intelligence" seriously compromised vital diplomatic missions, even a century ago when the Vatican tried to help settle a dispute over friars' lands compensation in the Philippines after the U.S. assumed control of the former Spanish colony.

Similar problems occurred in relations between the Holy See and Russia during the Czarist days and, clandestinely, during the early Communist period.

Vatican influence declined after World War I because, "Between 1914 and 1945 the world underwent an intelligence revolution. This intelligence revolution, which would dramatically influence the conduct of war and diplomacy, completely bypassed the Papacy," writes Alvarez, a professor of politics at Saint Mary's College of California.

The Vatican's self-understanding also hindered its role. "Institutional attitudes and priorities also constrained the Vatican from pursuing a more active intelligence program. The Vatican was, above all, a religious institution committed primarily to the propagation of a particular faith, the maintenance of religious institutions, and the supervision and direction of believers." Therefore, "the Vatican had to protect its interests and project its influence in an international environment where foreign powers relied increasingly on espionage and clandestine operations, but it had neither the ability nor the appetite to employ such practices itself."

This is a great read, full of clerics, moles, agents and counteragents behind the purple curtain.

— Al Menendez

Take Back the Truth: Confronting Papal Power and the Religious Right, by Joanna Manning, Crossroad Publishing Company, 176 pp., \$16.95.

In this powerful, important book Canadian Catholic writer/activist Joanna Manning takes on what she calls the "dissident minority" in the Catholic Church, by which she means Pope John Paul II and his myrmidons, the bishops and cardinals who have turned their backs on the modest reforms of the Second Vatican Council (1962-65). Manning accuses the Church's power structure of authoritarianism, patriarchalism, and indifference toward the rights of women and children. She slams the coverups of clerical sexual abuse of children in the developed world and of nuns in the developing world, and charges that abuse victims must all too often seek justice outside the Church.

Manning eloquently describes the convergence of interests of the North American bishops and the fundamentalist Religious Right. She rips into Opus Dei as "a Catholic version of [Jerry Falwell's] Moral Majority" and shows the ideological links between the bishops and Pat Robertson's Christian Coalition. Manning's book is well worth the price.

— Edd Doerr.