



VOICE OF REASON

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The 2012 Elections: What They Mean

by Al Menendez

Despite expenditures of \$6 billion and a torrent of negative advertising, the 2012 presidential election moved only a small percentage of voters from their 2008 choice. President Obama's reelection (50% to 48%, and a popular vote margin of 3-4 million) was lower than four years ago, when it was 53% to 46% and a 9.5 million victory margin. It was, in fact, one of the weaker reelection campaigns, ranking with George W. Bush in 2004 and Woodrow Wilson in 1916 in popular vote. But the electoral vote margin (332-206) was comfortable, and the Democrats made gains in both house of Congress and in the total congressional popular vote.

Only two states (Indiana and North Carolina) changed sides, switching from Obama in 2008 to Romney in 2012, making this the most stable election in U.S. history. Previous stable elections came in the Bush-Kerry race in 2004, when only three states changed sides, and in 1956, the Eisenhower-Stevenson rematch, when four states shifted, and 1936, when FDR crushed Landon and captured four of the six states that stuck with Hoover in 1932.

Winning only in the white South and Plains states and among religious conservatives does not secure a presidential victory.

Another unusual statistical feature of this election was the fact that GOP challenger Mitt Romney ran ahead of the 2008 party nominee John McCain in almost every state. There was almost a uniform geographic decline in Obama's strength. In previous elections, even the second-term GOP landslides of 1956, 1972 and 1984, some states showed a decrease in the incumbent president's popular vote share, while others gave the winner greater support. But this time Romney inched up slightly even in liberal Vermont and Hawaii and, as expected, in conservative Wyoming, Utah, Missouri and Tennessee.

Romney gained at both ends of the religious spectrum, from Jewish and unaffiliated voters on the left to evangelicals and Mormons on the right. But the GOP campaign alienated substantial numbers of Asian (73% Obama, up 12%) and Hispanic voters (71% Obama, up 4%), the two fastest-growing segments of the electorate. Winning only in the white South and Plains states and among religious conservatives does not secure a presidential victory. It dooms the Grand Old Party to de-

feat, especially in light of new demographic realities. Still, the nation remains bitterly divided for the fourth straight election, and the divisions between geographic regions and among the voting population are wide.

Laurie Goodstein, writing in *The New York Times*, observed, "The evangelical share of the population is both declining and graying, studies show. Large churches like the Southern Baptist Convention and the Assemblies of God, which have provided an organizing base for the Christian right, are losing members." James L. Guth, professor of political science at Furman University, noted, "In the long run, this means that the Republican constituency is going to be shrinking on the religious end as well as the ethnic end." He added, "Latino Protestants were almost as inclined to vote for Mr. Obama as their Catholic brethren were, and that's certainly a

big change, and going the wrong direction as far as Republicans are concerned." ■



Inside:

The Religious Right: Stunned and Angry, But Not Disappearing	2
The Religious Vote: Divided as Usual	2
The Florida Referenda: Twin Victories for Liberty	3
Marriage Equality Wins	5
The Catholic Vote	6
The Evangelical Vote	7
The "Nones": New Democratic Ally	8
Religious Right Rallied to Akin	9
Election Tidbits	9
Sample Counties	10
Religious Affiliations, 113th Congress	11
Other Election Highlights	12

Regular Features

Church and State in the Courts	12
The Voucher Watch	14
Updates	14
Books and Culture	16

The Religious Right: Stunned and Angry, But Not Disappearing

Disappointment in the election by Religious Right leaders would be a mild statement. They were infuriated and often seized on apocalyptic interpretations. That is unsurprising since they, and their secular right allies, saw the election as a turning point in history. To them a second Obama administration is an abomination that will bring divine retribution on this country.

Albert Mohler, president of Southern Baptist Theological Seminary, lamented: "Evangelical Christians must see the 2012 election as a catastrophe for crucial moral concerns.... Clearly, we face a new moral landscape in America." Ed Stetzer, president of Life Way Research, commented: "We must face the reality that we may be on the losing side of the culture war."

Some religious conservatives took comfort in the overwhelming evangelical support for the Romney/Ryan ticket. The near 80% support was about equal to that of George W. Bush in 2004 and Ronald Reagan in 1984. *Christianity Today* analysts Tobin Grant and Ted Olsen commented: "It appears that evangelicals are more politically united than ever before... If further analysis bears such a figure out, it will be a dramatic benchmark in conservative Protestant voting trends."

Evangelical support for Romney reached an incredible 96% in Mississippi. In Indiana Romney's evangelical support (79%) was ten points higher than McCain's. But evangelicals in battleground Ohio were slightly less supportive.

Religious Right leaders were faulted by church historian Martin Marty for emphasizing issues that have little or no relevance. He wrote, "Yet on the issues chosen by their leaders and advocated for – even to the point of law-breaking and taunts to the IRS about overt electioneering – they won little." Robert P. James, head of the Public Religion Research Institute, added, "This election signaled the last where a white Christian strategy is workable."

While the Religious Right did not fare particularly well, they have a number of new Republican members who will do their bidding. Steve Stockman of Texas's new 36th district returns to Congress, having served one term (1995-97). He and Rev. Jerry Falwell created "Mobilizing Morality in America" conferences during his 1994 campaign. In the 104th Congress he sponsored a measure authorizing the use of the Capitol grounds for the 1996 Washington for Jesus rally, and also

proposed a bill defining human life as beginning at conception. A nativist, he proposed a constitutional amendment denying U.S. citizenship to children born in the U.S. to undocumented immigrants.

Defeated for reelection in 1996, he is expected to promote extremist causes again.

Barely winning Indiana's 2nd district, Jackie Walorski opposes abortion rights and honed her evangelicalism at Rev. Jerry Falwell's Liberty University and Taylor University. A member of Calvary Temple, a large megachurch, she supports the World Harvest Ministerial Network and is expected to become a vocal advocate of Religious Right causes.

Other newly elected House Republicans who expressed vocal support for restrictions on abortion rights and opposition to gay marriage include Trey Radel of Florida, Scott Perry of Pennsylvania, Mark Wayne Mullin of Oklahoma, Randy Weber of Texas, and Roger Williams of Texas. ■



The Religious Vote: Divided as Usual

America's religious communities reaffirmed their traditional preferences in the 2012 presidential vote. Evangelicals voted 79% to 20% for Romney, surpassing Mormons by 1%. Obama's strongest supporters included the religiously unaffiliated, which he won 70% - 28%, and Jewish voters, who backed the president 69% - 30%. At the top of Obama's supporters were adherents of "other faiths," who favored the president 74% to 23%, and black Protestants, whose support for Obama reached 95%.

These preliminary findings from this election's exit polls may not be as accurate as those in 2008 because voters in only 31 states were surveyed. For example, Hispanic Catholics declined from 6% to 5% in the electorate, which seems unlikely since the Hispanic vote share was up. This may reflect the absence of Texas from the exit poll.

Catholics voted 50% to 48% for Obama, the exact result for the entire electorate. The Catholic vote was sharply divided between white

continued on page 4

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The Florida Referenda: Twin Victories for Liberty

By a solid margin of 55.5% to 44.5% Floridians rejected Amendment 8, which would have eliminated the state constitution's long ban on state aid to religion. Voters said no to the attempt to change the state constitution, which almost certainly would have opened the door to school vouchers and other schemes to funnel tax dollars to private, faith-based schools. Politico called this "religious school funding" in their reporting of the results.

Voters also tossed Amendment 6 by 55% to 45%, a proposed constitutional amendment designed to limit abortion rights and access. *The Florida Catholic* newspaper endorsed both amendments, as did the state's bishops. But counties in central and southern Florida, where the bulk of the state's Catholic population resides, turned thumbs down on both proposals.

At first glance it would appear that the Florida referenda, which were defeated by about the same percentage, attracted the same voters. But that would not be true. There were 28 mostly rural and Baptist counties that supported the abortion ban but opposed the amendment that might have led to vouchers for religious private schools.

The Florida campaigns were intense. The Florida Conference of Catholic Bishops led the fight to approve Amendment 8, which would have removed the historic no aid to religion provision in the state constitution and would likely lead to school vouchers. The conference claimed that "religious freedom is violated if religious organizations are excluded from state funds," even though many faith-based social welfare organizations have always received general funding.

The *Tampa Bay Times* saw it differently. Approval of Amendment 8 would be a "sweeping change that would mean Floridians would lose this muscular church-state protection." Furthermore, "Amendment 8 would impose an affirmative duty on government to provide public money and benefits to religion to the extent the U.S. Constitution allows. That means taxpayer money would have to go to churches, synagogues, mosques and other religious institutions, including church-affiliated schools, in a host of circumstances." The journal concluded, "Voters should remember that when they read the title 'Religious Freedom,' it's a Tallahassee trick to take that freedom away."

A group called "Clergy Against 8" warned against "gutting a longstanding and fundamental protection." They stated, "We will be voting No because Amendment 8 would directly undermine the very foundation upon which our religious liberty rests." Partnerships between faith-based groups and government are "safe and prospering," they maintained. "What Amendment 8 will do is strip all the safeguards that currently exist in these partnerships and require that taxpayer dollars be used to fund and promote religious programs."

Amendment 6 would have restricted abortion funding and would have led to new parental consent laws on abortion for minors. That was overturned by courts in 1989. Lizette Alvarez, writing in *The New York Times*, pointed out that "state employees, including teachers and police officers, would be stripped of abortion coverage in their insurance policies, even if a pregnancy is detrimental to their health." Florida's Catholic Bishops endorsed the proposal "to allow a future legislature to bring back parental consent."

By a solid majority, Florida voters said no to these changes. Needing 60% for approval, they received only 45%.

Holmes County, the quintessential white "Deep South" county on the Alabama border, gave 66% for the abortion funding ban but only 46% to the amendment that would have removed the no aid to religion provision. Holmes voters rewarded Romney with 85% of their presidential votes. The ten most heavily Southern Baptist rural counties gave 58% to the abortion ban and 43% to the aid for religious schools proposal, as well as 72% for Romney.

Only one county opposed Amendment 6 but supported Amendment 8 (by 51% to 49%). That was Osceola County in central Florida, near Disney World, which has 122,000 Puerto Rican residents. Obama won a 63% landslide in Osceola, making it his third strongest county in the state. Before the Puerto Rican migration, Osceola had been a Republican stronghold since 1952.

There were 33 counties that opposed both amendments, including the large population centers of Miami, Tampa, and even conservative Jacksonville. Many had large Catholic populations, suggesting that the state's bishops and diocesan newspapers were largely ignored. Flagler County, a retirement haven between St. Augustine and Daytona Beach, is strongly Catholic, having attracted many migrants from New York and New Jersey. It voted 56% against Amendment 6 and 53% against Amendment 8. Amendment 8 did receive more votes than Amendment 6 in Miami, Fort Lauderdale, Palm Beach and Key West, but still lost in those areas.

Another significant aspect of the Florida result that national Republican leaders should note: Many Republican strongholds that backed Romney opposed both amendments. These included many of the retirement areas south of Tampa like Sarasota and Charlotte Counties, and Gold Coast counties such as Brevard (Cape Canaveral), Martin and Indian River. In Republican Sarasota County, which last supported a Democrat when FDR won in 1944, Romney received 54%. But 58% of Sarasotans rejected the abortion ban and 55% turned down aid to religious schools. Romney carried 21 of the 33 counties that opposed both amendments (though some of the strongest no votes came from such Democratic strongholds as Broward and Palm Beach Counties).

Only five counties backed both amendments. They included the ultra-conservative Pensacola area (Escambia, Okaloosa and Walton Counties), the Jacksonville white Republican suburb of Clay County, and the Fort Myers area (Lee County on the Gulf Coast). ■



The Florida Vote

Area	Amendment 6, % No Abortion Restrictions	Amendment 8 % No Aid to Religious Schools	President % Obama
Gold Coast	59	55	59
Tampa Bay Area	58	58	51
Gulf Coast	53	53	42
Central, I-4 Corridor	56	57	52
Jacksonville Area	48	51	41
Panhandle	43	51	30
College Towns	63	62	61
Baptist Rural	42	57	28
State	55	55	51

The Religious Vote, *continued from page 2*

Catholics, who favored Romney 59% to 40%, while Hispanic Catholics supported Obama by a whopping 75% to 21%.

Mainline Protestants were the one stable group in the electorate. They gave Obama 44%, same as last time, and the same for Kerry in 2004.

In terms of voter shift from 2008 to 2012, Obama's support increased 3% among Hispanic Catholics and 1% among black Protestants and adherents of "other faiths," which ranged from Buddhist and Muslim to Eastern Orthodox. Romney's biggest gains came from Jews (9%), white Catholics (7%), evangelicals (6%) and the religiously unaffiliated (5%). Cultural issues and support for Israel may have influenced the first three groups, but Romney gains among the unaffiliated were unexpected, as borne out by results from the ski resort counties in Colorado, and in counties with large numbers of college students. In Centre County, Pennsylvania (home to Penn State), Obama's 9,000 vote margin in 2008 became a slender 175-vote margin of victory for Obama this time.

Turnout affected the relative sizes of the religious groups. Only 12% of the electorate were religiously unaffiliated, compared to 20% of the general population, the same percentage as in 2008, despite an increase of 4% (from 16% to 20%) among all adults.

Catholics remained the largest single group, at 25%, a bit lower than in several previous elections, reflecting perhaps a reported decline in Catholic membership. Evangelicals remained at 23%, the same as in 2008, while mainline Protestants continued to decline, to 16% of the voters, down from 19% in 2008 and 20% in 2004. Black Protestants remained at 9%, while members of other faiths constituted 7% of voters.

Frequency of church attendance continued to divide American voters. Weekly attenders favored Romney 59% to 39%, while occasional attenders supported Obama 55% to 43%. Those who never attend religious services backed the president 62% to 34%. However, absen-

tees were 5% less likely to support Obama in 2012 than in 2008, while avid churchgoers (more than weekly) went for Romney 63% to 36%, or 7% higher than they had supported McCain. Romney gained among those who attend religious services most frequently and least frequently.

Religion and the Presidential Vote

Religion	% 2012		% 2008		Democratic Change %
	Obama	Romney	Obama	McCain	
Black Protestant	95	5	94	4	+1
Hispanic Catholic	75	21	72	26	+3
Other Faiths	74	23	73	22	+1
Religiously Unaffiliated	70	26	75	23	-5
Jewish	69	30	78	21	-9
Catholic (all)	50	48	54	45	-4
Mainline Protestant	44	54	44	55	0
Mormon	21	78	n/a	n/a	n/a
Evangelical	20	79	26	73	-6

Source: Pew Research Center

Religious Makeup of 2012 Electorate

Group	% of Voters
Catholic	25
Evangelical	23
Mainline Protestant	16
Unaffiliated	12
Black Protestant	9
Other Faiths	7
Jewish	2

Source: Pew Research Center. The figures do not add up to 100% for unknown reasons.

Presidential Vote by Church Attendance

Group	% 2012		% 2008		Democratic Change %
	Obama	Romney	Obama	McCain	
Never	62	34	67	30	-5
Few times a year	56	42	59	39	-3
Monthly	55	44	53	46	+2
Weekly	41	58	43	55	-2
More than weekly	36	63	43	55	-7

Source: Pew Research Center.

The Great School Voucher Fraud

By Edd Doerr

ARL president Edd Doerr's 23-page position paper explores in detail how the school voucher movement seriously threatens—

- Religious freedom
- Church-state separation
- Public education
- Community harmony

Doerr's paper examines the 27 statewide referendum elections on this important issue.

Available on line on ARL's web site — arlinc.org — or in print for \$10 from ARL, Box 6656, Silver Spring, MD 20916

Marriage Equality Wins

Gay marriage proposals triumphed at the polls in Maryland, Maine and Washington, while Minnesota rejected a proposed constitutional ban on same-sex marriage that was endorsed by Rev. Billy Graham, whose national organization was located in Minneapolis for a half century before moving to North Carolina.

Victory margins were slim, and approval was strongest in urban and suburban areas and among well-educated and young professional voters. Opposition was largely led by clergy. The anti-gay marriage forces were financed by the Knights of Columbus and individual Catholic dioceses, according to a report issued by the Human Rights Campaign. African-American clergy were leading opponents in Maryland, which has the highest percentage of African Americans outside the South. But national figures like Al Sharpton and Julian Bond campaigned for “Question 6,” and the vote was close in predominantly black Prince Georges County. Rural voters provided the bulk of the opposition in all four states, as did evangelical churches. About 46% of African Americans in Maryland voted for same-sex marriage, defying the clergy.

These victories for Marriage Equality symbolize a changing electorate. National polls show majority support for the concept, which had been rejected by voters in more than 30 other states. Another factor was the strong corporate support given to marriage equality, especially in the Seattle area, from Microsoft, Amazon and Starbucks. The Democratic state parties were also supportive. Robert Jones, president of Public Religion Research, said a majority of Catholics supported marriage equality in all four states.

Maine

After losing three years ago, same-sex marriage was approved by 53% of voters Down East. While only seven of the state’s 18 counties voted yes, it was large-population Cumberland County (Portland and its suburbs) that provided a near 50,000 majority, more than enough since approval passed by 36,000. Cumberland was the only county to support marriage equality by a larger margin than it supported Obama, suggesting that the proposal received some Republican support. The French Catholic vote was split. York County voted yes while Androscoggin County voted no. The old Yankee Protestant counties along the coast (Hancock, Knox, and Lincoln) voted yes by about 55%, but they are largely devoid of any religious identification today. Scarcely one fifth of voters are church members. Aroostook County is the most conservative county, with a large concentration of English and Scots Protestants, in addition to some rural French Catholics. It voted 2 to 1 against same-sex marriage but still supported Obama.

Maryland

Maryland’s suburban Montgomery County, high-income and dominated by college-educated professionals, provided a 110,000-vote majority, more than half of the 102,000-vote statewide victory (in mostly complete returns). It was joined by neighboring high-income Howard County and Baltimore City – all three of which backed President Obama by huge margins. In majority black Prince Georges County, where 90% of voters supported the president, the marriage equality referendum eked out a 51% majority. Urban and suburban areas carried the day. Three of the four exurbs voted no by modest margins, and rural areas were the most opposed. Republican bastion Garrett County, which



Marriage Equality Referenda

Type of Jurisdiction	Maine	Maryland	Minnesota	Washington
Urban	65	57	64	58
Suburban	57	56	53	53
Exurbs	n/a	46	46	n/a
Rural	47	41	40	42
All	53	52	52	53
n/a = not applicable				

has never supported a Democrat for president, voted 73% no, the highest opposition vote. It was also Romney’s strongest Maryland county. But the tiny mountain area that borders West Virginia casts well under 1% of the state vote. A majority of Marylanders (60%) live in suburbs. Maryland’s final vote was 52% to 48%.

Minnesota

Minnesota voters rejected a constitutional amendment to ban same-sex marriage 1,512,156 to 1,401,275, or 52% to 48%. State law still prohibits it, however. Urban areas provided the victory margin, nearly 200,000 alone in Hennepin County (Minneapolis and close-in suburbs). Ramsey County (St. Paul and its close-in suburbs) added 70,000 and Duluth (St. Louis County) added 27,000, giving a nearly 300,000-vote edge in the three large urban counties. Nearly 64% of voters in these counties opposed the amendment and, in effect, supported marriage equality.

Three large suburbs around the Twin Cities (Anoka, Dakota, and Washington Counties) voted 53% for marriage equality, adding another 32,000 to the victory margin. Anoka County is an unusual northern county that has moved in the opposite direction of the nation in recent decades. Home to Michele Bachmann and former Gov. Jesse Ventura, it supported losing Democrat Michael Dukakis in 1988 and losing Republicans Mitt Romney in 2012 and John McCain in 2008. This blue-collar suburb voted against marriage equality, while Dakota and Washington counties, along with exurban Scott County supported equality.

Five exurban, or outlying suburban, counties opposed marriage equality 54% to 46%. But it was rural Minnesota that was adamantly opposed, with 60% of voters favoring the constitutional ban, delivering an almost 200,000 vote majority for it. Rural Lutheran counties gave only 36% support for marriage equality and Catholic counties 43%. Voters of both religions were more supportive in the metropolitan counties.

Washington

Seattle and surrounding King County provided the huge margin of victory, going 2 to 1 for same-sex marriage and giving the yes side a 288,000-vote majority.

Other urban areas were less supportive. Vancouver (Clark County),

continued on page 7

The Catholic Vote

Catholic voters, still the largest (barely) single group, were the focus of considerable political activity and cross-pressures during the campaign. Partly this was because of the group's uncanny ability to back the winning candidate in presidential elections. Catholics voted 54% - 45% for Obama in 2008, one percent more Democratic than all voters.

Another reason for the unusual level of interest was that both vice presidential candidates, Democratic incumbent Joe Biden and Republican Paul Ryan, represent two very different strains of Catholic thought.

Biden, 70, grew up in the pre-Vatican II church but also imbibed the changes wrought by the Second Vatican Council (1962-1965). Biden has repeatedly emphasized the Catholic social doctrine that makes concern for the disadvantaged and marginalized the centerpiece of his interpretation of Catholic political philosophy. This emphasis, called the "preferential option for the poor," is central to liberal Catholicism. In his 2007 memoir, *Promises to Keep*, Biden said the Catholic mandate to help the disadvantaged has been the "single common thread" of his political career. He says he accepts the church's position on abortion but does not believe it is appropriate to impose it on the general populace.

Ryan, a 42-year-old Wisconsin congressman, was born almost a decade after the Council and seems comfortable in a more conservative interpretation of Catholic social doctrine, which he calls the "social magisterium." He agrees with the church's general teaching on abortion and same-sex marriage. His view, common among Republicans today, is that private charity should "take care of people who are down and out in our communities." He opposes "having big government crowd out civic society." He admitted to an audience at Georgetown University on April 26 that there could be "differences among faithful Catholics on the church's social teachings."

Catholic bishops tried to distance themselves from Ryan's budget when they voted in June by 171-26 that "a just spending bill cannot rely on disproportionate cuts in essential services to poor and vulnerable persons."

New York Cardinal Timothy Dolan's appearance at both party conventions was an attempt to downplay the apparent preference among some top bishops for the GOP ticket. However, John Gehring of the Faith & Public Life Action Fund was still unconvinced. He told AP, "When Catholics in the pews see bishops repeatedly hammering the Obama administration, then find Cardinal Dolan there at the Republican convention, that's not a particularly subtle message. Whether it's intended or not, this gives the appearance that the nation's most prominent Catholic leader is baptizing the Republican nominee."

University of North Carolina history professor Molly Worthen, in a *New York Times* opinion piece September 15 argued, "Allowing Republicans to claim the mantle of Catholicism might cost the Democrats the election. As commentators have noted, Catholics may be the nation's most numerous swing voters. Over the past few decades, Democratic leaders have alienated voters in one of the party's historically strong constituencies. Through a series of ideological moves and cultural misjudgments, they have also cut themselves off from a rich tradition of liberal Catholic thought at a time when American culture requires politicians to articulate a mission that inspires religious and secular voters alike." She said this election was "a tale of two Catholicisms" and added, ironically, "The Democratic Party has marginalized progressive Catholic intellectuals for the same reason that Rome has: because they habitu-

ally challenge sacred doctrines."

Worthen's warnings notwithstanding, polls showed that Catholics leaned toward Obama. A Pew Research Center poll released in mid-October found that "white Catholic moderates" are the true "swing voters" within the Catholic community. They gave Obama 58% in 2008 after narrowly favoring Bush twice before. Catholic liberals, Hispanics, Asian-American and African American Catholics reliably vote Democratic, while Catholic conservatives are staunch Republicans. "These patterns have persisted in pollings conducted so far in 2012," observed Pew researchers. Among Catholics, white moderates outnumbered white conservatives, though the margin is dropping. There are some ideological differences. "White Catholic moderates are closer to Catholic liberals than to Catholic conservatives when it comes to social issues such as same-sex marriage and abortion." Hispanic Catholics are slightly more favorable to same-sex marriage and slightly less sympathetic to legal abortion than all Catholics, but a majority remain on the liberal side. Hispanic and other minority Catholics are substantially younger than white Catholics. White Catholic conservatives are the oldest group, which could reduce their future influence. White conservatives and Hispanics attend church more frequently than liberals.

The attempt by some Catholic Republicans to use parish newsletters to support Romney in El Paso and in New York City was promptly denounced by Catholic Democrats. In San Antonio, Bexar County Commissioner Tommy Adkisson wrote a letter to Archbishop Gustavo García-Siller, complaining that an October "religious freedom rally" in San Antonio became a Republican campaign event. The Catholic diocese of El Paso

warned that "churches are strictly prohibited from engaging in political campaigning or endorsement of a particular candidate," a view echoed by the Archdiocese of New York.

Catholic voters nationally remain strongly opposed to being influenced by or dictated to by bishops in political matters. A national public opinion survey conducted for Catholics for Choice by Belden Russonello Strategists found that by 83% to 13% Catholics rejected the idea that "Catholic voters have an obligation to vote only for candidates who are recommended by the Catholic bishops."

Every Catholic subgroup, including conservatives, Republicans, weekly churchgoers, and those who oppose legal abortion, was strongly opposed to attempts by bishops to influence their vote.

The poll also found that Catholics "place jobs, public education and health care at the top of their issue agenda and give a low priority to abortion and gay marriage."

Several organized efforts to influence Catholic voters were noticeable during the campaign. Catholics in Alliance for the Common Good (CACG) is generally aligned with the Democrats and stresses economic justice, workers' rights, health care and immigration reform.

On a couple of issues CACG straddles the line between the bishops and progressive politics. The group supported the Obama administration compromise on the contraceptive mandate by omitting some religious institutions from the requirement. "CACG respects that many Americans understand contraception as a basic requirement of health care. Furthermore, we note that most of the mandated preventive services are entirely non-controversial but will go a long way toward rectifying the unpardonable neglect women's health care has received for decades from insurance companies. This increase in preventive care for



women is a large step forward, is entirely consistent with the Common Good, and it would not be possible except for the passage of the Affordable Care Act.”

While CACG opposes abortion, it says that “legal efforts to protect the unborn represent an illegitimate form of coercion, limiting the rights of women who find themselves in very difficult circumstances.”

The group also addressed religious liberty in its Voter Guide. “We deplore any effort by any political party to turn the issue of religious liberty into a partisan wedge issue. America’s foundational commitment to religious liberty has, for more than two hundred years, helped unite Americans, not divide them. We at CACG oppose efforts to restrict religious liberty, but we also oppose efforts to demean it by turning it into a partisan issue.”

At the other end of the spectrum, six former U.S. ambassadors to the Vatican endorsed Romney in August. Five had been appointed by Republican presidents. Only one, former Boston Mayor Ray Flynn, was appointed by Bill Clinton. The group cited abortion, gay marriage and religious liberty as reasons why they founded “Catholics for Romney,” an ad hoc group. The six charged that “the current administration has brought our first freedom under direct assault by imposing government mandates that completely disregard religious conscience.”

Final returns showed Obama beat Romney 50% to 48% among these classic middle-of-the-road swing voters, noted for their internal diversity.

Catholic reaction to the election was varied. *The National Catholic Reporter* wrote that “the Catholic bishops were among the big losers” in the election because of their apparent pro-Romney tilt. Jon O’Brien, president of Catholics for Choice, congratulated Obama on his victory and said, “We look forward to working with his administration for another four years. During the campaign we heard the president reassert his commitment to women’s reproductive health. Catholics across the country share this commitment, and reject the interference of the US Catholic bishops in politics and in women’s healthcare decisions and access.”

John Russonello, who specializes in public opinion research at Belden Russonello Strategists, wrote recently in *Conscience*, “The Catholic vote

has mirrored the popular vote in almost all of the presidential elections since President Nixon was in office. Catholics are also very similar to the general public in their ideology and partisanship....By examining Catholics’ attitudes regarding major political issues and the influence of Catholic bishops in politics, we find instead that Catholics are a microcosm of the American public. Their attitudes are based more on their political ideology than their religious identity, and they resoundingly reject the influence of the church in the political arena.” He also found that Catholics generally hold opinions similar to the American mainstream on abortion, gay marriage, and foreign aid, and are divided by the same demographic differences as most other religious groups. They also, he says, “clearly see politics and religion as separate spheres, even more so than other religiously affiliated Americans” and “broadly oppose the bishops’ use of the political arena to advance their opinions on morality.” ■

Marriage Equality, *cont. from page 5*

Tacoma and Spokane voted against the proposal, while the liberal state capital, Olympia, (Thurston County) supported it. The urban counties outside of Seattle voted no 52% - 48%.

Suburban counties around Seattle were 53% favorable, while rural and small-town areas voted 58% - 42% no and provided a 108,000-majority for the no side.

The mostly complete final returns were 1,525,763 in favor (53.2%) and 1,340,311 opposed (46.8%).

Two small counties on the coast gave overwhelming support for marriage equality. High-income San Juan County voted 71% yes and Jefferson County 63%. Jefferson County has the unusual distinction of being the most Unitarian-Universalist county in the U.S., where 6% of the religious population identifies with the UUs. Jefferson County has relatively large Catholic and Episcopalian communities. Seventh-day Adventist and Mormon areas voted no by large margins. Whitman County, where Washington State University is located, split almost evenly. ■

The Evangelical Vote

America’s most reliably Republican voting bloc (along with Mormons, who had an additional reason to vote Republican this year) are white evangelicals, who have generally represented 20%-25% of the national vote. A Pew survey this year shows them down to 19%, almost the same as the growing number of religiously unaffiliated voters. White evangelicals dominate the South and some of the Southern-oriented Border States. They are an aging group, however, not the youthful group that bounded on the political scene when Jimmy Carter won the presidency in 1976. (Carter was the last Democrat to receive a significant evangelical vote.)

Evangelicals gave John McCain about 75% support, down a bit from the 80% who backed George W. Bush. Polls earlier this year found considerable opposition to a Mormon president, but that reluctance disappeared quickly.

Polls consistently showed Romney at 75% or better in the matchup with Obama, who remains extremely unpopular with this consistency. The book *No Higher Power* by Phyllis Schlafly and George Neumayr

sold well in evangelical bookstores. Its opening sentence set the tone: “The policies of the Obama administration represent the greatest government-directed assault on religious freedom in American history.” While most voters rejected this view, according to several surveys, it resonated among conservative evangelicals.

Tobin Grant wrote in *Christianity Today* that evangelicals “remain the base of the Republican Party, favoring Romney over Barack Obama four-to-one.” Grant cited support for Romney from Family Research Council president Tony Perkins, who said that “someone who has been part of a persecuted religion is going to be even more sensitive to the issue of religious freedom.” Former Arkansas Gov. Mike Huckabee echoed, telling GOP convention delegates, “I care far less as to where Mitt Romney takes his family to church, than I do about where he takes this country.”

Former Christian Coalition chieftain Ralph Reed, discredited years

continued on page 8



ago by the Abramoff influence-peddling scandal, returned from exile. Reed's Faith and Freedom Coalition claimed that 17 million registered voters in 15 key states were targeted for pro-Romney messages. He promised that 5,000 volunteers would distribute 25 million voter guides to 117,000 churches, but this was surely an exaggeration.

According to *New York Times* reporter Jo Becker, Reed's group is concentrated on "bumping up evangelical turnout in swing states like Colorado, Florida, Iowa, Nevada, North Carolina and Ohio." The group also "plans to focus on two state ballot measures: a proposed constitutional ban on same-sex marriage in Minnesota and an effort to recall an Iowa Supreme Court justice who voted to legalize same-sex marriage in the state."

As the campaign reached the home stretch, "Evangelical leaders, worried that Mitt Romney's Mormonism could suppress conservative turnout on Election Day, are intensifying appeals for Christians to vote," reported AP's Rachel Zoll. She added, "More than two dozen prominent evangelical leaders issued a statement emphasizing the values spelled out in the GOP platform against abortion, gay marriage and other policies were more important than an individual politician's religion." Among those signing the statement were Rev. Franklin Graham, head of his father's Evangelistic Association, and Frank Wright, leader of the National Religious Broadcasters. Billy Graham, the patriarch of evangelicalism, signaled his support for Romney, as did Pentecostal publisher Steve Strang and Southern Baptist leader Albert Mohler.

The partisan stance of Rev. Billy Graham and The Billy Graham Evangelistic Association (BGEA), now run by his son Franklin, raised considerable attention late in the campaign. BGEA placed full-page ads in *USA Today*, *The Wall Street Journal*, *The New York Times*, and newspapers in battleground states that urged voters to "cast our ballots for candidates who base their decisions on biblical principles and support the nation of Israel. I urge you to vote for those who protect the sanctity of life and support the biblical definition of marriage between a man and a woman. Vote for biblical values this November 6," (a statement attributed to Billy Graham). BGEA then piously claimed that the ads "intentionally do not mention any candidate, political party, or contest."

However, Graham biographer William Martin said "the ads leave no doubt about their intent," which clearly identifies Governor Romney as "the only presidential candidate a Christian can support in this election."

Historian Michael Hamilton observed that "the BGEA's new 'Vote Biblical Values' campaign repeats the slogans of the Religious Right in a way that Graham himself has never done before," and suggested that Franklin's coziness with the Religious Right had influenced the senior Graham. Franklin Graham also wrote an article in the October issue of *Decision* magazine explaining "Why Evangelicals Can Vote for a Mormon."

Martin lamented the politicization of an influential ministry. He asked, "How did economic injustice and concern for the poor lose out to homosexuality as the cause for which 'values voters' should be most concerned?"

As it turned out, evangelicals supported Romney 79% to 20%. ■

The "Nones": New Democratic Ally

About one-fifth of American adults (20%)—and 32% of those ages 18-29 - have no religious affiliation, according to a new survey from Pew Research Center.

In this growing segment of the population (up from 15% in 2007), 63% are Democrats or Democratic-leaning voters and 75% voted for Barack Obama in 2008. They are about 20 points more liberal than all voters on social issues, with 72% favoring legal abortion and 73% supporting same-sex marriage. The unaffiliated voters are twice as likely to call themselves liberal in ideology (38%) as are all voters (21%). They are also less likely to be conservative (20%) than all voters (39%). Moderates draw about equally from affiliated and unaffiliated voters.

The unaffiliated are much more critical of religious group involvement in politics than all voters. Two-thirds (67%) of the unaffiliated agree that "churches and other religious organizations are too involved with politics" compared to 41% of church members.

The secular voters play an increasingly important role among the Democratic base. Of all the religious subgroups, they rank first, with 24% of Democrats and Democratic-leaning calling themselves unaffiliated. Among the Democrats, 16% are black Protestants, 14% white mainline Protestants, 13% white Catholics, 9% white evangelicals, 7% Hispanic and other Catholics, 5% other Protestants, and 9% other faiths. The Democratic base is far more religiously diverse than the Republican base (which is also true in ethnicity).

Among Republicans only 11% are unaffiliated, while 34% are white evangelicals, 20% white mainline Protestants and 18% white Catholics. Other faiths (7%), other Protestants (5%), Hispanic Catholics (3%), black Protestants (1%) and other Catholics (1%) round out the GOP base.

Religion and ethnicity interact in the party bases: 54% of Republicans are white Protestants, but only 23% of Democrats are. Including white Catholics makes the GOP base 72% white Christian and the Democratic base 36% white Christian. Black, Hispanic and Asian Christians make up 28% of Democrats and 10% of Republicans.

Evangelicals are four times more likely to belong to the Republican base, while the unaffiliated are more than twice as likely to belong to the Democratic base. Catholics remain the classic swing vote, with 22% of Republicans and 21% of Democrats calling themselves Catholic. And despite their liberal views on many social issues, mainline Protestants are still more numerous in Republican ranks than among the Democrats (20% to 14%).

Pew researchers found that disaffiliation varies widely by age: The younger the age, the higher the percentage who have no religious affiliation. While nearly a third (32%) of the 18-29 age group are unaffiliated, only 9% of voters over age 65 claim no affiliation. (It is even higher at the extremes, with 34% of voters in their early twenties but only 5% of those over 85 claiming no affiliation).

While age is the determining factor in the secular community, race, education and income are not significant, though secularity has increased a bit more among whites and college graduates than among non-whites and non-college graduates since 2007. Men are somewhat more likely (23%) than women (17%) to have no religious affiliation,



but the change from 2007-2012 is about the same for both genders. Single voters (24%) are more likely than married voters (14%) to have no affiliation. Voters in the West (26%) and Northeast (21%) are more likely to be unaffiliated than residents of the Midwest (19%) and the South (15%). But all regions show an increase since 2007.

Pew researchers note that the vast majority of the “nones” are not anti-religious. Fewer than 6% of adults call themselves atheist or agnostic, and many of the unaffiliated have vague religious interests and beliefs. But most are not inclined to identify with any particular religion, and only 10% of them say they are actively seeking a religious

affiliation. This new category of voter is likely to remain significant, and may even increase, in the years to come.

The political impact of the unaffiliated voters may be diluted by their relative indifference to politics. A poll released October 22 by the Public Religion Research Institute found that only 61% of the “nones” were certain to vote compared to 73% of religiously affiliated voters. This is related to the youthfulness of the “nones,” who are strongest among those ages 18-29, the age group that has been consistently the least likely to vote. ■

Religious Right Rallied to Akin

While most Americans were appalled by Missouri Republican Rep. Todd Akin's comments on race and abortion, numerous Missouri clergy openly supported his embattled candidacy. After leading Republicans, including Mitt Romney and Paul Ryan, urged Akin to withdraw from the race in August, Missouri Baptist Convention (MBC) leaders hosted a conference call on August 24 to rally support for the GOP Senate nominee.

An estimated 400 Baptist preachers joined the conversation led by Don Hinkle, editor of the MBC newspaper. A prominent participant was former Arkansas governor and presidential candidate Mike Huckabee, himself an ordained Baptist minister. Huckabee told listeners, “Pray that God will show his hand. This could be a Mount Carmel moment. You know, you bring your gods, we'll bring ours. We'll see whose God answers the prayers and brings fire from heaven. And that's kind of where I'm praying is that there will be fire from heaven, and we'll see it clearly, and everyone else will too.”

John Yeats, MBC executive director and a leading Southern Baptist Convention official, added, “We need to pray for Congressman Akin and his family and his work, his campaign. We need to call upon the Lord for resources for him to carry on and fight the good fight.” Yeats aimed his barb at Republican leaders who threatened to cut off all party funds from the Akin campaign. The Religious Right's favorite pseudo-historian David Barton reiterated his endorsement of Akin. Both Akin and Barton met with ultraconservative Christian leaders from the secretive Council for National Policy in Tampa.

Brian Kaylor, a contributing editor for *EthicsDaily.com*, wrote that “Missouri Baptist leaders and other conservative Christian activists are flexing their political muscle” in this campaign, raising questions about engagement in partisan politics by tax-exempt organizations.

The preachers' campaign intensified by October, when 400 clergy gathered in a St. Louis hotel to promote direct political activity. They even “prayed over the kneeling figure of Rep. Todd Akin,” according to *Washington Post* reporter Tom Hamburger, who noted that supporters raised \$1 million for Akin during the previous month.

The gathering in St. Louis and a previous one in Kansas City involved “more than 800 preachers representing 14 Christian denominations” and was funded by the American Family Association (AFA), an extremist group based in Tupelo, Mississippi. AFA owns 187 radio stations in 20 states and has specialized in anti-gay campaigns so vile that the Southern Poverty Law Center labeled it a “hate group.”

The *Post's* Tom Hamburger described the meeting: “Speakers at the St. Louis event—including Texas Gov. Rick Perry—introduced political candidates and encouraged evangelical ‘awakening’ and political

action, but they did not endorse or focus on Akin or other candidates by name. Much of the program offered practical advice: how pastors can sometimes endorse candidates from the pulpit and invite them to speak at church; ways to improve evangelical Christian voter participation; and promotions for revival rallies, registration events and distribution of voter guides listing candidate positions on abortion, prayer and gay marriage.”

This blatant political activity shows the willingness of the Religious Right to ignore inconvenient laws as well as concerns about church-state separation. Akin's supporters included old Religious Right operatives like Gary Bauer and Tony Perkins and Republican politicians close to the Religious Right, including Senators

Roy Blunt, Tom Coburn, and Jim DeMint, as well as former Congressman J.C. Watts. ■



Election Tidbits

- Doug Collins, the new Republican member representing rural North Georgia's Ninth Congressional District, was an Air force chaplain with a degree from New Orleans Baptist Theological Seminary.
- The Kennedys are back. Voters in the Fourth Congressional District of Massachusetts elected Joseph P. Kennedy III, whose great-uncle was President John F. Kennedy. After a two-year hiatus (2011-2012), the Kennedy tradition in politics, which began in 1946, has returned.
- Nostalgia is back. Rick Nolan of Minnesota served in Congress from 1975 to 1981, and returns after an absence of three decades. Nine members of the 113th Congress formerly served in previous Congresses.
- Obama swept his home state of Hawaii and his residential state of Illinois, though by slightly reduced margins. He voted in Cook County, where he was supported by 75%, almost as high as 77% in 2008. Vice President Biden's hometown of Scranton, Pennsylvania (Lackawanna County) and his residential home of Wilmington, Delaware (New Castle County) faithfully supported the Democratic ticket by large margins.
- Romney, however, lost his birth state (Michigan) and his residential state (Massachusetts), though he did carry his summer home (Wolfeboro, New Hampshire). Paul Ryan's home state of Wisconsin, his home county (Rock) and his hometown (Janesville) all rejected the Republican ticket.

Some Sample Counties

Democratic – Leaning

Hispanic

County	State	% Obama 2012	% Obama 2008	% Change
Rio Arriba	NM	77	76	+1
San Miguel	NM	79	81	-2
Santa Cruz	AZ	69	66	+3
Costilla	CO	75	75	0
Imperial	CA	65	63	+2
El Paso	TX	67	66	+1
Duval	TX	77	75	+2
Hidalgo	TX	71	70	+1
Starr	TX	87	85	+2
Webb	TX	77	72	+5
Zavala	TX	84	85	-1

High Income Secular

County	State	% Obama 2012	% Obama 2008	% Change
Pitkin	CO	69	75	-6
Marin	CA	76	79	-3

Swing Counties

County	State	% Obama 2012	% Obama 2008	% Change
Dubuque	IA	57	61	-4
Suffolk	MA	79	78	+1
Ste. Genevieve	MO	48	57	-9
Coos	NH	59	59	0
Hudson	NJ	78	74	+4
Clinton	NY	63	61	+2
Richmond	NY	51	48	+3
Cambria	PA	41	50	-9
Elk	PA	42	52	-10
Lackawanna	PA	64	63	+1
Calumet	WI	44	51	-7
Kewaunee	WI	47	56	-9

Lutheran

Bremer	IA	51	55	-4
Cass	ND	49	54	-5
McIntosh	ND	31	39	-8
Nelson	ND	47	53	-6
Lee	TX	27	32	-5
Eau Claire	WI	57	61	-4
Vernon	WI	58	61	-3

Republican - Leaning

Evangelical

County	State	% Obama 2012	% Obama 2008	% Change
Sioux	IA	84	82	+2
Ottawa	MI	67	62	+5
Missaukee	MI	67	61	+6
El Paso	CO	61	59	+2
Greene	MO	62	58	+4
Greenville	SC	64	62	+2

Mormon

County	State	% Obama 2012	% Obama 2008	% Change
Utah	UT	90	81	+9
Madison	ID	94	87	+7

Southern Baptist

County	State	% Obama 2012	% Obama 2008	% Change
Holmes	FL	85	83	+2
Dunklin	MO	65	61	+4
Roosevelt	NM	70	65	+5
Lea	NM	75	72	+3
Winston	AL	87	82	+5
Union	GA	80	64	+16
Smith	TX	74	70	+4
Anderson	SC	68	67	+1

ARL in Action

ARL and its partners in the Coalition Against Religious Discrimination (CARD) sent official communications to HUD and to the Faith-Based and Other Neighborhood Partnerships office on November 28, urging stronger implementation of presidential directives on religious liberty.

CARD members wrote, “The President’s Executive Order on November 22, 2010, represents a huge step forward in protecting religious freedom, especially for the beneficiaries of these services. These protections are important, as they help ensure that individuals in need are never faced with the stark choice between essential services and the constitutional and civil rights protections to which they are entitled.”

CARD urged the Faith-Based office to “inform beneficiaries of their religious liberty rights and to provide beneficiaries the right to access an alternative provider if they object to the religious character of a social service provider.”

CARD also reminded the offices that “government may not fund explicitly religious activities.”

Religious Affiliations, 113th Congress: First Hindu, More Catholics and “Nones”

The 113th Congress will have its first Hindu member: Tulsi Gabbard, a Democrat from Hawaii. Her election represents a continuing trend toward religious diversity in U.S. politics.

Catholics increased from 156 to 162, an all-time high. The unaffiliated increased from six to 10, reflecting changes in the larger society. Nondenominational Christians and Baptists also inched upward, while Methodists, Presbyterians, Jews, Episcopalians and Lutherans have fewer numbers than in the 112th Congress.

There are now ten religiously unaffiliated members of Congress, two in the Senate and eight in the House. All are Democrats and most of them represent Western or Midwestern states. This undoubtedly reflects a national shift toward disaffiliation.

The defeat of 10-term representative Roscoe Bartlett in Maryland removes the last Seventh-day Adventist Republican from Congress. There are two Adventist Democrats: Texas Rep. Sheila Jackson Lee, and newly-elected Raul Ruiz, a Latino physician who ousted Mary Bono Mack in Palm Springs, California. White Adventists have historically been Republican, but their support for strict separation of church and state has diminished their Republican enthusiasm in recent years.

The first new Unitarian Universalist elected to Congress in recent years is California Democrat Ami Bera, a physician and first-generation Indian-American, whose family is Hindu.

Catholics remain in first place, with a record 162 members, 27 of them in the Senate. Democrats outnumber Republicans 93-69 in this large group. Catholic Democrats are strong in Arizona, California, Connecticut, Illinois, Massachusetts, New York and Texas, while Catholic Republicans are dominant in Florida, North Carolina, Ohio and Pennsylvania. Sixteen of the 26 Southern Catholic members are Republicans.

Catholics will have more clout in Democratic ranks than among Republicans, since 36% of Democratic members are Catholic compared to 25% of Republicans. There is still a significant Catholic presence in the Republican Party, and most of the leading candidates for the party's 2016 presidential nomination (Paul Ryan, Chris Christie, Marco Rubio, Bobby Jindal, Jeb Bush) are Catholic.

Baptists are second with 72 members. Republicans outnumber Democrats 47-25, a reversal of the usual 2-1 Democratic edge that prevailed among Baptist members several decades ago. Racial differences explain the change. Twenty-two of 25 Democratic Baptist House members are African American. There are only three white Baptist Democrats in the entire Congress. Republican ranks have been increased by Southern Baptist members.

Methodists (45) and Presbyterians (42) follow in third and fourth places, though both groups have only a shadow of their former strength. Republicans dominate both of these mainstream, middle-of-the-road Protestants, outnumbering Democrats 62-25. A majority of both Methodists and Presbyterians represents Southern and Border South states.

Episcopalians (34) and Jews (32) are next, and both have steadily lost members in the past few years. Episcopalians lean Republican (20-13). Many of their members come from Florida, Virginia and Texas. The new Independent Senator from Maine, Angus King, is an Episcopalian. Jews are almost all Democrats, except for House Republican Eric Cantor and Vermont's Independent Senator Bernie Sanders. Jewish representation is geographically disbursed, and there is at least one Jewish member from 17 states. Most, however, represent California, Florida and New York.

There are 55 members who call themselves “Christian,” “Protestant” or “Evangelical,” without specifying any denominational preference. They are more likely to be Republicans (36-19). They are most numerous in California and Washington, but can be found everywhere.

The 24 Lutheran representatives are evenly split on partisan lines. They are found mostly in the West and Midwest, with only one in the Northeast and none in the South.

The 15 Mormon members are mostly Republican (12-3), even though Democratic Senate Majority Leader Harry Reid is a Mormon. All represent Western states, especially their traditional strongholds of Utah and Idaho.

A wide diversity of religious groups is represented in the U.S. Congress, a diversity that continues to expand.

Religious Affiliations, 113th Congress (Preliminary Results)

Religion	Total	Senate	House	Democrat	Republican
Catholic	162	27	135	93	69
Baptist	72	9	63	25	47
Methodist	45	9	36	13	32
Presbyterian	42	14	28	12	30
Episcopalian*	34	4	30	13	20
Jewish*	32	10	22	30	1
“Christian”	28	2	26	13	15
Lutheran	24	5	19	12	12
“Protestant”	22	5	17	6	16
Mormon	15	7	8	3	12
Unaffiliated	10	2	8	10	0
Eastern Orthodox	5	0	5	2	3
United Church of Christ	5	3	2	3	2
Buddhist	3	1	2	3	0
Muslim	2	0	2	2	0
Hindu	1	0	1	1	0
All others	28	2	26	8	20

*Includes one Independent

Note: These totals represent the certified final results from 530 districts. There are still recounts, a runoff election in Louisiana in December and a vacancy in Illinois due to the resignation of Rep. Jesse Jackson, Jr.

Moving?

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

Other Election Highlights

- Voters in Georgia by 59% to 41% approved an amendment to the Constitution that would allow the creation of a new commission to approve charter schools. The state's Republican superintendent of schools had opposed the proposal, saying it would harm public education. His fellow Republicans were not amused. The wording on the ballot has been challenged by a lawsuit.

- Iowa voters refused to remove state supreme court justice David Wiggins, who had been part of the unanimous 2009 decision legalizing same-sex marriage. This came just two years after voters removed three other justices for their role in the decision. Religious Right activists brought in Rick Santorum and Louisiana Gov. Bobby Jindal to a "No Wiggins" bus tour in September. Santorum blasted "the judiciary's usurpation of authority" in events sponsored by such extremist groups as "Iowans for Freedom," "Patriot Voices," "The Conservative Alliance" and the "National Organization for Marriage."

- By a 2 to 1 margin, voters in Damascus, Maryland, a farm community turned Washington, DC suburb, got rid of Prohibition after 130 years. Numerous previous referenda had failed to legalize the sale of wine and beer, but voters decided to move from the 19th century to the 21st century.

- Recreational use of marijuana was approved in Colorado and Washington State. Medical use of marijuana passed in Massachusetts but was rejected in Arkansas.

- The stunning array of victories for same-sex marriage in four states (Maine, Maryland, Minnesota, and Washington) came from urban and suburban voters, from areas with high levels of income and education, and from college student enclaves, while generally

losing in rural areas, small towns and in some outlying suburbs.

- Washington State narrowly passed a charter schools initiative that had been rejected four times before. Backed by Republicans and opposed by Democrats, it benefited from a huge outpouring of funding. *Education Week* reported that supporters of charter schools (Initiative 1240) outspent opponents \$8.3 million to \$275,000. The proposal won an odd coalition of conservative Republican rural counties and wealthy Democratic-leaning areas around Seattle, where corporate support from Bill Gates and others was a factor. Washington will become the 42nd state to allow charter schools.

- Massachusetts' voters narrowly rejected (51-49%) a proposal for doctor assisted suicide. The Bay State campaign was relatively quiet, with most churches, notably the Catholic Church, leading the opposition.

- Montana voters, by 70% to 30%, approved parental notification for minors seeking an abortion.

- Former Alabama Supreme Court Chief Justice Roy Moore regained his seat in the election. He was ousted several years ago by fellow justices after refusing to obey a federal court order to remove a Ten Commandments monument from the courthouse.

- Despite statewide Republican victories in the presidential and gubernatorial elections, Indiana voters ousted Republican state school superintendent Tony Bennett, a supporter of school vouchers and a critic of teacher unions. Democrat and public school teacher Glenda Ritz won the race even though "Bennett outraised Ritz by a huge margin and has a national profile," wrote Andrew Ujifusa in *Education Week*.



Church and State in the Courts

A secular company whose Catholic owner objected to including contraception in its employee insurance coverage cannot claim a religious freedom protection. U.S. District Judge Carol Jackson of St. Louis ruled on September 29 that the HHS contraception mandate does not violate the religious freedom of O'Brien Industrial Holdings. "Indirect financial support of a practice, from which a plaintiff himself abstains according to his religious principles, does not violate the owner's religious freedom," the judge concluded. The court added that the Affordable Care Act is a "neutral law of general applicability." *The New York Times* on October 4 praised Judge Jackson, a George H. W. Bush appointee. "Her ruling accurately said the regulation is a 'neutral' attempt to expand women's access to health care and combat gender bias, and applies equally to all denominations. . . . Judge Jackson's powerful ruling is a victory for women and religious freedom. The many other courts hearing similar lawsuits by companies, individuals and groups with religious affiliations should follow her approach."

A federal judge, however, ruled on November 16 that an evangelical publishing company should not be forced by the federal Department of Health and Human Services to provide contraceptives to its employees. U.S. District Judge Reggie Walton of the D.C. Federal District Court granted a preliminary injunction sought by Tyndale House Pub-

lishers of Carol Stream, Illinois, ruling: "The contraceptive coverage mandate affirmatively compels the plaintiffs to violate their religious beliefs in order to comply with the law and avoid the sanctions that would be imposed for their noncompliance."

Judge Walton, a George W. Bush appointee, acknowledged that the federal government has broad and compelling interests in insuring access to health care for women, but suggested that the government had not shown that the HHS mandate "furthers those compelling interests." A later hearing will be set to determine whether the injunction should be made permanent.

On November 1 a Michigan district court granted a Catholic-owned company, Weingartz Supply Company, a temporary injunction on religious grounds. Criswell College in Dallas filed a suit against HHS on the same day.

Christianity Today reported that some of these injunctions raise "hope of legal victory for more than 110 hospitals, schools, and corporations that have filed lawsuits against the federal government over the healthcare law. (Catholic organizations have protested the law's requirement that insurance cover contraceptives; evangelical plaintiffs have narrowly objected to the list of contraceptives that must be covered, including 'emergency contraceptives' that may inhibit uterine implantation)."



Free public school yoga classes in the San Diego County beachside community of Encinitas may face a legal challenge. A group of parents protested that the yoga program is unconstitutional in an October 12 letter to Encinitas Union School District superintendent Tim Baird. The group's attorney, Dean Broyles, told a local newspaper that the school district "is using taxpayer resources to promote Ashtanga yoga and Hinduism, a religious system of beliefs and practices." The classes are funded by a \$533,000 grant from the Jois Foundation, an organization that promotes yoga. The school district chooses teachers and sets the curriculum while the foundation trains the teachers. The district supposedly removed all religious content from the twice-weekly classes, but a number of parents removed their children from the program. Both the superintendent and the foundation denied that yoga has any religious underpinnings but is rather "a part of our mainstream culture."

There is legal precedent for challenging Eastern religious practices in public schools. The case *Malnak v. Yogi* from the 1970s successfully ended a Transcendental Meditation (TM) course in New Jersey. (ARL president Edd Doerr wrote exposés of the Hindu religious nature of TM.)



Two Illinois pharmacists who objected to providing Plan B contraception on religious grounds were supported by an October ruling from the Fourth District Appellate Court in Springfield. The decision affirmed a lower court's ban on a 2005 executive order by then-Gov. Rod Blagojevich that required all pharmacists to dispense contraceptives, including the morning-after pill. Pharmacists Glenn Kosirog of Wheaton and Luke VanderBleek of Chicago refused, saying the order violated their religious beliefs. Several courts dismissed their claim, ruling that the druggists had not lost their jobs and suffered no long-term harm. But the Illinois Supreme Court in 2008 ruled that the case must be heard on its merits, and a court held last year that the pharmacists cannot be forced to provide Plan B. The appeals court agreed but added that, in the future, only pharmacists who claim a prior religious exemption will be allowed to deny Plan B to customers.



Arizona's Day of Prayer was upheld by the Maricopa County Superior Court on August 13. The Phoenix-based court dismissed a challenge from the Freedom From Religion Foundation, holding that the group failed to demonstrate injury and therefore lacked standing. This represents another decision that concludes that proclamations of prayer

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by civilian officials are more ceremonial than coercive and do not require assent or action by the general public.



A church music director is considered a minister, according to a decision by the U.S. Court of Appeals for the Fifth Circuit. The appeals court invoked the ministerial exemption doctrine upheld and strengthened by the U.S. Supreme Court in the 2012 *Hosanna-Tabor* ruling. Philip Cannata had challenged his dismissal but church authorities cited the High Court's decision.

Philip Cannata had been music director at St. John Neumann Catholic Church from 1998 until 2007, when he was fired. He brought suit against the Diocese of Austin, alleging that the church dismissed him in violation of the Age Discrimination in Employment Act and the Americans with Disabilities Act. Church authorities said that because he was considered a "lay liturgical minister" he was subject to the ministerial exemption. A district court agreed.

The Fifth Circuit affirmed this ruling, holding that "the decision to select and control ministers belongs to the church alone." The three-judge panel concluded, "According to the state the power to determine which individuals will minister to the faithful also violates the Establishment Clause, which prohibits government involvement in such ecclesiastical decisions."

Cannata claimed that he merely played the piano for services, but evidence suggested that he exercised numerous functions that "furthered the mission of the church and helped convey its message to the congregants." The "undisputed evidence" indicates that "Cannata falls within the ministerial exception and that the exception therefore bars his suit." The case, *Cannata v. Catholic Diocese of Austin*, was decided on October 24.



South Carolina's program of released time for off-campus religious instruction will stand. The issue of whether public school credit for the classes could be granted was settled by a three-judge panel of the U.S. Court of Appeals for the Fourth Circuit in June, and the U.S. Supreme Court on November 13 declined without comment to hear an appeal to *Moss v. Spartanburg County School District*.

Education Week legal affairs correspondent Mark Walsh noted, "The court said the district was able to accommodate the wishes of religious families without having to directly assess the quality of the private school's offerings. The unaccredited Bible school submits its courses for approval through an accredited private religious school, court papers say."



The city of Santa Monica, California, will be allowed to ban all seasonal displays, US. District Judge Audrey Collins ruled on November 19. A Nativity scene had appeared every December since the 1950s in Palisades Park overlooking the Pacific Ocean. A coalition of churches has erected the displays. Last year, however, the city held a lottery to allocate spaces to competing groups, and atheist groups won 18 of the 21 spots, reducing the traditional Nativity display from 14 to two. The City Council then voted to ban all private unattended displays. The Santa Monica Nativity Scenes Committee filed suit in October to allow the displays to continue, but the court denied their request. ■



The Voucher Watch

• A *Washington Post* study of the city's federally-funded voucher schools found "that hundreds of students' voucher dollars are used to attend schools that are unaccredited or are in unconventional settings, such as a family-run K-12 school operating out of a storefront, a Nation of Islam school based in a converted Deanwood residence and a school built around the philosophy of a Bulgarian psychotherapist." The 52 private schools operating under the program "are subject to few quality controls and offer widely disparate experiences," according to *Post* researchers. Many of these schools are almost entirely funded by government. Also, "more than half of the 1,584 District students now receiving vouchers attend Catholic schools."

Previous studies of the program's effectiveness discovered there was "no conclusive evidence" that vouchers improved reading or math test scores for those who transferred from public to voucher schools. Congress still appropriated \$20 million for this year's budget, bringing to \$133 million the total amount appropriated since 2004.

The voucher schools do not have to disclose the number of voucher students or the public money they receive. While the schools must administer standardized tests, they can choose the type of test and do

not have to make the results known. The *Post* found that "at least eight" of the schools are not accredited, though they are supposed to employ only teachers with college degrees.

The program is opposed by the White House and Senate Democrats, but it is a personal favorite of House Speaker John Boehner. Clashes over continued funding are expected in the next Congress, though the retirement of Connecticut Sen. Joe Lieberman removes its most enthusiastic supporter.

• Louisiana's school voucher program suffered a setback on November 26 when U.S. District Judge Ivan Lemelle halted the program in Tangipahoa Parish, ruling that it conflicts with a 1965 desegregation requirement. Fifty students are enrolled in private schools in the parish (county) with taxpayer funds. About 4,900 students statewide participate in a school voucher program championed by Gov. Bobby Jindal. That program was found unconstitutional under state law on November 30. Judge Jim Kelley ruled that vouchers are improperly funded through the public school financing formula. ■

Updates

Voter Guides Rate Candidates, Parties

So-called "Christian" voter guides proliferated during this year's polarized national election. The Family Research Council, the Faith & Family Coalition, and American Values all trumpeted Religious Right priorities in their extensive voter guides. Mitt Romney was given much higher grades than Barack Obama. FRC claimed that Romney had moved from somewhat favorable to their positions during primary season to "completely supportive" in the general election. The extreme right American Family Association gave Romney a B+ and Obama an F grade. All the conservative groups emphasized abortion, gay rights, stem cell research, human cloning and "strict constructionist" judges. Tobin Grant, a reporter for *Christianity Today*, wrote of these guides, "Some are very informative. Most are not. All of them are biased, some more so than others."

The liberal evangelical *Sojourners'* voter guide was low-key, urging its members to "measure the policies of all candidates against a range of Christian ethics and values."

IRS Halts Church Tax Audits

The IRS has officially halted tax audits for churches, even if they engage in partisan politics. The government's tax agency says it must adopt new rules that clarify which high-level employee has the authority to initiate audits. "We are holding any potential church audits in abeyance," Russell Renwicks of the IRS's Tax-Exempt and Government Entities division told *BNA.com* in October. Evidence indicates that the IRS unofficially ceased church audits in 2009, after a court ruling in a Minnesota case found the agency was not following its own regulations.

U.S. Gets Lower Marks on Religious Restrictions

For the first time since the Pew Forum began its annual review of religious freedom, the United States slipped in overall rankings. Once ranked "low" in terms of government restrictions on religion and on the Social Hostilities Index, the U.S. is now placed in the "moderate" category.

Minority religions have come under increased scrutiny in prisons and elsewhere. Pew researchers reported, "During the period from mid-2009 to mid-2010, a number of the sources used in the study reported an increase in the number of incidents at the state and local level in which members of some religious groups faced restrictions on their ability to practice their faith. This included incidents in which individuals were prevented from wearing certain religious attire or symbols, including beards, in some judicial settings or in prisons, penitentiaries or other correctional facilities."

Pew noted that "Some religious groups in the U.S. also faced difficulties in obtaining zoning permits to build or expand houses of worship, religious schools or other religious institutions." The report cited an incident from the Southport Correctional Facility in Elmira, New York, in which a prisoner was denied his right to change his religious designation to Muslim before Ramadan. New York State requires inmates to apply for changes to religious affiliation. The United Nations Human Rights Council criticized this action in an official report.

The U.S. score on "Social Hostilities" also rose as a result of the "spike in religion-related terrorist attacks" and in "a rise in the number of reported religion-related workplace discrimination complaints."

Religious Freedom Caucuses Founded

Nine state legislatures will soon have caucuses charged to combat religious discrimination and to promote religious freedom. The American Religious Freedom Program (ARFP), an initiative of a conservative

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think tank, the Ethics and Public Policy Center, announced formation of a bipartisan group of 120 legislators in October. Nine states have these causes: Arizona, Colorado, Florida, Idaho, Kansas, Missouri, New Hampshire, Oklahoma and Tennessee.

The group has not spelled out precisely what issues will be pursued, but a conservative bias seems to be evident. ARFP director Tim Schultz told Baptist Press that the caucuses will oppose “state-sponsored injury to religion” and will emphasize free exercise of religion. Rep. Stephen Precourt of Florida said that the groups will “prevent the courts from being a means to push religious discrimination.” Nothing was said about separation of church and state.

GOP Targets Planned Parenthood

While congressional Republicans failed to cut off federal grants to Planned Parenthood (PP), state Republican-led governments have increasingly done so. Nearly a dozen states have sharply reduced state support for PP clinics. The most severe cuts have occurred in Arizona, Indiana, Kansas and Oklahoma. Republicans claim that actions are related to abortion, though abortion amounts to only 3% of the group’s activities, and in Oklahoma none.

In some states local officials have revoked federal family-planning grants. In Shelby County, Tennessee, officials transferred funds earmarked to Memphis Planned Parenthood to a Christian nonprofit organization. In New Hampshire, North Carolina, and Tennessee, however, some clinics appealed to the U.S. Department of Health and Human Services for restoration of funds.

Religious Restrictions Worsen Internationally

Eighteen nations experienced a “very high” level of government restrictions on religion, according to a 2012 report by the Pew Forum on Religion and Public Life. The usual subjects in the Muslim world (Egypt, Indonesia, Saudi Arabia, Afghanistan, Iran, Tunisia, Yemen, Algeria and Syria) were cited. Many of them had worsening conditions. Russia, Myanmar, Uzbekistan, the Maldives, Eritrea and Azerbaijan were also cited.

Pew researchers rated 50 nations as high or very high in government restrictions on religion, compared to 94 countries in the low category, and 53 in the moderate category. The number of nations rated in the high or very high categories has increased since 2010, indicating worsening conditions for religious freedom.

The Pew findings are similar to the State Department’s 2011 International Religious Freedom Report. The State Department reported that almost half of the world’s governments “either abuse religious minorities or did not intervene in cases of societal abuse.” Harsh treatment was meted out to Christians in Egypt, Tibetan Buddhists in China, and Baháís in Iran. Blasphemy statutes were used to imprison, detain and kill members of religious minorities in Pakistan, Saudi Arabia and Indonesia.

The State Department also found an increase in anti-Semitism in Hungary and Iran.

International Updates

Amsterdam: Both anti-religious and pro-religious parties lost badly in the Dutch parliamentary elections in September. The anti-Muslim and anti-immigrant Dutch Peoples Party (PVV), led by extremist Geert Wilders, dropped to 15 seats from the 24 it won in 2010 election. Wilders had wielded outsized influence over previous governments. The two Christian political parties, the relatively moderate Christian Democrats and the conservative Calvinist Christian Union together won only 18 seats, down from 26. Both Christian parties had been instrumental decades ago in creating state-financed religious school systems. Centrist liberal-Labor and pro-European parties fared the best, winning 80 of the 150 seats.

Ankara: The “science vs. religion” controversy continues in Turkey. The moderately Islamist government that has run the country since 2002 allocated twice as much money for the Directorate of Religious Affairs, which employs Muslim imams, as it did for the national science agency, Tubitak. Critics noted that Tubitak’s editors killed a 2009 story on Charles Darwin, which had been slated to appear in its official science magazine on the 150th anniversary of the publication of Darwin’s *Origin of Species*. The government has also introduced Koran lessons in state-run schools, which had been forbidden since the 1920s. Ali Alpar, astrophysicist at Istanbul’s Sabanci University, told *The Economist*, “For all their claims of being able to reconcile religion with modernity, Islamic movements in Turkey have signally failed to do so.”

Berlin: Germany’s Roman Catholic bishops issued a decree on September 20 that denies the sacraments, formal church burials and employment in church institutions to those who refuse to pay the annual church tax. Under German law, Catholics, Protestants and Jews pay a religious tax of 8-9% of their annual tax bill to their respective commu-

continued on page 16



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Updates, *continued from page 15*

nities. People who renounce their membership at the local tax office are exempt from the requirement, but cannot marry in the church without a bishop's approval and cannot be godparents.

Increasing numbers of both Catholics and Protestants have been withdrawing from churches. The annual exodus of Catholics has been about 120,000, rising to 181,193 in 2010.

Church taxes added \$6.5 billion to the Catholic Church and \$5.6 billion to the Evangelical Protestant (Lutheran) Church in 2010, according to a report in Reuters. Reuters noted that 30% of Germans are Catholic, 30% are Protestant, and 5% are Muslim. There are also 120,000 Jews in a population of 82 million. Nearly 35% of Germans affiliate with no religion.

The Church's policy was endorsed by Germany's Federal Administrative Court in Leipzig, which ruled on September 26 that a retired German theologian, Hartmut Zapp, could not legally remain a church member after severing his ties at the tax office. In other words, Germans who do not wish to pay the church tax cannot remain in the church. Zapp had argued that he had left the institutional church but remained a member of the "community."

Bhutan: The Himalayan Kingdom of Bhutan has banned all public religious activities for six months prior to its June 2013 elections. The ban, which goes into effect on January 1, is intended to assure that "religion shall remain above politics." The nation's Election Commission said "this noble national proclamation" applies to all "religious organizations and personalities." Bhutan recognizes only two religions: Buddhism, which claims 75% of the population, and Hinduism, the faith of 22%. Christians may comprise 2%.

Kampala: A new Ugandan law that restricts legal marriage ceremonies to only 2,000 of the nation's 37,000 churches is causing controversy. Independent and recently founded churches find themselves restricted, while the older Anglican and Catholic churches have received more favorable treatment from the government. The older denominations typically charge \$200 while the independent churches charge \$60 for weddings. Churches must also pay hefty fees for licenses to perform weddings. *Christianity Today* reported: "For now, the validity of more than one million marriages conducted over the past 10 years still hangs in the balance. Couples cannot apply for family loans or receive visas if their marriages are not legal." ■

Books and Culture

What Motivates Cultural Progressives?: Understanding Opposition to the Political and Christian Right, by George Yancey and David A. Williamson. Baylor University Press, 2012, 273 pp., \$34.95.

Two sociology professors at the University of North Texas have written what they believe is "the first attempt to do concentrated analysis of cultural progressive activists." They define cultural progressives as "individuals with a modern or postmodern understanding of morality that minimizes traditional religious explanations," while cultural conservatives are "individuals who rely on a historical interpretation of their religion to define morality."

These two groups constitute the primary troops of today's culture wars, which relate to how society should be ordered and regulated and to what extent freedom should be extended. Cultural conservatives, who have been studied frequently before, are generally called the Religious Right or the Christian Right, and cultural progressives see themselves as their foes in the areas of public policy, education and the like.

The authors conducted a survey among a representative sample of cultural progressives and also analyzed their "primary literature" to draw this portrait. Cultural progressives, they say, lack a base for their movement by being secular but they have considerable economic and educational clout. "They are likely to have a relatively high level of economic and educational resources," as well as "ample legal resources" and "scientific allies." They are highly represented in "the media and arts communities."

The sample group was heavily male, white, highly educated and well-to-do. Subgroups emerged, including "sexual progressives," political activists, feminists, and those who hold a high level of animosity toward religion in general, or toward fundamentalist Christianity in particular.

Yancey and Williamson conclude that "there is little reason to believe that either side will surrender in the culture war for some time to come," and that cultural progressives "have the resources to maintain a long-term fight with their rivals and will gain victories along the way."

-- Al Menendez