



# VOICE OF REASON

The Newsletter of Americans for Religious Liberty

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## Ten Commandments at the Bar: Two Victories, One Defeat

Two federal appeals courts reached sharply divergent opinions on the constitutionality of Ten Commandments monuments on public property. In *Glassroth v. Moore*, the U.S. Court of Appeals for the Eleventh Circuit held on July 1 that the installation of a two-and-a-half ton monument to the Ten Commandments in the rotunda of the Alabama Supreme Court violated the Constitution's ban on "laws respecting an establishment of religion."

The unanimous decision upheld a lower federal court ruling that reached the same conclusion.

The case reached the Eleventh Circuit because Alabama Chief Justice Roy S. Moore commissioned a granite monument of the Ten Commandments and had it moved secretly to the state supreme court rotunda during the evening hours of July 31, 2001. Moore insisted that he had the right to do so and in a speech commemorating the public unveiling of the monument said that "In order to establish justice, we must invoke the favor and guidance of Almighty God." Moore has become a folk hero to the Religious Right, and his most prominent supporters include TV preacher D. James Kennedy, who filmed the installation for his show on the Trinity Broadcasting Network. Moore's attorney, Herbert W. Titus, a sometime Pat Robertson associate, vowed to appeal the ruling to the U.S. Supreme Court.

The Eleventh Circuit found that the timing and placement of "excerpts from Exodus" had no legitimate secular purpose but rather had the primary effect of advancing a particular religion. The prominent placement of the monument, which "no one who enters the building can miss," was also a factor in the ruling, as was the practice of group prayer in front of the monument. The court rejected Moore's contention that "the Ten Commandments monument depicts only the moral foundation of secular duties" and is not religious.

The Eleventh Circuit panel also compared Moore's recalcitrant actions to those of segregationist Southern Governors Ross Barnett of Mississippi and George Wallace of Alabama, who tried unsuccessfully in the 1960s to reject federal law in favor of state sovereignty. The judges warned Moore, "Any notion of high government officials being above the law did not save those governors from having to obey federal court orders, and it will not save this chief justice from having to comply with the court order in this case. . . . If necessary, the court order will be enforced. The rule of law will prevail."

On June 26 a federal appeals court held that a 1920s-era Ten Commandments plaque at the Chester County, Pennsylvania, Court House does not violate the First Amendment.

In reaching its unanimous opinion, the U.S. Court of Appeals for the Third Circuit overruled a federal district court decision of March 6, 2002, which found the plaque unconstitutional. The appeals court ignored the historical context and the predominant interpretation of First Amendment jurisprudence in recent decades.

*continued on page 3*

## House Blocks Enforcement in the Commandments Case

The U.S. House of Representatives on July 23 voted 260-161 to bar enforcement of a federal court decision striking down display of the Ten Commandments at the Alabama Supreme Court building. The measure, sponsored by Rep. John Hostettler (R-IN), was in the form of an amendment to an appropriations bill.

Critics castigated the vote as a call for anarchy and for an unnecessary confrontation between the legislative and judicial branches of government. It is unlikely to have any practical effect, since federal court rulings rarely need federal marshals to enforce them. Still, the vote was a sign of a growing right-wing majority on social, cultural and religious issues in a House already sharply divided by partisan animosities.

It was no surprise that 94% of Republicans but only 25% of Democrats voted for the non-enforcement amendment. The greatest support came from the South, the Border South, the Rocky Mountain West and rural areas of the North. The main opposition came in New England, the Pacific Coast region, and the Mid-Atlantic states.

Protestants were much more likely to support (71%) than were Catholics (54%), Jews (4%), and the non-affiliated (0%). Methodists are fast becoming the most conservative voting group on religio-cultural issues, and 85% of House Methodists, including a majority of Methodist Democrats, voted for the amendment.

Nearly 78% of Mormons, and 70% of Lutherans, Episcopalians and Presbyterians voted yes, as did 67% of Baptists (including almost all Southern Baptists). More than a third of Baptist, Lutheran and Presbyterian Democrats voted yes. All four Democrats who belong to the moderate Disciples of Christ Church supported the amendment, perhaps reflecting their rural congressional districts. Interestingly, 3 of the 5 Christian Scientists (all Republicans) voted no.

(In a related development, the House passed by 307-119 another Hostettler amendment barring the use of federal funds to enforce the Ninth Circuit ruling on the Pledge of Allegiance issue.)

See "Vote on the Ten Commandments  
Non-Enforcement Amendment" box, page 3

### *Inside:*

Pew Poll Questions Tolerance . . . Congressional  
Vote Analysis . . . Conservatives are Guilty of  
Rewriting U.S. History . . . Insistence on "Under  
God" is a Political, Not Religious, Move . . . Of  
Sacraments and Civil Law . . . A Sad Day for Ohio  
. . . Vatican Intelligence? . . . *ARL in Action* . . .  
Update . . . Books and Culture . . .

## Pew Poll Questions Tolerance

Half of Americans say they would not vote for “a generally well qualified candidate” if he were an atheist. This prejudice exceeds that of any other religious group. About 38% said they oppose a candidate who was a Muslim, while 15% would oppose an “evangelical Christian,” 10% would not support a Jewish candidate and 8% would still vote against any Catholic – 43 years after JFK won the presidency.

The poll, conducted in July by the Pew Forum on Religion and Public Life, found that a considerable percentage (38%) of voters say their religious beliefs affect their political decisions, “at least occasionally.” About 58% of voters say their religious beliefs “seldom if ever” affect their voting decisions. White evangelical Protestants and African American Protestants are more likely to report that religion shapes their votes than Catholics or mainline Protestants.

Nearly 58% of white voters see the Republican Party as “friendly” toward religion while only 41% see the Democrats as pro-religion. Among black voters, 53% see Democrats as friendly toward religion while 27% view Republicans in the same light.

Religion colors the views of many Americans toward the conflict in the Middle East. Fully 44% of Americans believe that “God gave the land that is now Israel to the Jewish people” and 36% think that “the state of Israel is a fulfillment of the biblical prophecy about the second coming of Jesus.”

Evangelical Protestants are by far the most likely to hold these views. African Americans are the second most likely group to agree with these apocalyptic views toward Israel, while Catholics and mainline Protestants were the least likely to do so. (The Jewish sample was too small to draw valid conclusions.)

Slightly over half of voters (52%) supported churches and clergy addressing political issues while 44% opposed that involvement.

Anti-Muslim feeling is also rising sharply. Fully 44% of Americans now believe Islam is more likely than other religions “to encourage violence among its believers,” compared to 25% who held this view a year ago. During the same year, from 2002 to 2003, the percentage of Americans who believed that Muslims hold anti-American views rose from 36% to 49%. The number of Americans who say their religion has a lot in common with Islam has declined from 31% to 22%. The most negative views toward Islam are held by white evangelical Christians, political conservatives, and Republicans.

Finally, 62% of Americans think President Bush’s religious rhetoric is acceptable and 58% think his reliance on religion in policymaking is appropriate.

## Congressional Vote Analysis

The Partial Birth Abortion Ban, passed by the House 282-139 on June 4, shows the usual strong partisan, regional and religious cleavages. On this issue alone the anti-choice side received a large majority. Most other abortion law questions are more closely contested.

In 12 states every member supported the ban: Alabama, Idaho, Iowa, Kentucky, Louisiana, Nebraska, New Hampshire, Oklahoma, Rhode Island, Tennessee, Utah and West Virginia. In six one-member states the ban won: Alaska, Delaware, Montana, North Dakota, South Dakota, and Wyoming.

The ban was rejected in only nine states: California, Connecticut, Hawaii, Maryland, Massachusetts, New York, Oregon, Vermont and Washington. In 22 states the ban was supported by most members. In Maine the delegation split.

More than 98% of Republicans supported the ban, as did 32% of Democrats – a wide difference but not as wide a gulf as on some other church-state issues.

Religion clearly had an impact on the ban vote:

- All three Catholic Democrats in Michigan (Stupak, Kildee, Dingell) voted for the ban while the three non-Catholic Democrats (two black Protestants and one Jew) voted against it.
- Both liberal Catholics in Rhode Island supported it.
- The two Democratic defectors in Illinois and Wisconsin, the only ones in Indiana, Maine, Mississippi, and all four in Pennsylvania were Catholics.
- But the majority of Catholic Democrats nationally, and all in California, Oregon and Virginia, voted against the ban, including presidential candidate Dennis Kucinich of Ohio.
- Outside the South, most of the Democratic defectors were Southern Baptists, Presbyterians or Methodists. Fifty-six percent of Methodist Democrats voted for the ban, as did 45% of Presbyterian Democrats and 42% of Catholic Democrats.
- Most Hispanics opposed the ban, except in Texas, where four of six favored it. The two Hispanic Protestants (Ortiz of Texas and Bonilla of Texas) voted for the ban.
- Most African Americans opposed the ban, only four voting for it.
- The four Republicans who opposed the ban were mainline Protestants.
- All four Disciples of Christ Democrats voted for the ban.
- Democratic presidential candidate Dick Gephardt skipped the vote but Republican House Speaker, Dennis Hastert, who rarely

*continued on page 6*

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Senior Editor: Edd Doerr  
Editor: Albert J. Menendez  
Canadian Correspondent: John Clubine

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## Ten Commandments, *continued from page 1*

Choosing only to apply Justice O'Connor's "modification" of the *Lemon* test in cases dealing with religious displays on public property, the court concluded that "The reasonable observer would believe that the plaque itself is historic . . . and in the context of its history does not appear to be an endorsement of religion." The ruling claimed that a "reasonable observer would be aware of the approximate age of the plaque and the fact that the county has done nothing since it was erected to highlight or celebrate the plaque."

The court also thought it somehow significant that the plaque, erected with great flourish in 1920, was in an obscure place in the courthouse plaza and was surrounded by a number of other plaques and signs.

In reaching this dubious conclusion, the court tended to ridicule the historic three-pronged test of the 1971 *Lemon* case, by citing dissents in subsequent cases by Justices Scalia and Rehnquist and by claiming that the *Lemon* rules are "subjective." It also cited an obscure footnote from the 1984 *Lynch v. Donnelly* case generally upholding Christmas crèches on public property, by saying that actions by political authorities "need not be exclusively secular." (The *Lemon* ruling mandates that government actions have a clearly defined secular purpose, cannot advance or inhibit religion, and cannot result in "excessive entanglement" between church and state.)

The court found persuasive the testimony of local political leaders and local historical societies and seemed to ignore the commentary of religious scholars, especially those from the Jewish and Catholic traditions. The court implicitly endorsed a statement by Commissioner Dinniman, calling him "a practicing Reform Jew who disagreed with Rabbi Gordon's statement that Jews would be aware of these discrepancies or troubled by them." Rabbi Gordon argued that most Jews would be opposed to the exclusively Protestant version of the Ten Commandments that appears on the plaque, because the wording and arrangement of the text are different, some passages from the Hebrew Bible are eliminated while a passage from Jesus as recorded in the New Testament is included. Commissioner Dinniman, who must appeal to a mostly Christian electorate, claimed he had no problems with the version, nor did his fellow Jews.

The court also bought the argument that "The Ten Commandments have an independent secular meaning in our society because they are regarded as a significant basis of American law and the American polity, including the prohibitions against murder and blasphemy." (Does this court still regard blasphemy as a punishable offense?)

Finally, the court cited an Eleventh Circuit Court ruling which held that including the phrase "In God We Trust" "authenticates" legal documents, in this case the seal of Richmond County, Georgia.

No wonder ARL president Edd Doerr commented, "The illogic of this decision is exceeded only by its absurdity." ARL filed an *amicus curiae* brief urging the appellate court to sustain the district court ruling.

A second victory for church-state separation came on Monday July 14, when a federal court in Wisconsin ruled that the city of La Crosse must remove a Ten Commandments monument from a public park. The U.S. District Court for the Western District of Wisconsin held that the city had tried to "disguise its intent" by selling a parcel of public land to a private group, the Fraternal Order of Eagles.

This case, *Mercier et al. v. City of La Crosse*, has dragged on for years. In 1985 the Freedom from Religion Foundation and several plaintiffs filed suit in federal court asserting that the city had violated the First Amendment by displaying the monument in a city-owned park. In 1987 the court dismissed the case on standing grounds. That decision was affirmed by the Seventh Circuit Court of Appeals a year later.

In 2002 new plaintiffs filed a new lawsuit on the same grounds. The

### Vote on the Ten Commandments Non-Enforcement Amendment

<i>By Religion</i>	<i>% For</i>
Methodist	85.4
Latter Day Saints	77.8
Lutheran	70.6
Episcopalian	70.6
Presbyterian	69.4
Baptist	67.2
"Protestant"	65.2
Roman Catholic	54.2
Jewish	4.0
Non-affiliated	0
All Other Christian	67.4
All Protestants	71.3
<i>By Party</i>	
Republican	94.2
Democrats	25.4
All	61.8

city of La Crosse responded by selling the monument to the group that had donated it in 1964 and declaring a small portion of city-owned Cameron Park a private place. The original donors, the Fraternal Order of Eagles, installed fences around the Ten Commandments plaque, claiming that they did not endorse the religious expression contained therein. The Ten Commandments monument was installed in 1965.

U.S. District Court Judge Barbara Crabb wrote, ". . . The law of this circuit compels a conclusion that defendant violated the establishment clause when it displayed a monument of the Ten Commandments on public property without a secular purpose for doing so. Furthermore, defendant's sale of a minuscule portion of the park to the Eagles in order to preserve the presence of the monument proves rather than extinguishes defendant's endorsement of the monument's religious message. Thus, I conclude that the sale itself was a violation of the establishment clause."

Judge Crabb concluded that it was a ruse and a subterfuge for the city to disclaim endorsement of religious expression when the original erection of the monument and its subsequent "privatization" were clearly religious. The Eagles said in 1964 that the purpose of the monument was "to preserve the moral and religious heritage of the United States."

In closing, the court held, "First, it is respect for religion, not hostility toward it, that is the animating principle behind the establishment clause. . . . By prohibiting the government from favoring those who believe over those who do not, the establishment clause helps protect the rights of Christians, Jews, Buddhists, agnostics, Muslims and atheists. . . . Second, when the government displays favoritism to one faith, or even to multiple faiths, it sends a chilling message to those in the minority that they are not full members of the community." It also held that the plaintiffs had demonstrated a "sufficient injury beyond offense." Many plaintiffs expressed a sense of marginalization, of being outcasts and no longer an equal part of the community.

Judge Crabb held that the city had "sold a plot of land to one group with one religious viewpoint" and had "never allowed any other group to place a permanent monument in the park." The attempt to recant a religious purpose, after the 2002 case was filed, was "a disingenuous assertion at best." Indeed, the city rejected an offer from a local Episcopal church to move the monument to genuine private property.

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# Conservatives are Guilty of Rewriting U.S. History

by Joseph Chuman

The surest way to control the future is to control the past.

This slogan could serve as the rallying cry of the Christian right in its interpretation of the religious views of America's Founding Fathers.

To promote their attack on the separation of church and state, secular government, and liberal values, the religious right vigorously espouses the idea that Benjamin Franklin, George Washington, John Adams, James Madison, and even Thomas Jefferson were evangelical Christians much like themselves.

The religious right also contends that the United States is founded on biblical values. This strategy bolsters the promotion of school vouchers, the teaching of scientific creationism alongside of evolution, and charitable choice, which places government funds directly into church coffers, by contending that such programs reflect the true intention of America's founders. These claims are false. While the Founding Fathers believed in God and were in some sense Christian, the God they affirmed and the Christianity they professed bore no significant relationship to the beliefs of today's conservative crusaders. Theirs was a Christianity liberalized by the rationalism of the European Enlightenment and deeply skeptical of clerical authority.

Rather than worship the God of the Bible, many of the founders were attracted to deism. Deism, which flourished in America in the late 18<sup>th</sup> and early 19<sup>th</sup> centuries, is a religious view which holds that once God created the universe he let it unfold according to natural laws, without interference and uninterrupted by miracles.

Hence, Jefferson in the Declaration of Independence refers to "the Laws of Nature and Nature's God." Washington characteristically referred to God with impersonal designations such as "The Grand Architect of the Universe" and "Higher Cause." In his voluminous correspondence, there isn't a single reference to Jesus Christ, an odd omission if he had been an enthusiastic Christian.

Rather than basing the fledgling nation on biblical principles, the founders looked to near precursors such as John Locke and Isaac Newton, and ancient pagan philosophers such as Cicero and Seneca, with whom they were more familiar.

For our Founding Fathers, nature's laws, aided by reason, served as the source for individual rights and democratic government. Adams reinforced this basic fact when he wrote: "The United States of America

is the first example of governments erected on the simple principles of nature."

The explicitly non-religious character of American government is dramatically illustrated by omission: The United States Constitution makes not a single reference to God, and its sole reference to religion, in Article 6, declares that no religious test shall ever be required as a qualification to hold public office.

"The no religious test" clause of Article 6 aroused a firestorm of protest at the time and was hotly debated, underscoring the deliberate intention of its framers. The Constitution is an exclusively secular document dedicated to protecting the rights of citizens, peacefully mediating disputes among them, and allowing for the pursuit of happiness.

The secular character of the Constitution reveals how the Founding Fathers understood the relationship of religion to the state. While they certainly believed that a democratic society could be sustained only by a moral citizenry, and many affirmed that religion was an important source of morality, they emphatically denied that it is government's function to either promote religion or ensure the moral character of the American public.

In their view, leaning on the thought of Locke, both religion and morals are exclusively private matters. It is not the role of government to be a moral teacher, a crucial fact deliberately forgotten by those conservatives who wish to enhance religion's power with government support in an effort to redress what they see as a deteriorating moral condition in American life.

If America is suffering a moral crisis (a point on which many would disagree), the founders would have expected religious leadership to look to itself, and not to government, for assistance.

The private character of religion impelled the founders to create the doctrine of the separation of church and state. They were close enough in time to the great European wars of religion to know that when the absolute truths of religion are merged with the political power of the state, the result, too often, has been a toxic and explosive brew. One needs only to look at the resurgent warfare and bloodletting carried along religious lines in places such as the Balkans, India, and the Middle East to reinforce a salutary lesson.

The creation of secular government and the separation of church and state is not an anti-religious arrangement. It exists not only to protect government from the forces of religion, but also to leave religion uncorrupted by the petty and unholy preoccupations of the state.

Secular government is not an enemy of religion, but its most enduring and steadfast ally. In this regard, the founders realized what so many Americans seem to have forgotten: Religion that seeks and requires support by the state is, in a spiritual sense, deeply impoverished religion.

The founders' solution to the church-state problem was a true stroke of genius deeded to future generations of Americans. It has kept the United States relatively free of religious violence that tragically has consumed other societies around the globe, both historically and now. At the same time, it has ensured that religion flourishes, free of government entanglement, as it does nowhere else in the Western world.

It has taken centuries for us to put the tiger into the cage. We let it loose at our greatest peril.

*Dr. Joseph Chuman is leader of the Ethical Culture Society of Bergen County in Teaneck, New Jersey. He teaches at Columbia University. This essay is reprinted by permission.*

## ***The Case Against Charitable Choice:***

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# Insistence on 'Under God' is a Political, Not Religious, Move

by Robert F. Drinan

Every morning in America over 45 million children in schools rise, hold their right hands to their hearts and recite the Pledge of Allegiance to their country "under God."

A federal Court of Appeals in California has ruled that "under God" is an unconstitutional practice because in essence it forces children to profess a belief in God. President Bush said that the ruling is "ridiculous."

In March the U.S House of Representatives had a long debate in which the thesis seemed to be that the republic would collapse if judges could turn schoolchildren into infidels. The vote in favor of the flag salute with the reference to the divine was virtually unanimous with a few abstaining. The rhetoric and the proclamations of the necessity of God in the lives of children and of the nation were almost offensive. Politicians think that their invocation of God can help them get re-elected.

The fact is that neither the religions of America nor the educators had anything to do with the federal demand that every child recite the Pledge of Allegiance including the phrase, "under God." It was the politicians who in 1954, with the benign blessing of President Eisenhower, decreed that all children must publicly assert each day that their country is "under God."

The atmospherics made it clear that the United States was proclaiming its belief in the divine to counter the atheism of the newly emerged Soviet bloc.

There may be excusal provisions, but the fact is that Congress and not the nation's educators or its religious leaders compel every young person to proclaim a faith in the divine origin of the United States.

The decision to ban "under God" has a certain plausibility since the U.S. Supreme Court has forbidden prayers in school, Bible readings and minutes of silence. Indeed the court has even forbidden prayers recited by students at a football game.

The plaintiff in the California case, Michael Newdow, brought action to spare his daughter from the compelled reference to God. His case has a certain logic to it, but it aroused anger and opposition to a degree almost incredible.

Since there is another federal Circuit Court of Appeals which allowed the words "under God," it seems that the U.S. Supreme Court will review the issue. The most knowledgeable critics of the court are predicting that the "under God" phrase will survive.

Many religious citizens find comfort in deistic references on the currency, in the taking of oaths and in the word about God with which the U.S. Supreme Court convenes. Indeed, the survival of these pious references seems to let millions of people think that somehow the nation is uniquely chosen and blessed by God. The attachment to civil piety may seem to many to be casual and unreflective. But the storm over the proposal that the recital of "under God" be not compulsory for schoolchildren somehow has caused an uproar. The protesters say unthinkingly that the phrase is not really religious, that it will not harm anyone and that too much about religion has already been taken out of the nation's public piety.

Indeed the almost frantic desire to retain "under God" derives from a deeper fear that the country is becoming too secular and that it will lose its virtue if it gives up its public faith in God. Again, it is not religious leaders or educators who are saying these things. It is the politicians. If the Supreme Court bans the phrase "under God," the politicians will revile the nation's highest court and restore "under God."

It is unlikely that the Catholic bishops will intervene in the probable Supreme Court case. But Catholics will share the anxieties of those

millions of people who want their legal institutions to reinforce their faith in God.

The silent onlookers will be the 100 million Americans who do not belong to any organized religion. They may not feel strongly about the issue, but they sympathize with Michael Newdow and his daughter.

The Second Vatican Council's "Declaration on Religious Freedom" has enormous relevance to this question. The document forbade any discrimination against those who are not persons of faith. Indeed, Vatican II banned even the shadow of "coercion" that is based on the lack of faith.

It would be wholesome for all religious groups on America to have a broad-based dialogue on the essential question of whether people of faith are being honest with themselves and their fellow citizens who do not have faith if they insist that the laws compels believers and non-believers to assert that their country is "under God."

It also matters a great deal what 45 million children think about their faith and their nation when they are required on some 180 days a year to proclaim their nation is "under God."

*Jesuit Father Robert F. Drinan is a professor at Georgetown University Law Center. This article is reprinted by permission from the National Catholic Reporter, where it appeared in the June 20, 2003 issue.*

## *ARL in Action*

### Helen Thomas Honored

Veteran White House journalist Helen Thomas was the recipient of the 2003 Religious Liberty Award, presented by ARL president Edd Doerr at an American Humanist Association conference in Washington on May 11. The award read, "To Helen Thomas for Her Distinguished Career in Journalism and Her Devotion to Religious Freedom and Church-State Separation."



As a White House correspondent, Thomas covered every president from John F. Kennedy to George W. Bush. During her 60-year career she became the first woman president of the White House Correspondents Club and the first woman member, and later president, of the Gridiron Club.

CBS's Dan Rather has described her as "not only one of the smartest and savviest Washington reporters ever [but] also one of the most admired."

ARL's Doerr said that "lunch with Helen Thomas was certainly a high point in my career in Washington."

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In other developments, Edd Doerr was a guest for an hour on public radio station WUSB in New York on July 28.

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## Vote Analysis, *continued from page 2*

votes, cast a yes ballot.

- Of the 13 members who chose not to vote on this hotly contested issue, 10 were Democrats. Baptists were the most likely to skip the vote: five Baptists, three Catholics, two Jews, two non-denominational Christians and one Lutheran were recorded as not voting. There is one vacancy in Congress, since Larry Combest (R-TX) retired on May 31.
- Jewish, Unitarian and religiously non-affiliated members were overwhelmingly opposed to the ban.
- Of the major church groups, 90% of Mormons, 83% of Methodists, 81% of Presbyterians and 75% of Lutherans supported the ban. So did 67% of Catholics, the same as the whole House, the first time Catholic support for any restriction on abortion was

about the same as all members. Among all Protestants, however, 73% supported the measure.

Regionally, the Late Term Abortion Ban received 79% support in the South, 76% in the Border South – the stronghold of evangelicalism – and 75% in the Mormon-flavored Rocky Mountain West. The ban was approved by 68% of Midwesterners, and 67% in the Mid-Atlantic region. Only in New England and the Pacific Coast states did it fail to muster majority support, receiving 38% support from those regions' legislators.

Since the Senate has passed a similar bill, a conference committee will iron out differences and send the final product to President Bush, who is expected to sign it with pomp and ceremony. Another court test, perhaps at the Supreme Court level, is likely.

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## Editorials

### Of Sacraments and Civil Law

After the Supreme Court's decision in the Texas sodomy case (*Lawrence v. Texas*), Senate Majority Leader Bill Frist endorsed a constitutional amendment limiting marriage to one man and one woman because, he said, "Marriage is a sacrament."

First of all, this is an odd view for a Presbyterian like Frist. One of the major differences between the Protestant churches that arose during the Reformation and the Roman Catholic and Eastern Orthodox Christians was the rejection of marriage (and four other ritual events) as a sacrament. Presbyterian Scotland and Switzerland went so far in this interpretation that civil marriage was legalized and even made preferable to religious marriage. Most Protestants accepted only two, rather than seven sacraments, and some rejected the sacramental system altogether.

More important, though, is the fact that a secular democracy such as the United States has never seen marriage as an exclusively ecclesiastical matter. From the start the American states saw marriage as a civil function, regulated by laws adopted by legislatures and courts. The same principle applies to divorce law.

It is unfortunate that Senator Frist has chosen to muddy the legal and constitutional waters by suggesting that marriage should be seen by the Constitution as a solely spiritual or religious event. That view runs counter to the vision of the Founders and to the experience of this nation for more than two centuries. Such moves to redefine marriage as a solely religious covenant should be rejected.

—Al Menendez

### Safeguarding the Future

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

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### A Sad Day for Ohio

The *Akron Beacon Journal* recently informed its readers, "Literally in the dark of night, the Ohio legislature this month slipped language into a state budget bill to increase funding for Cleveland's private schools by more than 44 percent in the next two years.

"At the same time, public schools watched as lawmakers whittled their funding expectations by hundreds of millions of dollars.

"The \$10.5 million in new state aid going to the Cleveland voucher program will cut operating losses at the Cleveland Diocese of the Roman Catholic Church. It also for the first time will give high school students an opportunity to receive taxpayer-funded vouchers to attend a private school."

Here is "parochial politics" at its worst. No debate. Dictation by church authorities to compliant public officials. The voucher aid has moved from \$2,250 per child to \$2,700 per child. The law also permits schools to collect the full difference between the voucher amount and tuition from parents whose income exceeds \$36,800. Today one-third of voucher recipients come from those middle class families, though the voucher program was billed as a help for the disadvantaged.

There was no public debate on the issue. A legislative aide for the Republican chairman of the Ohio Senate Education Committee told *Education Week* that the provision raising the amount was "not controversial."

The Ohio mess points up the hard-nosed political facts of the voucher issue. Sectarian special interests will always up the ante, even at the expense of underfunded public schools. Legislators seem to accommodate their appeal with no fear of loss of public support. Long-range educational needs of the truly disadvantaged are ignored.

Ohio is a one-party state, with a Republican Governor, Bob Taft, who approved this raid on the public treasury, and a Republican legislature.

Where is the outrage? Where is the shame?

—Al Menendez

### Vatican Intelligence?

*Spies in the Vatican: Espionage and Intrigue from Napoleon to the Holocaust*, by David Alvarez (University Press of Kansas), was reviewed by Al Menendez in this newsletter last year (No. 81). Now it has been reviewed by Joseph Goulden in the ultraconservative *Washington Times* on June 29. Goulden and Menendez both conclude with Alvarez that the "intelligence service" of the Vatican (Holy See) is greatly overrated, to say the least. Alvarez quotes one Vatican official as saying that "People

always say the diplomacy of the Holy See is the first in the world. If ours is the first, I'd like to see the second."

Yet the "excellence" of the Holy See's intelligence service was the main reason the Reagan administration gave in 1984 (Orwell would have been amused) when it successfully sought congressional approval for establishing U.S. diplomatic relations with the Holy See.

James Wood, then head of the Baptist Joint Committee, made a telling point at the congressional hearings in 1984 when he said that if the Holy See had intelligence that might promote peace or social justice it would be unconscionable for it to withhold that information from the U.S. or the UN just because of a lack of diplomatic recognition. Needless to say, Congress went along with the administration and for the first and only time in U.S. history our government established diplomatic relations with a church.

If anyone should know, the Reagan administration should have known how useless the Holy See's intelligence service is when it invaded the tiny island of Grenada in 1983. Although Grenada is about two-

thirds Roman Catholic, church officials provided no useful information to U.S. forces. Then, too, when Opus Dei member Robert Hanssen was arrested for espionage a couple of years ago it turned out that at least one priest in Opus Dei, the secretive group so highly esteemed by the Vatican, knew about Hanssen's sale of information to the Soviet Union. Could the Holy See, where Opus Dei is well connected, not have known?

Incidentally, this writer testified against the Reagan administration's establishment of diplomatic relations with the Holy See at the 1984 congressional hearings (a summary of the testimony may be found in our book, *Great Quotations on Religious Freedom*) and was a plaintiff in the unsuccessful effort to get the U.S. Supreme Court to find the arrangement in violation of the First Amendment. The Court rejected our complaint on technical grounds without reaching the First Amendment issue.

— Edd Doerr

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## Update

### Bush Supports School Evangelism

In its never-ending campaign to present itself as the champion of religion, the Bush administration is trying to force a Maryland county to advertise an evangelical Bible club. The Bush administration's Justice Department filed an *amicus* brief on June 11 with the Fourth U.S. Circuit Court of Appeals supporting Child Evangelism Fellowship's suit to force the Montgomery County School Board to allow the group to advertise its Bible club activities among all students.

The case arose when the Warrenton, Missouri-based religious group tried to promote its Good News Club in two elementary schools. The clubs are allowed to meet on school property after hours, as a result of a 2001 U.S. Supreme Court decision. But county authorities refused Child Evangelism's request to put recruitment flyers in children's backpacks or take-home folders.

In April a U.S. District Court held that the promotional materials could not be included in the materials sent to all students and parents.

Child Evangelism attorneys say their group's advertisements should be treated the same as other group promotional material. But Montgomery County school officials say they limit materials to those "directly related to education, health, nonprofit organizations, community sports and recreation activities." The school district allows religious groups to post notices on school property.

Child Evangelism Fellowship (CEF) was founded in 1937 as "a fellowship of Christians dedicated to the task of winning boys and girls to Christ." The group sponsors 4,700 Good News Clubs in the U.S., including 1,800 in public schools. The programs last one hour and are aimed at students in the first through fifth grades.

The group's religious emphasis was cited by the school board as a factor in disallowing the distribution of its flyers. School district attorneys Judith S. Bresler and Eric C. Brousaides wrote, "An integral part of CEF's evangelical mission is to locate children who have not yet accepted Jesus Christ as their Savior. Requiring teachers to force students to accept and distribute CEF's materials would result in the unconstitutional coercion of the students to proselytize on CEF's behalf."

The Bush administration, which has backed a similar case in New Jersey, submitted a brief which said, "CEF offers students educational, cultural, and recreational opportunities that are similar to activities offered by other community organizations." The brief, prepared by the U.S. Justice Department's civil rights division, also claimed that "CEF

*continued on page 8*

## Update, continued from page 7

strives to foster self-esteem in youth and to instill morals and character in children while providing a positive recreational experience.” The Christian Legal Society has provided an attorney for CEF, while People for the American Way and other civil liberties and public education groups filed a brief in July urging that the school board policy be upheld.

### Senate, House Split on Family Planning

In a rare rebuke to the Bush administration, the U.S. Senate on July 9 rejected Bush's order to block U.S. assistance to international family planning agencies that advocate or perform abortions. The 53-43 vote could make Bush veto the foreign assistance bill. But just six days later, the U.S. House of Representatives voted 216-211 to block \$50 million in U.S. aid to international family planning funds. The mostly Republican supporters of the ban claimed that such aid will bolster China's "coercive population control policy." The leading advocate of the ban was Representative Christopher Smith (R-NJ), whose amendment to the State Department authorization bill was supported by a majority of members. The vote makes it unlikely that the United Nations Population Fund (UNFPA) will receive any federal funds in the fiscal year that begins October 1. The UNFPA has found no evidence that the funds given during the Clinton administration promoted abortion or sterilization.

### Navy Chaplains Under Fire

More than 40 U.S. Navy chaplains were punished for offenses ranging from sexual abuse and harassment to fraud, according to a 1999 memo unearthed by the Associated Press. Spousal assault, sexual harassment and adultery were so widespread that then-Navy Secretary Richard Danzig ordered a new training and oversight program for all 870 U.S. Navy chaplains in 1999.

Since 1999, chaplains have been arrested for murder and "indecent acts." Of the 42 chaplains punished during the 1990s, 28 were accused of sexual misconduct. One was jailed even though church authorities had tried to get him sent to a church-run treatment center. The discipline rate for chaplains, according to the internal report, was 45 per 1,000 individuals, far higher than the discipline rate of 2 per 1,000 among Navy officers generally. But some chaplains were given "light punishment for serious offenses." The Chief of Naval Chaplains, Rear Admiral Barry Black, has been nominated to become the U.S. Senate Chaplain.

### Robertson Supports Liberian Tyrant

Religious broadcaster Pat Robertson told a "700 Club" viewing audience on July 7 that Liberia's embattled president, Charles Taylor, is a "freely elected leader" and a fellow Baptist who should not be undermined by the United States. "We're undermining a Christian, Baptist president to bring in Muslim rebels to take over the country. And how dare the president of the United States say to the duly elected president of another country that you've got to step down." Robertson denied that his investment in a Liberian gold mining company had anything to do with his open support of Taylor, who seized power in 1989 and was elected president in 1997 in what may have been a fraudulent vote. Human Rights Watch and Amnesty International have condemned

## Faith and Prayers

The following letters by ARL President Edd Doerr were published recently in *The New York Times* and *USA Today*:

*USA Today's* informative piece on Christian businesses unfortunately repeated the common misconception that public schools forbid prayer. It isn't so ("God wants you to be physically fit," News, Monday).

The Supreme Court has banned only government-mandated or -sponsored prayer. Individual students have never lost their right to pray in school.

*USA Today*, July 11, 2003

To the Editor:

Joseph Loconte ("The Importance of Believing in Charity," Op-Ed, July 7) is right that sectarian charities should be able to discriminate by religion in hiring, but wrong in saying such discrimination should be subsidized by all taxpayers.

He overlooks our constitutional principle of separation of church and state and Benjamin Franklin's dictum that there is something wrong with a faith-based institution that cannot support itself with voluntary donations.

Mr. Loconte also overlooks our society's moral obligation to help the less fortunate in ways that do not violate the basic rights of others.

*New York Times*, July 13, 2003

Taylor's human rights record. Robertson, who blamed the State Department for giving bad advice to President Bush, portrayed the Liberian civil war as a fight between Christians and Muslims, a view called simplistic and inaccurate by World Vision and other Christian relief groups working in the region.

Robertson also encouraged his supporters to pray that God would remove three justices of the U.S. Supreme Court.

### Texas Abortion War Heats Up

According to *Texas Monthly* (July 2003), the number of abortion providers in the Lone Star State decreased from 135 in 1981 to 65 today. Mid-sized cities such as Amarillo and Wichita Falls have none. Only 15 of the state's 254 counties have any abortion providers. In East Texas, women must drive long distances to the Planned Parenthood clinic in Bryan, in the heart of a fiercely conservative area surrounding Texas A&M University. "This is where the real politics of abortion play out – not in the Texas legislature or the U.S. Supreme Court, but on ordinary streets in ordinary towns," says author Pamela Coloff in her article, "Crosses to Bear."

The Republican-dominated Texas legislature handed huge victories to the anti-choice movement this spring. A Prenatal Protection Act defines a fertilized egg as an "individual" and provides criminal charges if a zygote, an embryo or a fetus is killed. The Woman's Right to Know Act requires a 24-hour waiting period for abortions and requires clinics to show photographs of fetuses and to warn patients that abortion might increase the chance of developing breast cancer (though several studies have refuted this claim). Legislators also passed a law prohibiting organizations that provide abortions from receiving any state funding. Writes Coloff, "The effect of the law will be to eliminate state funding for a host of non-abortion-related services offered by clinics, from Pap smears to birth control. For Planned Parenthood it will mean

a loss of some \$13 million a year in Texas. While the law is intended to deter clinics from providing abortions, the consequence will likely be a rise in unplanned pregnancies, thus defeating the intent of the bill.”

## Republicans Charge Anti-Catholic Bias

The party that has frequently been implicated in anti-Catholic events in past years has now charged that Democrats are biased against Catholic nominees to federal courts. The Committee for Justice, founded by C. Boyden Gray, a White House counsel to Bush 41, joined with the Ave Maria List, a group of anti-abortion Catholics, to place newspaper ads in Maine and Rhode Island in mid-July charging that liberal Democrats are opposed to President Bush's nominee to an appeals court, Alabama Attorney General William H. Pryor, Jr., because Pryor is a Catholic. Ranking Democrats on the Senate Judiciary Committee said the action was “a false and detestable smear that is intended to chill debate.” The Catholics on the committee include Patrick Leahy, Edward Kennedy and Joseph Biden.

## Missions Seek Federal Aid

California's 21 Spanish-era missions, stretching along the Pacific Coast from Sonoma to San Diego, will receive \$10 million from the Interior Department over five years if the California Missions Preservation Act is passed by Congress. So far, no action has been scheduled on the rather unusual bill, which has been introduced in both the House and Senate. If successful, the missions would have to match the federal grant with private or state funding. A California Missions Foundation, established in 1998, is conducting a major private fundraising campaign. Another new federal program, the Save America's Treasure, is another potential source of aid, since it now allows churches and religious sites to apply for historic preservation grants. Seven missions are national landmarks and two belong to the state parks system. Some are functioning parishes, while others are more comparable to historical sites or museums.

## Florida Court Overturns Abortion Notification Law

On July 9 the Florida Supreme Court invalidated a state law requiring teenagers to notify their parents before having an abortion. The statute, backed by Governor Jeb Bush, was passed and signed into law in 1999 but has not been enforced because of a legal challenge. The 5-1 opinion said the notification law “imposes a direct and significant intrusion on a pregnant minor's right of privacy” and cited a 1980 provision in the state constitution that gives citizens the “right to be let alone and free from governmental intrusion.” Governor Bush ridiculed the ruling as “just legal stuff,” while the Center for Reproductive Rights hailed it as a “landmark decision and a great victory not only for the young women of this state but all of its citizens who care about their right to make personal decisions about their reproductive health and lives.”

## Religious Clubs Can Meet During School Hours

The U.S. Court of Appeals for the Third Circuit ruled on July 15 that a Pennsylvania school district was wrong when it barred a religious club from meeting during regular student activity (noninstructional) periods. The case came from Punxsutawney, where local public school officials had refused to allow a Bible club to meet along with other student-run academic and nonacademic groups during the first period

of the school day. The Fish Christian Club was required to meet before the school day. Student Melissa Donovan, backed by the Religious Right-oriented Rutherford Institute, sued the school district for discrimination and for violation of the 1984 Equal Access Act enacted by Congress. A federal district judge rejected her claim and ruled in favor of the school district's policy last September.

But a three-judge panel of the Third Circuit unanimously reversed the local court, saying that school authorities “engaged in impermissible viewpoint discrimination.” Even having a faculty sponsor “did not impermissibly entangle government in the day to day surveillance or administration of religious activity,” according to U.S. Circuit Judge Ruggero J. Aidsert. The Third Circuit's ruling applies to Pennsylvania, New Jersey, Delaware and the U.S. Virgin Islands.

## Virginia Abortion Ban Blocked

A federal judge blocked enforcement of a new Virginia law banning late term abortions until a trial on its constitutionality could be held in November. On June 30, U.S. District Judge Richard L. Williams put the law, passed by Virginia's Republican legislature over Governor Mark Warner's veto, on hold, pending a constitutional review. The state's Republican attorney general, Jerry W. Kilgore, had argued that the law should take effect immediately. The new law lacks a “health exception” for the mother, which caused the U.S. Supreme Court to invalidate a similar Nebraska law three years ago.

Meanwhile, the Supreme Court dismissed an appeal from anti-abortion activists facing a multi-million dollar judgment for targeting clinic doctors with Internet “wanted posters.”

## Will Government Run the Churches?

An unprecedented governmental intrusion into internal church management may be an unintended consequence of the Catholic Church's sexual abuse lawsuits and court settlements. This view is enunciated by Patrick J. Schiltz, associate dean of the University of St. Thomas School of Law in Minneapolis, in a July issue of *America* magazine. Schiltz, who has represented the church in more than 500 such cases, says that the inadequate response of church leaders and their rush to settle the cases may lead to new fiduciary obligations and legal risks for the hierarchy. He also urged Catholic leaders to set up a national tribunal to investigate cases and to include representatives from victims advocacy groups.

## Justice Intervenes in Church Zoning Disputes

The Bush-Ashcroft Justice Department has intervened in a dozen cases involving disputes between religious groups and civil authorities over zoning laws. This represents a departure from previous administrations, which were reluctant to get involved in local cases that seemed to lack federal jurisdiction. But the pro-religion GOP administration, labeled “the most religious administration since Grant” by Cardozo Law School professor Marci A. Hamilton claims that a law passed by Congress in 2000 gives the federal government jurisdiction. The Civil Rights Division of Justice has supported an Orthodox Jewish synagogue, a Buddhist monastery, a Muslim school and nine Christian schools in cases involving local zoning statutes which restrict religious group access to residential areas. A particularly bitter dispute pits the Hale O Kaula church against the Maui County, Hawaii, local government. The Washington, DC-based Becket Fund is supporting the Hawaii church.

*continued on page 10*

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## Update, *continued from page 9*

(It is also masterminding a national campaign to weaken state constitutional protections against religious establishment.)

### Church Can Meet in School

The U.S. Court of Appeals for the Second Circuit ruled on June 6 that the Bronx Household of Faith may rent space in schools maintained by the New York City School Board. The case had dragged on since 1995 until a federal district court ruled in the congregation's favor in 2002. The school board appealed and lost in the Second Circuit, which cited the U.S. Supreme Court's 2001 ruling, *Good News Club v. Milford*. The U.S. Justice Department supported the church, which was represented by a right-wing legal advocacy group, the Alliance Defense Fund, based in Scottsdale, Arizona, and founded in 1994 by Religious Right zealots D. James Kennedy and James Dobson.

### Sabbath Suit Settled

A large Michigan retailer, Meijer Inc., paid \$22,000 to a former cake decorator that the store fired for refusing to work on Sunday. The employee, Debra Kerkstra of Allegan, a member of the strict Sabbath-observing Christian Reformed Church, filed a suit with the U.S. Equal Employment Opportunity Commission (EEOC). She had refused to work on Sunday and, even after lining up a replacement worker, was discharged in 2001. The EEOC backed her claim, arguing that the employer, with 157 stores in the Midwest, had failed to "accommodate" the religious needs of employees, which is required by the Free Exercise Clause of the Constitution's First Amendment. The corporation has agreed to make changes that will prevent possible instances of religious discrimination in the future.

### Florida Vouchers Criticized

Florida's \$46 million school voucher program is under fire for a lack of public accountability, secrecy in administration, possible grade inflation, and limited state oversight. The state recently suspended payment of \$300,000 to an Islamic school in Tampa, because one of its founders was allegedly associated with Islamic Jihad. Both political parties have signaled a willingness to investigate the problem.

### ARL Supports DC Anti-Voucher Petition

Americans for Religious Liberty joined 40 other civil liberties, religious and educational groups in urging the U.S. House of Representatives to reject a \$10 million voucher appropriation for the District of Columbia. In a sharply worded letter of July 9 to the House Committee on Appropriations, the National Coalition for Public Education said that vouchers "undermine accountability, do not expand parental options in education, threaten civil rights and are neither needed nor

wanted in the District of Columbia." The groups reminded lawmakers that "education reform must focus on improving the public schools where the vast majority of students will continue to be educated." The committee approved the measure, however, on a 32-24 vote.

### Is Bush Anti-Science?

The *Washington Monthly* (July/August 2003) charged that the Bush administration's "disinclination to engage the scientific community in important policy decisions may have serious consequences for the country." In "Science Friction" editor Nicholas Thompson concluded, "Ignoring expert opinion on matters of science may never cause the administration the kind of political grief it is now suffering over its WMD Iraq policy. But neither is it some benign bit of anti-elitist bias. American government has a history of investing in the capabilities and trusting the judgments of its scientific community – a legacy that has brought us sustained economic progress and unquestioned scientific leadership within the global intellectual community. For the short-term political profits that come with looking like an elite-dismissing friend of the everyman, the Bush administration has put that proud, dynamic history at real risk."

### Grand Canyon Bible Verses Ordered Removed

Three bronze plaques inscribed with passages from the Book of Psalms were ordered removed from the Grand Canyon in early July. A February letter from the Arizona Civil Liberties Union prompted the U.S. Department of Interior to determine that the religious messages on public property were likely violations of the First Amendment. Grand Canyon National Park spokesperson Maureen Oltrogge indicated on July 14 that the plaques were to be returned to the Evangelical Sisterhood of Mary – a kind of Lutheran convent – the group that had erected them at scenic overlooks in 1970.

### International

**Athens:** The Greek government has announced plans for the construction of a mosque near Athens in time for next year's Olympic Games. The mosque and cultural center, planned for the town of Peania in the hills north of the Greek capital, will be paid for by Saudi Arabia. It will become the first mosque in the Athens area in 200 years. Athens is the only capital in the European Union without a mosque, which would be attended by a growing number of Muslim immigrants from Albania, South Asia, Africa and the Middle East. But local residents are fighting the plan, and the town council has appealed to the courts to block the construction. The local Greek Orthodox clergy oppose the construction but the hierarchy has no objections.

**Copenhagen:** A minister of the official Lutheran state church has provoked a controversy by declaring openly "There's no heavenly God, eternal life or resurrection." Pastor Thorkild Grosboel, the minister of the small town of Taarbaek, north of Copenhagen, insists that he should retain his state-paid salary even though he disagrees with the basic beliefs of his church. However, the Lutheran minister who heads Denmark's Ministry of Ecclesiastical Affairs, Tove Fergo, wants the pastor removed, as does his bishop.

The Evangelical Lutheran Church has been the established church since the Reformation, and 84% of Danes belong to it. But less than 3% attend regularly. Only the Lutheran Church may receive state subsidies, which amount to 12% of the church's annual income. Non-

### Visit ARL's Web Site

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

Lutherans may opt out of the state religion tax, but cannot direct it to other religious or charitable institutions, as is the case in Norway. Catholics must pay more to buy burial plots and must register births, marriages and deaths at a Lutheran parish rather than at a neutral registry office. Some Catholics have filed complaints of discrimination with the European Court of Human Rights. The nation's growing Muslim community has no mosque or cemetery. They have offered to buy vacant Lutheran churches, now closed because of non-attendance, but have been turned down by the state Ecclesiastical Affairs office. Anti-immigration and right-wing politicians are preparing a law to prevent churches from being turned into mosques.

Something may be rotten in the state of Denmark.

Vatican City: The Vatican waded into the gay marriage controversy

in the United States and Canada by issuing an instruction to Catholic lawmakers that they must oppose any effort to give legal status to homosexual unions. The Vatican Congregation for the Doctrine of the Faith, which tries to ensure orthodoxy, said on July 31, "The Catholic lawmaker has a moral duty to express his opposition [to gay marriage proposals] clearly and publicly and to vote against it. To vote in favor of a law so harmful to the common good is gravely immoral." The parliament of heavily Catholic Belgium has already approved the practice.

Senator Ted Kennedy responded, "It is the job of the government – not the church – to say who can be married in a civil sense. The church is free to decide what qualifies as a 'sacramental marriage'."

Most observers do not expect this Vatican statement to be any more influential on policy making in the Western democracies than any other recent pronouncements from the Holy See.

## Books

*There has been a torrent of new books delineating problems in the Catholic Church. Quite a number of them are reviewed in this issue, along with other relevant church-state titles. Unless otherwise stated, the reviews were written by Al Menendez.*



*The New Anti-Catholicism*, by Philip Jenkins, Oxford University Press, 258 pp., \$27.00.

Noted historian Philip Jenkins comes up somewhat short in this analysis of contemporary anti-Catholicism in the United States. "Catholics are at the receiving end of a great deal of startling vituperation in contemporary America." Unfortunately, he inaccurately condemns liberals as the main purveyors of anti-Catholicism while ignoring the vastly more pernicious Protestant right variety, which is likely to remain permanent, particularly among Latino Evangelicals, who have been converted by Radical Right missionaries.

Jenkins' history is generally correct, and anti-Catholicism has always been a subterranean current of American Gothic. Jenkins says, "The power of anti-Catholicism lies in its infinite adaptability." But he over-emphasizes the differences between political liberals and Catholic leaders and misidentifies the locus of anti-Catholicism by claiming that "liberals had long been hostile to the Catholic church," which is too sweeping an assessment and ignores the fact that many Catholics are liberal.

It is simply wrong to say, "Since the 1970s anti-Catholicism has become firmly anchored in liberal politics, to the extent that it constitutes a significant ideological component of the new liberalism." Jenkins, however, can't quite make up his mind since he also writes, "On most political issues the American Catholic church stands clearly on the left-liberal end of the political spectrum," and "liberal politicians fail to exploit these political alliances."

Jenkins was once a member of the Catholic Church but is now an Episcopalian. So it is a bit churlish of him to attack liberal Catholics like Garry Wills, James Carroll, and John Cornwell, suggesting that they are disloyal because they call for changes and reforms in the church in which they remain and which Jenkins left.

Jenkins also makes two errors. Echoing the Blaine smear of 1884, Jenkins says "a party loyalist spoke to the Religious Bureau of the Republican National Committee," attacking Catholics and Democrats. The quote came from a Presbyterian minister speaking to a political rally in New York City late in the 1884 campaign. There was no such bureau. And he claims that Harold Frederic's 1896 novel, *The Damnation of Theron Ware*, was anti-Catholic. On the contrary, it was a satire on a Methodist minister who was losing his faith. The Catholic priest in this novel was the one strong character who exemplified belief and certitude. If anything, this novel was pro-Catholic. A good historian should not make errors like these.

Finally, the kind of Catholic-bashing in the media and entertainment world may not represent a grand conspiracy, as the author suggests, but is probably part of the insipid nature of American popular culture which lampoons all groups. At bottom, Jenkins fails to convince that anti-Catholicism is "the last acceptable prejudice."

### Will the Catholic Church Survive?

A progressive call to arms comes in *Toward a New Catholic Church*, by James Carroll, Houghton Mifflin Mariner Books, 130 pp., \$8.95 paperback.

Distinguished novelist and former priest Carroll calls for a full-scale reform of Catholicism along democratic lines. He says, "As the forces of religion have become, by the early twenty-first century, ever more fundamentalist, yoked to political reaction and ethnic chauvinism, and as scientific rationalism has proven to be a woefully incomplete ideology, there is more need than ever for a revived Catholicism committed to intellectual rigor, open inquiry, and respect for the other." He argues that the Second Vatican Council (1962-1965), "represented the beginning of the long-overdue demise of a Constantinian Imperial Catholicism." The promise of that Council has not been fulfilled, resulting in today's bitter crisis.

He says the church must embrace democracy and intellectual freedom in all of its structures before it can lecture the secular world. It must "renounce clericalism, triumphalism and absolutism." It must do more than just apologize for past mistakes. "Without reform, repentance is impossible, and so is recovery." Carroll, who remains a believing Catholic, adds, "Reform is always necessary and always possible."

Ronald N. Eberley's *The Unnatural Law of Celibacy* (Continuum, \$22.95, 204 pp.) is an unusual book alternating chapters on the history of celibacy in Roman Catholicism with the author's autobiography. Eberley was a constable in the Royal Canadian Mounted Police who, after being widowed, sought ordination to the priesthood. He

*continued on page 12*

## Books, continued from page 11

would have been ordained had he not fallen in love again with a woman who is a "pastoral minister" in Catholic parishes. Eberley tried to seek a dispensation in canon law to allow him to become a priest and keep his wife, a provision granted to Anglican and Lutheran converts, but was rejected. He blames a "system that rigidly adheres to misguided norms, the perpetuation of which anchored the institution in a quagmire of dysfunctional sexuality." He says, angrily, "The present leadership of the church has made an institutional return to the past, including a highly centralized authority. The result is a church leadership that is locked in denial and uniform mediocrity, limited to parroting the dictates of its centralized headquarters." He echoes what many others have said: "The clear and unmistakable signs of the times are calling for an end to compulsory celibacy." While hard hitting, this book is not well written and occasionally descends into psychobabble.

*Goodbye Father: The Celibate Male Priesthood and the Future of the Catholic Church*, by Richard A. Schoenherr (Oxford University Press, 275 pp., \$29.95) may be the best of the new books because it is based on pure empirical research and a wide array of data. The author, a former priest and professor of sociology at the University of Wisconsin, died in 1996. He and a colleague, Laurence Young, had published a definitive demographic study on the decline of the Catholic priesthood, *Full Pews and Empty Altars*, in 1993. This new book, which took years to be published, interprets the data and offers predictions for the future. Most of the research antedates the present sexual abuse crisis, but the author does argue that "mandatory celibacy helps construct the social situation conducive to sexual abuse of women and children."

Schoenherr states the problem clearly: "The Roman Catholic Church is facing a crisis of immense proportions. In the United States, the availability of priests to provide essential religious services is being cut in

half. . . . Besides the magnitude of the priest shortage, there is something else bizarre about the crisis: Most bishops outwardly ignore it and some publicly declare it doesn't exist."

With a wealth of survey data, the author concludes: "The main reason why male exclusivity is a long way from the official reform agenda is because the Catholic Church has spent little or no effort developing a theology of gender equality. The authoritarian absolutism of the current papacy draws its vehemence from the deep well of patriarchal domination. If the Catholic Church cannot say Goodbye Father, many faithful Catholics will have no choice but to say Goodbye Church."

The hierarchy will ignore this powerful book's findings at their own peril.

Donald Cozzens (*Sacred Silence: Denial and the Crisis in the Church*, The Liturgical Press, 199 pp., \$19.95) is a quiet, unobtrusive priest-scholar whose 2000 book, *The Changing Face of the Priesthood*, revealed that the priesthood is fast becoming a gay subculture, with wide-ranging implications for the future of Catholicism. His new book lambasts the hierarchy for a lack of honesty in confronting what is a self-evident and undeniable crisis of confidence in the church's male leadership corps. He skewers "fearful and controlling leaders whose habits of mind and psyche are joined to nonhistorical understandings of theology and church teaching, resulting in a tenacious defense of the way things are."

Cozzens says the church's problems are much deeper than the clerical sex abuse scandal. A church in denial will continue to decline as an influential player on the world stage. Cozzens is essentially a moderate who thinks honest dialogue, financial accounting, changes in the naming of bishops and the appointment of more women to leadership positions in the church will ensure the future of Catholicism. Otherwise, "The denial and church spins marking the first years of the present century will continue to threaten the integrity and credibility of our bishops and the very mission of the church."

Unlike the more sober assessments reviewed above, John Van der Zee's *Agony in the Garden* (Thunder's Mouth Press/ Nation Books, 275 pp., \$13.95) is compulsively readable and has a zing to it. Van der Zee tells the sordid story of the financial and sexual corruption in the Catholic diocese of Santa Rosa, California. The author, a journalist and novelist, reveals the appalling degree of ecclesiastical chicanery engineered by Bishop George Patrick Ziemann. It's a depressing story, and to the extent that it is a paradigm of the contemporary malaise in so many dioceses, it may (or should) serve as a warning bell in the night. Not only was Bishop Ziemann an immoral predator but he cost the diocese \$33.6 million in squandered funds, resulting in "reduced ministries, the threat of closure of parish schools and the withdrawal of the means for meeting the spiritual needs" of thousands of innocent people.

Unfortunately, the one book likely to be read and absorbed by the church's leaders is *The Courage To Be Catholic: Crisis, Reform and the Future of the Church*, by George Weigel (Basic Books, 246 pp., \$22.00). What Weigel, a right-wing think tank official, proposes is a toughening up process, by which Catholics return to a past era of tough-minded intransigence, a digging in at the heels and refusing to entertain any serious thoughts of genuine reform. In fact, Weigel blames dissenters for the present malaise. "The culture of dissent, which bears a heavy weight of responsibility for creating the ecclesiastical conditions from which the present Catholic crisis emerged . . . is better described as deconstruction." What he labels "the Catholic Light Brigade" is largely responsible for the church's present decline. The church must return to "the great adventure of orthodoxy" because "living the adventure of orthodoxy is the only answer to the crisis of fidelity that is the crisis of the Catholic Church in the United States."

Those who want more democracy and a greater respect for the talents of women are called "a wrecking crew for whom nothing short of Catholicism's transformation into a kind of high-church, politically cor-

### Church and State, Here and in Iraq

To the Editor:

What irony! President Bush said in April that what he would like to see in Iraq "is a government where church and state are separated." Yet in the United States, Mr. Bush is doing all he can to undermine church-state separation: pushing for compulsory public support for faith-based schools and charities and seeking to promote fundamentalist values. Now, as your article "Religious Study Confronts U.S. in Iraq" (June 11, 2003) points out, his administration has paid for the printing of religious textbooks in Afghanistan.

As you report, Herman Schwartz won a major federal appeals court ruling against U.S. provision of tax aid to oversees religious schools in 1991 (*Lamont v. Woods*). However, while your story mentioned the American Civil Liberties Union as a sponsor of the litigation, the suit was a collaborative effort of the ACLU and Americans for Religious Liberty. The ACLU provided the attorneys, while ARL provided the plaintiffs.

America is properly helping to rebuild Iraq, but in doing so it should respect the U.S. constitutional mandate to keep religion and government separate, especially as the first President Bush accepted the 1991 appellate court ruling in *Lamont*.

Albert J. Menendez  
Associate Director  
Americans for Religious Liberty  
Washington, DC

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rect American 'denomination' – Catholic Lite – will suffice.”

Weigel is likely to find a sympathetic hearing for his views in the Vatican, the U.S. hierarchy and the conservative wing of his church, but much of this book sounds like wishful thinking or fantasy.

*The Other Side of the Altar*, by Paul E. Dinter, Farrar, Straus and Giroux, 240 pp., \$23.00.

The author, a former Catholic chaplain at Columbia University, skewers the celibacy requirement which, he believes, has created an aloof and out-of-touch clerical subculture. He writes, “There is nothing necessary about the link between celibacy and ordained ministry . . . Pretending that the distinction exists because of some external, divine legislation amounts to an idolatrous, self-establishment of the clergy as above the church, not in service to it. It promotes both fear and hatred of female sexuality and a phobia of most forms of sexual love that human beings practice.”

As a result of this clerical caste, “The status quo has been canonized in the corridors of power and men sworn to uphold the moral perspective of a sexually neutralized class of males retain their humorless hold on official Catholic teaching about issues over which they eschew any direct experience.”

Dinter, now resigned from the priesthood, is not optimistic about the future because “the men who are being ordained seem to be largely a self-selected group of regressives. . . . Successive witch-hunting seminary visitations by orthodoxy watchers have ensured that most men who survive to ordination these days rate high on the conformity scale.”

This is an absorbing if occasionally egocentric look at an age-old problem.

*Catholicism and American Freedom*, by John T. McGreevy, W.W. Norton & Company, 431 pp., \$26.95.

Notre Dame University history professor McGreevy tells the dramatic and compelling story of “the interplay between Catholic and American ideals of freedom” since the 1840s.

Most of this book deals with the clash between liberal Catholicism, which sought accommodation with a largely Protestant culture, and conservative Catholicism, which sought separateness and isolation and even opposition to the prevailing culture.

Much of the backdrop, in context, for the intrachurch debate was occasioned by anti-Catholicism. McGreevy begins his absorbing book

with a now-forgotten event, “the Eliot School Rebellion” in Boston in 1859, brought about when a Catholic student in a public school refused to recite the Ten Commandments from the Protestant King James version of the Bible. He was subsequently beaten by the principal. When several hundred Catholic pupils refused to participate in these daily religious observances, they were expelled. What is chilling is that a court ruled that the school had a right to compel students of all faiths to participate in the majority religion’s daily ritual. While deploring anti-Catholicism repeatedly, McGreevy also says, “Opposition to liberal notions of autonomy informed Catholic hostility to immediate slave emancipation, nonsectarian education, and laissez-faire economics,” which may have contributed to anti-Catholic sentiments.

McGreevy notes, “Until the late 1930s tensions between Catholics and liberals on cultural matters seemed manageable.” But a decade later near-open warfare occurred over such issues as individual liberty, fascism, reproductive freedom and religious tolerance, even though majorities in both groups supported the Democratic Party. The temporary triumph of liberal Catholicism – now threatened by a conservative backlash – changed the equation somewhat.

*The Coming Catholic Church*, by David Gibson, Harper San Francisco, 350 pp., \$23.95.

Why should anyone care about the internal struggles within the Catholic Church? Because, says journalist David Gibson, “Given the Catholic Church’s enormous presence in U.S. society, especially in education and in health care, and its uniqueness on the religious spectrum, the answer to this question is also vital to America’s future.”

Gibson reviews present tensions and difficulties and concludes that the church’s leaders have seriously damaged the institution in recent years. He predicts wide-ranging reforms in structure, policy and attitudes and more control by the laity over the administration of the church. But it could go either way. “Just as the Catholic Church is facing a crisis of historic proportions, the future is more open than it has ever been.” He worries that “a church that is paralyzed, frozen by fear, is a church that is slowly but surely dying.”

Gibson’s book is full of interesting observations that often elude other commentators. “Catholics today still continue to view themselves with a minority mindset that most other groups do not have.” This, he explains, is due “to the persistent strain of anti-Catholicism that runs

*continued on page 14*

*Pederasty in the Catholic Church: Sexual Crimes of the Clergy Against Minors: A Drama Silenced and Covered Up by the Bishops [Pederastia en la Iglesia catolica: Delitos sexuales del clero contra menores, un drama silenciado y encubierto por los obispos]*, by Pepe Rodríguez, Ediciones B, Barcelona, 2002, 391 pp. \$14.30.

*The Sex Life of the Clergy [La vida sexual del clero]*, by Pepe Rodríguez, Ediciones B, Madrid, 1995, 463 pp., \$9.99.

Lurid though the titles may seem, they accurately reflect the content of these two important books by a prominent Spanish psychologist and author. Rodríguez’s more recent book, up to date as of September 2002, explores in depth the age-old worldwide problem of the sexual abuse of minors by religious authority figures, a problem aggravated by the understandable reluctance of victims to report abuse and the longstanding but largely unwritten policy of church officials, from the pope on down, to coddle abusers and go to great lengths to cover up the abuse. The abuse scandals in the U.S., Canada, and Europe recently may now bring about the public airing that this issue demands.

Rodríguez notes that various estimates of the percentage of priests, and even bishops, who abuse minors range from 3% to 6%, though

the figure for Spain may be even higher, while the number of victims is well into the many thousands. Rodríguez also acknowledges that clerical abuse is not limited to Catholic clergy.

Rodríguez recommends that instances of abuse he reported first to police or other civil authorities, as complaining within the church structure is likely to lead nowhere.

Rodríguez’s 1995 book covers broader ground. His studies in Spain show that 60% of priests are sexually active in violation of their celibacy vows. Of these, his study of Spanish priests showed, 53% had relations with adult women, 21% with adult males, 14% with minor males, and 12% with minor females. He notes that a large number of Spanish priests left the priesthood to marry and that others formed long-term relationships that are ignored by both the laity and church hierarchy.

At the heart of the problem, Rodríguez writes, is the Vatican’s unworkable, unscriptural, unnecessary, guaranteed to cause trouble, medieval policy of clerical celibacy.

While these two books merit the widest possible readership, they are unfortunately available presently only in Spanish.

— Edd Doerr

## Books, continued from page 13

through American history, an enmity that instilled in U.S. Catholics an equally persistent enclave mentality.”

Gibson, who was “raised a Billy Graham-style evangelical in middle class New Jersey,” worked for Vatican Radio for several years before becoming a Catholic in 1989, which he says gives him “an oblique perspective.” He is now an award-winning religion writer for the *Newark Star-Ledger*.

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*Religion Returns to the Public Square: Faith and Policy in America*, edited by Hugh Hecló and Wilfred M. McClay, Johns Hopkins University Press and the Woodrow Wilson Center Press, 382 pp., \$15.95 paperback.

In this anthology, 11 scholars examine how religion has “reengaged with political history” during the last three decades of American public life. Law, education, party politics, welfare reform and foreign policy have all been affected by different dimensions of religion.

Hugh Hecló observes, “The intersection of religion with public affairs is a powerful, culture-shaping force” and “stirs up troublesome and deep issues in public debate.”

The book is a not-bad overview of the subject, containing much food for thought. And while conservatives seem to outnumber liberals and moderates, one conservative, James Reichley, warns, “Religious zealotry can threaten human rights and social harmony.”

The best essay is by William Martin, who analyzes the growing impact of religious influences, especially from the Religious Right, on U.S. foreign policy. Martin warns, “The patriarchal nature of much of conservative Christianity makes acceptance of authoritarian governments easy.” This kind of religion, which is “being exported to developing nations” is “strongly supportive of American capitalism and . . . has the potential to raise false hopes, exacerbate political tensions and help prop up authoritarian and corrupt regimes.”

— Al Menendez

*Morality and the Mail in Nineteenth Century America*, by Wayne E. Fuller, University of Illinois Press, 264 pp., \$39.95.

In 19<sup>th</sup> century America evangelicals sought to control many aspects of public life and private morality by using the organs of government to impose their moral views on everyone else. They fought to outlaw mail delivery on Sunday, opposed Sunday newspapers, promoted rigid censorship of literature and anti-obscenity laws that allowed the post office to serve as a moral arbiter of literature. Laws were eventually passed that restricted mailing contraceptives, abortifacients and advertising for them through the mail. Evangelicals, says Fuller, tried “to preserve what they believed to be a Christian nation and maintain an evangelical moral order.” In doing so, they completely ignored the rights of others and sought to weaken the First Amendment.

Fuller tells the story well, with considerable documentary detail. But his biases in favor of the evangelical crusade are so pervasive that many readers will grow weary of them. He calls evangelicals “the nation’s people of faith,” ignoring Catholics, Jews, Eastern Orthodox Christians, religious liberals and others, and says there was an “evangelical moral majority” that had every right to “preserve a Christian country” and “force their government to reflect the nation’s Christian roots.” He constantly refers to “prurient publications,” “wasted lives” and lauds evangelicals for trying to preserve “Christian verities” that would “steer

“Conservative Protestants and evangelicals who have vilified the pope for years have now found themselves in alliance with a conservative pope on issues of sexual morality. . . . What you are seeing across the world is a realignment of global religion where the forces of conservatism are finding more cause with each other across religious boundaries than within their own religious traditions.

“[The conservatives want to roll back the 18<sup>th</sup> century Enlightenment] because it brought rationalism and individualism into the Western world. . . . The fact that it delivered us from superstition and church imperialism is forgotten.”

Michael Ingham, bishop of Vancouver, British Columbia, Anglican Church of Canada, *New York Times*, July 5, 2003.

the nation’s bark away from a looming paganism.”

Fuller’s reactionary views even lead to a defense of the notorious Comstock antiobscenity laws. Instead of trying to understand that liberal critics sought to preserve First Amendment rights, Fuller says Comstock’s “enemies were generally anarchistic, freethinking and anti-Christian.”

He attacks the Democrats for opposing the evangelical crusade, saying they “deliberately raised the specter of the fusion of church and state as a weapon to frighten Americans.” He is right, however, when he says “the Republican Party was to be as close to a purely Protestant party as the nation was to have.”

He mislabels President James Madison a Presbyterian. Madison was a lifelong Episcopalian whose wife, Dolley Madison, incurred the wrath of her Quaker family when she converted to the Episcopal Church to marry James.

— Al Menendez

*Religious Liberty in America: Political Safeguards*, by Louis Fisher, University Press of Kansas, 266 pp., \$16.95 paperback.

The author, a staffer at the prestigious Library of Congress Congressional Research Service, argues forcefully that Americans “must understand the political – and not just the judicial – context for the safeguards that protect religious minorities.” Fisher’s exhaustive study of church-state case law “reveals some victories for religious minorities and many, many defeats.”

Admitting that his conclusions are somewhat out of the mainstream, he persists and says, “on matters of religious faith and observance, elected officials more than judges have played an integral role in defining the reaches of religious liberty protections.”

Fisher believes that in the long run public opinion will be a more certain guarantor of religious liberty, especially for minorities. “To expect courts to consistently rectify constitutional wrongs, especially in the areas of individual rights and religious liberty, is to expect too much. Liberties are advanced through the public education and support that accompany the legislative process. . . . The habit of automatically expecting courts to protect constitutional liberties is ill advised.”

However, he offers little historical proof to bolster his argument. Many if not most Americans, especially those who adhere to unpopular religious viewpoints, continue to look to the courts for protection.

Fisher also undercuts his thesis when he admits that “religious groups have learned to consolidate their interests with other denominations to exert the maximum pressure and effectiveness. With ready access to parishioners, religious interests can mobilize more quickly and effectively than nearly any other interest group.” Since most large religious groups have shown little interest in protecting minorities or those who do not participate in any religious activities, they can hardly be seen as defenders of liberty for all.

— Al Menendez

### Moving?

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*Religious Pluralism in America: The Contentious History of a Founding Ideal*, by William R. Hutchison, Yale University Press, 276 pp., \$29.95.

The author, a professor of American religious history at Harvard Divinity School, presents an overview of the struggle for religious diversity and pluralism in U.S. history, arguing that this was the implicit agenda of the Founding Fathers. This is a rather breezy, informal history that stresses the high points of the story.

Hutchison is one of the few historians who believes that Paul Blanshard's critique of Catholic officialdom's "anti-democratic social policies deserved to be believed." He adds, "Ironically, Blanshard's polemic and the storm it aroused may have aided John F. Kennedy in his pursuit of the presidency."

Today's main threat to religious pluralism comes from the Religious Right. Hutchison writes, "The unitive or counterpluralist impulse remained alive and vigorous in the final decades of the twentieth century . . . because of a large religious right that was predominantly white and Protestant." But the movement could not "paper over its bitter internal divisions" or attract moderate evangelical support. Therefore, it "suffered defeat and disappointments." "But," he adds, "it has not expired, any more than fundamentalism had expired after the Scopes trial of the 1920s."

In this first decade of the 21<sup>st</sup> century, the Religious Right has "regrouped, with a somewhat changed set of moderate and secular allies, for an assault on pluralism itself."

Hutchison sees no viable alternatives to an increasingly pluralistic society, endorsing "acceptance of pluralism itself as the only remaining common value for society at large" and denouncing "a return to the kind of unitive ideal that, even in an expanded form, would re-pristinize and reimpose the common values of an older Protestant America."

—Al Menendez

*Balkan Idols: Religion and Nationalism in Yugoslav States*, by Vjekoslav Perica, Oxford University Press, 332 pp., \$35.00.

Do we really need another book on the religious and ethnic travails of the Balkans, especially since the world's attention is focused on the Middle East? The answer, after reading this riveting analysis, is a solid affirmative.

Perica, a Croatian-born journalist now teaching history at Southern Illinois University, has given readers what may be the definitive history of how religious myths and hatreds so poisoned a region of Europe that more than 2,000 places of worship were destroyed and more than 240,000 men, women and children lost their lives during the 1990s.

Perica clearly blames religious zealots for the "Balkan nightmare," the "land of Byzantine domes, gothic spires and Islamic minarets." All three faiths – Eastern Orthodox, Roman Catholic, and Muslim – developed carefully selected "myths" to promote hegemony in the region. He condemns the Vatican for beatifying Croatia's World War II Cardinal Alojzije Stepinac in 1998. Stepinac "never made any public statement of regret or apology regarding the crimes for which the Croatian World War II regime was responsible" nor did he ever "discipline any of the numerous priests and prominent Catholic lay leaders who served as the discredited regime's officials, some of whom actually participated in drawing up the regime's racist laws."

The Serbian Orthodox Church "has constructed the Jerusalem Myth," which regards Serbia as the new Jerusalem, a blameless martyr on the world stage. He adds, "the canonization of eight Serbian martyrs or 'new saints,' victims of the Jasenovac concentration camp who thus joined the army of Serbian saints who reside in the mythical Heavenly Serbia. The myth prepared the ground for Serbian ethnic cleansing in Croatia, Bosnia-Herzegovina, and Kosovo. It generated the lust for revenge and justified crimes committed by Serbs during the Balkan wars of the 1990s."

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The author notes that while religious minorities, such as Jews, lay people and some clergy are working for interfaith reconciliation, other clergy "remain hostile to each other and linked with ethnic nationalistic parties all pursuing the ideal of sectlike states." The only time the three groups have agreed was "to reject the liberal secular initiative for teaching a course in an ecumenically oriented religious culture in public schools, instead insisting on traditional religious instruction carried out by clergy among students divided into estranged religious enclaves."

The only tolerant state in the region is Slovenia. Perica writes, ". . . It is worth noting that the only successful new democracy among the successor states of former Yugoslavia, the Republic of Slovenia, has followed the western European trend of dazzling secularization and religious indifference rather than the pattern of the Balkan 'religious revival' of the 1980s and 1990s. According to a 2000 survey, only 19% of the surveyed Slovenes said they were church members and 60% declared that they did not practice religion."

Religion remains "the hallmark of nationhood" in this tragically divided and historically cursed region. American conservatives who oppose the separation of church and state should visit here, if only to see what the absence of the principle has wrought.

—Al Menendez

*The Voice of the Irish*, by Michael Staunton, Hidden Spring, 280 pp., \$18.00.

Irish historian Michael Staunton has written an accessible and lucid history of religion in Ireland from the days of St. Patrick to the present. Giving a balanced treatment to both Protestants and Catholics, North and South, he concludes, "The Catholic Church will never regain the hold which it had on the majority of Irish people from the nineteenth century until recent decades, but there are signs that it may be adapting to a new role." He adds, "Religious commitment in Northern Ireland has declined in recent years, even if not as dramatically as in the Republic, but identification as Catholic or Protestant looks set to remain the strongest badge of identity."

Of the future he observes, "Ireland is a less Christian country than it once was, but Christianity still plays a greater part there than in most of the Western world. . . . Ireland is no longer a Christian country in the sense that it has been for a millennium and a half. Though a large

*continued on page 16*



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## Books and Culture, *continued from page 15*

majority of Irish people call themselves Christian, religion plays a lesser role in peoples' lives, as suggested by falling church attendance and in changing attitudes toward the churches. Religion, which once dominated politics in Ireland, is, if not marginal, no longer central."

—Al Menendez

*That Old-Time Religion in Modern America: Evangelical Protestantism in the Twentieth Century*, by D.G. Hart, Ivan R. Dee Publishers, 246 pp., \$24.95.

This is an "insider's view" of evangelicalism's impact on the politics and culture of twentieth century America. Hart, a seminary professor, is clearly enamored of his religious group but is not unmindful of its flaws or of the reasons for what he calls "the reversal of evangelical fortunes over the course of the twentieth century."

He argues that evangelical Protestantism "was the most influential of America's religions. Its establishment may not have been official, but its ideals and practices informed American public life in palpable ways."

The loss of evangelical power and influence from the 1930s to the 1970s, due partially to its internal dynamics and its inability to adjust to changing cultural mores, turned its members into bitter isolationists. Then they decided to challenge the society that had allegedly turned against them. Writes Hart, "From an evangelical perspective, America changed decisively in the 1960s into a godless society, and this transformation also changed born-again Protestants into socially and politically involved citizens." Hart says evangelicals have "a populist political style and are generally suspicious of elites and privilege." They also tend to "evaluate a policy or piece of legislation on the basis of whether it conforms to divine will."

Hart seems unwilling to admit that this emphasis assumes that evangelicals alone know what is the religiously correct position. He implies, however, that they are still unable to function happily in a pluralistic society, noting that "Born-again Protestants are uncomfortable with a society where Christianity is not the norm."

Hart says that a fundamental shift has occurred in evangelical politics, from economics and international politics to a concern for "family values." A new *bête noire* replaced "Catholicism, alcohol and evolution," their traditional foes. "That enemy was secular humanism. Over the last quarter of the twentieth century, this phrase energized evangelicals the way communism had between 1920 and 1970."

Hart admits that evangelicals "have flourished in a nation founded

on a secular platform." In fact, he is emphatic that this is a key to their success. "Evangelicalism not only supported America's political philosophy, it benefited directly from the way the Founding Fathers resolved questions about the place of religion in the new nation. By prohibiting congressional support for an established church, the First Amendment to the United States Constitution in effect made belief voluntary."

It's a shame that many evangelicals today have forgotten this central fact and have organized the Religious Right movement, which is antagonistic to these first principles and doing everything possible to undermine them.

—Al Menendez

*Transnational Catholicism in Postcommunist Europe*, by Timothy A. Byrnes, Rowman & Littlefield Publishers, Inc., 155 pp., \$25.95.

Byrnes, a political science professor at Colgate University, is author of the now-classic *Catholic Bishops in American Politics*. In this book, he turns his sights to the Catholic Church and its political influence in five nations of East Central Europe (Poland, Slovakia, Hungary, Romania and Croatia).

The context of this study is the Vatican's intense interest in the region. Writes Byrnes, "Pope John Paul II wants to bring about the post-Cold War unification of a reenergized and reevangelized Christian Europe and, if possible, an even grander rapprochement between Catholicism and Orthodoxy."

Byrnes, who calls the Catholic Church "a remarkable political institution" (no doubt about that!), says that its newly energized numbers "are at any given time more or less dedicated to the church's institutional vitality and to the dissemination, and even enactment into law, of the church's interests, teachings, and policy positions."

Byrnes discovered, however, that deep-seated "ethnic tensions," disagreements among Catholics over the proper role of the church in politics and policy-making, and countervailing forces have prevented the Vatican and its local hierarchies from reasserting the power they wielded before World War II. He concludes, "The Vatican's hope that a revitalized Catholic Church will sit at the heart of a common European home is being frustrated at the moment by the powerful force of secularism in the West and by the post-communist uncertainties of life in the East. Yet at the same time, the Vatican's hopes are also being frustrated by the national institutions and national identities that are built right into the very structure of the church itself."

—Al Menendez