



VOICE OF REASON

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The Curious Case of the Congressman's Koran

The voters in Minnesota's 5th Congressional District, which includes the city of Minneapolis, elected a new Democratic congressman in 2006, Keith Ellison. Ellison is a Muslim, the first member of that faith to win election to the U.S. House of Representatives. Ellison won a tough Democratic primary, then easily defeated a Republican and an Independent in November.

Instead of celebrating Ellison's election as a validation – long overdue perhaps – of America's religious diversity, some Religious Right and Republican Party leaders pronounced themselves horrified by the election. This criticism escalated when Ellison announced that he would use the Koran during the private swearing-in that takes place after the public ceremony.

The attack began when Dennis Prager, a Los Angeles conservative talk radio host, wrote on *TownHall.com*, "America is interested in only one book, the Bible. If you are incapable of taking an oath on that book, don't serve in Congress." In an interview with Religion News Service, he added, "This has nothing to do with the Koran. It has to do with the first break of the tradition of having a Bible present at a ceremony of installation of a public official since George Washington inaugurated the tradition."

Prager's comments produced both support and outrage. An Islamic civil rights group, The Council on American-Islamic Relations (CAIR),

urged that Prager be removed from the U.S. Holocaust Memorial Council, to which he was appointed by President Bush in August. CAIR executive director Nihad Awad said, "No one who holds such bigoted, intolerant and divisive views should be in a policymaking position at a taxpayer-funded institution that seeks to educate Americans about the destructive impact hatred has had, and continues to have, on every society."

The Anti-Defamation League said Prager's views were "intolerant, misinformed and downright un-American." Former New York City Mayor Edward Koch, a member of the U.S. Holocaust Memorial Council, said he would ask the group's advisory board to remove Prager as one of its 55 members. The Holocaust Museum issued a statement that said, "Talk show host Dennis Prager speaks solely for himself. His statements do not reflect the position of the U.S. Holocaust Memorial Museum, whose board is not self-appointed."

Prager received support from one shrill outpost of the Religious Right, the American Family Association (AFA), based in Tupelo, Mississippi. The group sent out an "action alert" to its members, urging them to lobby Congress "to pass a law making the Bible the book used in the swearing-in ceremony of representatives and senators." Ignoring both Article VI and the First Amendment guarantees of religious neu-

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Stem Cell Research Wins House Endorsement

The U.S. House of Representatives voted 253 to 174 on January 11 to broaden federal financial support for stem cell research, using stem cells derived from excess embryos that fertility clinics might otherwise discard. Democrats voted 216-16 (93.1% yes), in favor of HR3, the Stem Cell Research Enhancement Act, while Republicans opposed it 158-37 (19% yes). The overall support (59.3%) was the highest of several recorded votes in recent years. The bill, expected to pass the Senate easily, still faces a probable presidential veto. Its sponsors in the House were Diana DeGette, a Colorado Democrat and a Presbyterian, and Michael Castle, a Delaware Republican and a Roman Catholic.

Besides the expected partisan divide, there were the usual regional differences. The Northeast and Pacific Coast states were overwhelmingly supportive, while the Midwest, the Border South and the Interior West were split. The South was opposed (see chart 1).

Every New England member supported stem cell research, as did more than 75% in the Pacific Coast and Mid-Atlantic regions. The vote was divided in the Border states, the Midwest and Plains States, and in the Interior or Mountain West. Half the representatives, including a number of Republicans, voted in the affirmative in the Mountain

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Faith-Based Programs Face Challenges

The U.S. Supreme Court's decision on December 1 to decide whether individual citizens may challenge the White House office that promotes faith-based initiatives raises hopes among critics that such programs could be curtailed. The case, *Hein v. Freedom From Religion Foundation, No. 06-157*, is on appeal from the U.S. Court of Appeals for the Seventh Circuit. The appellate court, overruling a federal district court, held that taxpayer-plaintiffs were entitled to challenge Bush administration conferences promoting the faith-based agenda if the conferences served as "propaganda vehicles for religion." Since these venues were never funded by specific Congressional appropriations, the Bush administration has argued that taxpayers have no standing to challenge the financing. A federal district court in Wisconsin agreed with this assessment in 2004, but the 7th Circuit disagreed in 2006. As *New York Times* legal reporter Linda Greenhouse explained, "As a general matter, people do not have standing, based solely on their status as taxpayers, to challenge the expenditure of federal money. The Supreme Court's precedents have carved out religion cases as an exception to this general rule."

The question of standing has always been a tricky one. The case is scheduled for oral argument in February. Its importance cannot be overstated. About 11% of all federal social service grants, or \$2.15 billion, went to faith-based agencies in 2005.

Some observers also believe the Democratic majority in Congress will take a closer look at faith-based initiatives. Many newly elected Democrats favor the concept in principle but believe tighter regulations should be enacted to protect employees of the faith-based enterprises themselves and their clients and beneficiaries from religious proselytizing. Anne Farris, Washington correspondent for *The Roundtable on Religion and Social Welfare Policy*, noted that Democrats "will chair important committees that may scrutinize or offset past Republican-promoted laws to fund faith-based projects."

Supporters of expanding faith-based programs on the state level have not given up or reduced their expectations. In Ohio the directors of state prisons and youth detention centers are planning to expand religious-emphasis programs for inmates and juvenile delinquents. A report issued on November 20 by the Correctional Faith-Based Initiative Task Force, co-chaired by prisons director Terry Collins, "offers 16

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Edd Doerr, President

recommendations urging the religious community to help with everything from counseling inmates to helping them find work when they are released," wrote Reginald Fields in the *Cleveland Plain Dealer*.

These new measures, says Fields, "could take hold in weeks and will make it easier for religious figures to gain access to prisons and organize programs more consistently."

In Georgia, reelected GOP Governor Sonny Perdue promised to reintroduce a constitutional amendment that will guarantee funding for faith-based services. "Attempts to move an amendment through the legislature have failed in each of the past three years. Democrats in both houses of the Georgia General Assembly have kept the measures from receiving the two-thirds vote an amendment needs to be put up for a popular vote," wrote Matt Wilson in the *Chattanooga Times Free Press*. Wilson suggested that Gov. Perdue will repay his Religious Right backers by proposing another amendment. "According to CNN exit poll data, Gov. Perdue received 65% of the vote from born-again and evangelical Christians. He received 79% of the vote from white born-again and evangelical Christians."

Politics and religion continue their cozy arrangements at the fiscal line. ■

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Stem Cell Research, *continued from page 1*

States. The South was the least sympathetic region, with the naysayers winning 57% to 43%.

Democrats were overwhelmingly supportive, except in West Virginia where both voted no, and the lone Republican voted yes, making the Mountaineer State the odd man out. In Minnesota and Indiana 40% of Democrats were opposed.

Republicans were opposed, especially in the South, where the vote was 68-6 against. But a majority of Republicans backed the measure in Alaska, Connecticut, Delaware, Nevada, Oregon and West Virginia. About half of GOP members in California and New Mexico voted yes.

In a number of states, party-line differences were paramount. All Democrats voted yes, and all Republicans voted no, in Alabama, Arizona, Arkansas, Colorado, Iowa, Kansas, Kentucky, Louisiana, Oklahoma, South Carolina, Utah, and Wisconsin.

Religious differences were also significant on the vote, which was expected since religious bodies have taken different positions on the stem-cell issue. The religiously nonaffiliated, Jews, Eastern Orthodox Christians, non-denominational Protestants, Roman Catholics, Methodists and Christian Scientists all gave 60% or greater support to stem cell research (See Chart 2). Lutherans and Episcopalians gave majority support. Presbyterians, Baptists, Mormons, non-denominational Christians, and members of smaller evangelical groups gave a majority against the measure, but there were many supporters in all religious traditions.

Religious affiliation shows up as a factor among dissenters, i.e., Democrats opposed to SCR and Republicans in favor of it. Ten of the 16 Democrats who voted no were Catholics, while 6 were conservative Protestants. (However, 77 Catholic Democrats voted yes, as did 6 Catholic Republicans, making the overall Catholic support 83-46, or 64.3%, which was higher than the overall Protestant support (51.4%). (see chart 2)

Among Republicans (see chart 3), Christian Scientists, non-denominational Protestants, and members of the United Church of Christ were most likely to support SCR. Episcopalians, Methodists, Mormons and Presbyterians also gave disproportionate support for the measure. Baptist and evangelical Republicans were nearly unanimous in their opposition. Six of 42 Catholic Republicans also voted yes.

Embryonic stem cells, or ESC, hold the potential of improving the lives of millions. Yet federal funding for ESC research has been difficult to come by due to political decisions that have been dictated by religious and personal beliefs rather than scientific objectivity. ... Cures for Parkinson's, Alzheimer's and paralysis can be significantly accelerated by our understanding and application of ESC-based therapies, and this requires immediate and sustained federal funding. It is imperative that Congress pass legislation to provide funds for ESC research. The issue of embryonic stem cells has unfortunately been mixed up with the abortion debate, primarily due to the absence of an honest public debate and the relentless campaign of the religious right.

— V. Prasad Shastri, assistant professor of biomedical engineering at Vanderbilt University, in the *Nashville Tennessean*, January 17, 2007.

Only 8 House members did not vote on this important bill (three Methodist Republicans, two Protestant Republicans, one Catholic Republican, one Baptist Democrat and one Baptist Republican).

The fact that this was the third bill voted on by the 110th Congress indicates its importance in the eyes of legislators. ■

Chart 1 – Vote by Region

Region	Yes	No	% Yes
New England	22	0	100.0
Pacific Coast	57	12	82.6
Mid Atlantic	46	15	75.4
Border South	16	15	51.6
Mountain West	14	14	50.0
Midwest	43	45	48.9
South	55	73	43.0
All	253	174	59.3

Chart 2 – Vote by Religion (All Members)

Stem Cell Research Enhancement Act – HR3, January 11, 2007

Religion	% Yes
No Affiliation	100.0
Jewish	96.7
Eastern Orthodox	75.0
Protestant (non-denominational)	70.0
Roman Catholic	64.3
Methodist	63.0
Christian Science	60.0
Lutheran	57.1
Episcopalian	51.9
United Church of Christ	50.0
Presbyterian	47.1
Baptist	44.8
Mormon	40.0
Christian (non-denominational)	37.5
Assembly of God	0
All Others	50.0

For: Unitarian Universalist, Quaker, Buddhist, Muslim, Disciples of Christ

Against: Christian Reformed, Evangelicals

Chart 3 – How Republicans Voted

Stem Cell Research Enhancement Act – HR3, January 11, 2007

Religion	% Yes
All Republicans	19.0
Christian Scientist	60.0
Protestant (non-denominational)	50.0
United Church of Christ	50.0
Episcopalian	31.6
Methodist	26.1
Mormon	25.0
Presbyterian	23.8
Lutheran	16.7
Roman Catholic	13.9
Baptist	3.3
All others	0

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Chart 4 – Vote by Party and Religion

Religion	Yes	No	% Yes
Roman Catholic	83	46	64.3
Democrat	77	10	
Republican	6	36	
Baptist	26	32	44.8
Democrat	25	3	
Republican	1	29	
Methodist	29	17	63.0
Democrat	23	0	
Republican	6	17	
Presbyterian	16	18	47.1
Democrat	11	2	
Republican	5	16	
Jewish	29	1	96.7
Democrat	29	0	
Republican	0	1	
Episcopalian	14	13	51.9
Democrat	8	0	
Republican	6	13	
Protestant	14	6	70.0
Democrat	8	0	
Republican	6	6	
Christian	6	10	37.5
Democrat	6	0	
Republican	0	10	
Lutheran	8	6	57.1
Democrat	7	1	
Republican	1	5	
Mormon	4	6	40.0
Democrat	2	0	
Republican	2	6	
United Church of Christ	1	1	50.0
Democrat	0	0	
Republican	1	1	
None	6	0	100.0
Democrat	6	0	
Republican	0	0	
Eastern Orthodox	3	1	75.0
Democrat	3	0	
Republican	0	1	
Christian Science	3	2	60.0
Democrat	0	0	
Republican	3	2	
Assembly of God	0	4	0
Democrat	0	0	
Republican	0	4	
All others	11	11	50.0
Democrat	11	0	
Republican	0	11	

The ability to work on newly derived stem cell colonies would be incredibly important. We are missing out on possible breakthroughs. Science works best when scientists can pursue all avenues of research.

— Story Landis, interim chair of the National Institutes of Health stem cell task force, in testimony before Congress, January 19, 2007.

trality by government, AFA’s email said bluntly that Ellison “should not be allowed to take his oath of office on the Koran because the act undermines American civilization and is an act of hubris that perfectly exemplifies multiculturalist activism.”

The controversy soon proved to be an educational experience. Historians noted that there is nothing in the Constitution requiring the use of any holy book in the ceremony of taking of oaths of office for members of Congress or the presidency. It has been a custom for some to swear on the Bible but it is not required. Even conservative legal scholars agree. Kevin Hasson, head of the Becket Fund, told *The Christian Science Monitor*, “A congressman having to swear an oath on a scripture that he doesn’t believe in was unconstitutional from the very moment the Constitution was signed. It would be beyond irony to violate the Constitution in the very act of requiring a congressman to swear his loyalty to uphold the Constitution.”

Library of Congress researchers and congressional historians pointed out that John Quincy Adams took the presidential oath in 1825 on a law volume, and that Theodore Roosevelt used no Bible in 1901. Franklin Pierce in 1853 and Herbert Hoover in 1929 “affirmed” rather than “swore” allegiance to the Constitution.

According to Omar Sacirbey of Religion News Service, “But Ellison would not be the first member of Congress to forgo a Bible at the swearing-in ceremony. Congresswoman Debbie Wasserman Schultz (D-Fla.) took her oath in 2005 on a Tanakh, the Hebrew Bible, which she borrowed from Representative Gary Ackerman (D-N.Y.) after learning a few hours earlier that the speaker of the House didn’t have any Jewish holy books.”

The conflict seemed to have died down when an obscure Virginia congressman, Republican Virgil Goode, reignited it. In a December 5 letter sent to hundreds of his constituents, Goode warned that the country was in danger of being taken over by Muslims unless Americans “wake up,” he said, or else there would “likely be many more Muslims elected to office and demanding the use of the Koran.”

In a strange brew of ignorance, bigotry, and Nativism, Goode added, “I fear that in the next century we will have many more Muslims in the United States if we do not adopt the strict immigration policies that I believe are necessary to preserve the values and beliefs traditional to the United States of America and to prevent our resources from being swamped.”

Representative-elect Ellison generally ignored the attacks, though he noted that Rep. Goode seemed ill-informed about the Constitution. He added, “I’m not an immigrant. I’m an African-American.” Ellison, whose American ancestors date back to 1742, was a college-age convert to Islam. Ellison told *The New York Times*, “I’m looking forward to making friends with Representative Goode, or at least getting to know him. I want to let him know that there’s nothing to fear. The fact that there are many different faiths, many different colors and many different cultures in America is a great strength.”

Goode’s remarks, and his adamant refusal to apologize, did not go down well with many members of Congress and the media. Incoming House Speaker Nancy Pelosi called his comments “offensive.” Rep. William Pascrell (D-NJ), whose congressional district has a large Muslim community, said he found the Goode statement “personally offensive.”

The Washington Post was outraged. In a December 22 editorial, “A Bigot in Congress,” the capital’s leading newspaper commented, “Mr. Goode, evidently in a state of xenophobic delirium, went on a semi-public tirade against the looming peril and corrupting threat posed by Muslim immigration to the United States.” The paper continued, “This country’s history is rife with instances of uncivil, hateful and violent behavior toward newcomers, be they Jewish, Irish, Italian or plenty of others whose ethnicities did not jibe with some pinched view of what it

means to be American. Mr. Goode's dimwitted outburst of nativism is nothing new.

"No, the real worry for the nation is that the rest of the world might take Mr. Goode seriously, interpreting his biased remarks about Muslims as proof that America really has embarked on a civilizational war against Islam. With 535 members, you'd think that Congress would welcome the presence of a single Muslim representative. Whether it can afford a law-maker of Mr. Goode's caliber is another question."

Ellison had the last word on this bizarre and completely unnecessary imbroglio. When taking his private ceremonial oath, he used a Koran that once belonged to Thomas Jefferson. The Jefferson Koran was provided by Mark Dimunation, chief of the rare book and special collections division of the Library of Congress. The English translation was published in the 1750s and survived the 1851 fire that destroyed most of Jefferson's collection that formed the nucleus of the Library of Congress.

Goode was unmoved. In an irony of history, Goode represents Jefferson's birthplace of Albemarle County. But he has adopted none of Jefferson's tolerance. "I believe that the overwhelming majority of voters in my district would prefer the use of the Bible," he told Fox News. ■

In their zeal to promote the use of the Bible, many of Ellison's critics are forgetting that the authors of the Constitution went to great lengths to separate church and state as a bulwark against the religious discrimination many of the colonists fled England to escape. Thomas Jefferson, whose birthplace Goode represents, considered his authorship of Virginia's Act for Establishing Religious Freedom as one of his greatest accomplishments, along with drafting the Declaration of Independence and founding the University of Virginia. He and the Founders rejected any attempt to make Christianity the nation's official creed.

Ellison has shown grace and diplomacy throughout the controversy, saying he hopes to become friends with colleague Goode and further his understanding of Muslims. Ellison's final gesture at the ceremonial swearing in today is the ideal conclusion to an otherwise tawdry episode.

The new congressman is using a Koran from the Library of Congress archives originally owned and initialed by Jefferson himself, a pointed reminder that America was founded on the principle that no faith, creed or lack thereof should receive official favor or prejudice.

—*Houston Chronicle*, January 3, 2007

Courts May Have to Settle Episcopal Dispute

Property disputes between local congregations and church headquarters have a long history of ending up in court. In 1871 the U.S. Supreme Court ruled in *Watson v. Jones* that courts should defer to the kind of church government that obtains in each body. Hierarchical, or episcopally-managed, churches generally invest all property in the bishop (the corporation sole idea), while congregational churches tend to own their own property, even if they belong to a denomination. In practice, the neat differentiation has never been wholly observed.

A century or so later, the Supreme Court loosened the requirements further by invoking the "neutral principles of law" concept, which allowed state courts to apply a variety of legal principles, including an examination of trusts and deeds, before determining whether the breakaway congregation or the original owner is or should be entitled to the property. In a 1979 case the High Court cautioned that states may adopt "any one of various approaches for settling church property disputes so long as it involves no consideration of doctrinal matters." Courts in Florida, Michigan and Texas have generally accepted the claims of the original owners, i.e. the hierarchical body. But courts in California, New York and Ohio have allowed dissident congregations to sever ties from national church bodies and still keep their property.

The case of the battling Virginia Episcopalians is expected to be complicated and perhaps nasty. In the diocese of Virginia, one of the oldest in the U.S. Episcopal Church, 15 parishes have severed ties with the national church and voted to accept the leadership of the Anglican Church of Nigeria, whose leaders are conservatives in theology and tend toward evangelicalism in social and political matters. The departing parishes, including churches in Northern Virginia once attended by George Washington, have filed petitions with courts, seeking clear title to their properties, and threatened to charge diocesan officials with "trespassing" if they set foot on the property without the express permission of the vestry, the church's local and lay-run governmental unit. The bishop, Peter Lee, filed legal motions seeking to retain the local property, contending that all parish property is held in trust by the diocese. The departing congregations claim that the deeds are in the name of the individual trustees.

Virginia's Supreme Court will probably end up deciding this dispute, and its past rulings offer little help. In 1977 it upheld a lower court decision that a local church could not retain its property after breaking with the denomination. But in a 1974 case involving a Presbyterian church in Norfolk, the court said "the statutes of Virginia, the express language of the deed and the provisions of the constitution of the general church" could be considered in such intra-church disputes. (The Presbyterians are governed by a Synodical system, which is midway between Episcopal and Congregational, and that adds to the legal complexity and confusion.)

The Virginia conflict has wide national implications, since rumblings of discontent are found throughout many U.S. religious bodies. Richmond lawyer William Etherington said, "A lot of people are going to be paying very close attention to it, and not just in the Episcopal Church."

Washington Post staff writers Alan Cooperman and Michelle Boorstain also noted, "Each side has accused the other of rushing to court. But independent legal experts say part of the problem is that the law in this area has become increasingly unsettled as courts in various states have taken differing approaches and arrived at differing conclusions about who gets the assets in a church divorce."

When money, politics and religion intersect, all bets are off. ■

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Two Religious Conservatives Enter GOP Race

The Republican primary contest for U.S. President in 2008 grew by two in January when Kansas Sen. Sam Brownback and former Arkansas Gov. Mike Huckabee declared their candidacies. Both are popular with the party's Religious Right wing, expected to cast up to 40% of the GOP primary and caucus vote.

Brownback is a zealous advocate of every Religious Right position and has been particularly visible in the abortion rights, gay marriage and stem cell research debates. Brownback supported a ban on so called "partial birth" abortion in a March 13, 2003, Senate vote, and he voted on July 14, 2004, for a constitutional amendment to ban same sex marriage.

Brownback's campaign staff reflects his Religious Right orientation. His top fund-raiser and financial adviser is Tom Monaghan, the Domino Pizza founder and chancellor of ultra-conservative Ave Maria University. His political director is Martin Gillespie, former Republican National Committee "director of Catholic outreach." Brownback's conversion to Catholicism a few years ago, reportedly under the influence of an Opus Dei priest, seemed to have made him a favorite of the Catholic Right. In addition to Monaghan and Gillespie, Brownback's advisory committee includes two extremists in the anti-choice movement, Father Frank Pavone of "Priests for Life" and Dr. Jack Willke of the Life Issues Institute. Also supporting him are Bowie Kuhn, former Major League Baseball Commissioner, and Dr. Jerry Zandstra, a pastor of the Christian Reformed Church and founder of the Pro-Life Federation of Michigan. Brownback's steering committee is filled with members of the Palmetto Family Council, a South Carolina conservative group, and Massachusetts Citizens for Life.

Former Arkansas governor Mike Huckabee, an ordained Southern Baptist minister, said he would bring "a revival of our national soul" when he announced his candidacy on NBC's *Meet the Press*. Huckabee is an advocate of teaching creationism in public schools, an opponent of reproductive choice and of same-sex marriage. The two-term Governor, who was born in the same town as Bill Clinton, told NBC's Tim Russert that America "is a nation of faith." But he added an Eisenhower-like disclaimer, "It doesn't necessarily have to be mine." Huckabee is considered a long-shot though he drew 6% in a recent *Time* poll among likely Republican primary voters.

Religious Right conservatives are said to be frustrated and disappointed at this point in the nominating process because the two leading candidates in all polls for the GOP nomination are Rudy Giuliani and

John McCain, who are widely disliked by movement conservatives. Giuliani is pro-choice and pro-gay rights. McCain is much more conservative in his voting record, and has been trying to cozy up to religious conservatives like Jerry Falwell, but hostility to him remains strong. Focus on the Family's James Dobson recently said he could never support McCain.

Former Massachusetts governor Mitt Romney is also trying to mend fences with the Religious Right, but there are lingering suspicions about his positions. In 1994 Romney claimed to be pro-choice and pro-gay rights in his race for the U.S. Senate against Ted Kennedy. But as governor he took opposite positions and is seen as the most anti-gay rights candidate in either party. His Mormonism remains an unspoken problem, especially among some evangelical voters, who see the Mormon faith not as a fellow Christian group, but rather as a "cult." Both *The New Republic* magazine and the *Dallas Morning News* published unflattering articles about the Mormon faith in January, raising questions about Romney's religion.

An "official" statement from Mormon leaders was posted recently on the LDS website (www.lds.org) that says the church "does not attempt to direct or dictate to a government leader." LDS leaders also "recognize that government officials still must make their own choices based on their best judgment and with consideration of the constituencies whom they were elected to represent."

Observers believe Mormon leaders are trying to distance themselves from Romney's candidacy. The church rarely takes positions on national policy, but it has endorsed bans on same-sex marriage at both the national and state levels.

Romney continues to face daunting poll results. A survey conducted for the AARP Bulletin (February 2007) found that while 63% of adults polled thought "America is ready for an African American president" and 60% thought the nation is ready to elect a woman president, only 31% thought a Mormon could be elected.

The New York Times noted, "Still, Mr. Romney is taking no chances. He has set up a meeting this month in Florida with 100 ministers and religious broadcasters. That gathering follows what was by all accounts a successful meeting at his home last fall with evangelical leaders, including the Rev. Jerry Falwell; the Rev. Franklin Graham, who is a son of the Rev. Billy Graham; and Paula White, a popular preacher." ■



Secular Influence Growing in U.S.

The recently formed Institute for the Study of Secularism in Society and Culture (ISSSC) "encourages serious academic attention to the role of secular values and the process of secularization" in the U.S. and other lands. Under the direction of sociologist Barry A. Kosmin, ISSSC has estimated the number of "secular" Americans at 14% of the national adult population or 29.5 million people. It may be even higher. Kosmin and his associate director Ariela Keysar explain, "If one counts as seculars those who have a secular or somewhat secular outlook and say they have no religion, then more than one in five adult Americans can be included. That amounts to around 46 million individuals."

Keysar and Kosmin unveiled some of their research in a supplement to the Fall 2006 issue of *Religion in the News*, published by Trinity

College in Hartford, Connecticut. Kosmin was also principal investigator for the National Survey of Religious Identification (1990) and its follow-up, the American Religious Identification Survey (2001). Keysar and Kosmin write, "Social surveys have demonstrated again and again that at the beginning of the 21st century the component of the American population that is commonly termed secular is growing in number and as a proportion of the nation. ...In America, secularity is one option among many in a free-market-oriented regime that has operated for two centuries."

Secular Americans are likely to be young professionals residing in the West. Keysar and Kosmin continue, "An interesting socio-demographic profile or typology of the 'classic freethinking American' emerges when

we look across a range of variables to search for those most associated with the No Religion identity category and the secular outlook population. This population is more male than female. It is young: the most common age category is 18-35 years. It is more likely to be never married. Among ethnic groups it is more Asian than the general population. Geographically, it is more western."

Secular voters tend to be political independents. "They have a strong tendency to be politically independent of the two main parties. Thus, their reluctance to join or identify with institutions holds for both religious affiliation and political party." Because of the changing parameters of politics and religion in the U.S., the secular voters are important. "Since there is more consensus today on economic issues, as regards the virtues of a capitalist economy than there was for instance in the 1930s and 1940s, there is now less class politics. As a result, 'values' are the new battlefield, and the religious divide is more central to politics. This is particularly so where ethical or moral issues are involved, such as stem cell research, science teaching, assisted suicide, homosexual marriage, the death penalty, and gun control."

The existence of the secular community strengthens pluralism and freedom. Keysar and Kosmin conclude, "And so, today, in America, there is no limit on the ways in which the sovereign consumer can and will reformulate or consume ideas, loyalties, and rituals. This situation is an essential marker of secularization. An environment that offers freedom to exercise liberty of conscience and the pursuit of personal happiness is an important legacy of secularism in the political domain."

The ISSC web site is: www.trincoll.edu/secularisminstitute ■

ARL in Action

Al Menendez's publication of the religious affiliations of the 110th Congress resulted in interviews with National Public Radio's "To the Point" program and in a television segment on the Voice of America. He also was interviewed, and his comments on the changing religious character of Congress were given extensive coverage, by Newhouse News Service, Religion News Service, CNN, NBC News, and the Gannett newspaper chain. He also appeared on the Interfaith Alliance Radio Network's "State of Belief."

Edd Doerr's articles and commentaries on recent news events are published in the Sacramento Humanist newsletter online and reprinted in several Humanist-oriented web sites. (*Human Interest* online at hagsa.com and various other publications). Doerr shares a column with Tom Flynn in *Free Inquiry* magazine. Doerr addressed an audience in Annandale, Virginia, on January 21. Doerr is a member of the host committee for the reception on March 2 honoring Frances Kissling for her 25 years of leadership at Catholics for a Free Choice.

ARL's newest board member, Rev. Dr. William R. Murry, has just published a new book, *Reason and Reverence: Religious Humanism for the 21st Century* (Skinner House Books). He argues, "Religion is a powerful cultural force. As I look back through history and even at the world today, I see damaging ripple effects of the theistic, authoritarian belief systems. Authoritarian religions have disempowered people by mandating what they should think and what they should do and not do. As Freud and others have noted, this disempowerment has calcified people's minds and prevented critical thinking. Authoritarian theistic religions are usually intolerant of differences in religious beliefs and practices, and intolerance often leads to violence. From the burning of individual heretics to wars to acts of terrorism, world history is testimony to the horrors of religious absolutism."

States with Above Average Secular Populations

Over 25%	20-24%	
Washington	Montana	Michigan
Oregon	Nevada	Ohio
Idaho	Utah	Massachusetts
California	Arizona	New Jersey
Colorado	New Mexico	
Delaware	Kansas	
Vermont	Missouri	

Minimum Wage Vote Shows Religious Differences

When the U.S. House of Representatives voted 315-116 on January 10 to raise the minimum wage, there were significant religious differences among the Republican minority. While all 233 Democrats supported HR 2 (The Fair Minimum Wage Act), only 82 Republicans voted for it, while 116 were opposed and 4 did not vote.

Among Republicans, 50% of Catholics supported the increase compared to 40% of Protestants, a difference some might attribute to the "just wage" principle embedded in Catholic social teaching. Among Protestants, a majority of Lutherans and Christian Scientists voted yes, as did nearly half of Episcopalians, Methodists and Presbyterians. But more than a third of the very conservative Baptist Republicans supported the change, as did half of the Assembly of God members and several members of the smaller evangelical churches. The strongest opposition came from Mormons (only 1 of 8 voted yes) and nondenominational Christians (only 1 of 9).

Regional and cultural differences among Republicans were pronounced. All five Alabama Republicans voted in favor of the increase, as did all three Cuban-Americans from Florida. Three of four Kentucky Republicans were in favor, as were 5 of 6 New Yorkers, 5 of 6 New Jerseyans, 6 of 11 Ohioans and 6 of 8 Pennsylvanians. These votes may have reflected the economic conditions in their states. In contrast, 17 of 18 California Republicans opposed the increase, as did 16 of 19 Texans.

There was an east-west tilt to the vote. Northeastern Republicans voted 17-4 (81%) yes, while the Far West members were opposed 30-6 (16.7% yes). Southern Republicans voted 46-30 no (39.5% yes) and Midwesterners voted 27-21 no (43.8% yes), which was close to the overall GOP yes vote (41.4% yes). ■

Minimum Wage Vote Among House Republicans

Religion	% Yes	Religion	% Yes
Catholic	50.0	Mormon	12.5
All Protestant	40.4	Christian (nondenom.)	11.1
Lutheran	66.7	All Others	38.5
Christian Scientist	60.0	All	41.4
United Church of Christ	50.0		
Assembly of God	50.0	Region	% Yes
Episcopalian	47.4	Northeast	81.0
Presbyterian	42.9	Border South	47.1
Methodist	41.7	Midwest	43.8
Protestant (nondenom.)	35.7	South	39.5
Baptist	35.5	West	16.7

Religions Challenge Secular Sway in Many Nations

Year-end reviews in several newspapers suggested that organized religious group pressures are challenging the trends toward secularism and church-state separation in recent years. Gerhard Robbers, a professor of political and religious studies at Germany's University of Trier, observed, "Religion... is reasserting itself as a force in Europe. The period of secularism is coming to an end. A new landscape is emerging."

Associated Press reporter Brian Murphy concurred, "Debates over religion, politics and civic life – and how much they should overlap and interact – are demanding more attention across Europe than at any other time in recent decades."

Some of the debates revolve around the role of Islamic immigrants. Some extreme right, even neo-Nazi parties, such as the National Democratic Party in Germany and the Freedom Party in Austria, are using the fear of Islam to support a resurgence of Christian identity in the political realm.

On the other hand, citizens in countries that retain church-state links want greater separation. A poll by the Institute for Greek Public Opinion found 60% of Greeks favor the severing of ties between the state and the Greek Orthodox Church. A London think tank official,

Jonathan Bartley, co-director of Ekklesia (a London-based group that examines religious and social trends), said, "The remaining alliances of religion and governments don't make sense anymore, in many people's eyes, and they are coming apart."

The conflicting trends are expected to intensify, now that Eastern Orthodox Bulgaria and Romania have joined the European Union.

Meanwhile, in Latin America, a resurgence of political Catholicism may be taking shape. Andrés Oppenheimer, Latin American correspondent for the *Miami Herald*, reported, "Many analysts see a growing political manipulation of religious fervor in the region, alongside a greater church influence in state affairs. Some fear that, much as in other parts of the world, religion will soon be used to fuel domestic and even regional confrontations." Oppenheimer also cited a Latinobarometro poll conducted in 17 Latin American countries last year which revealed that the Catholic Church is the most respected institution in society. Nearly 71% of Latin Americans said they trusted the church, compared to 43% who trust their presidents, 42% who trust the armed forces and less than 30% who trust parliaments and political parties. The church is most popular in Guatemala, Honduras, Panama and Paraguay. ■

Texas Religious Right Still Wields Power

The Texas Freedom Network Education Fund has issued its annual report on the religious right, *God's Lawgivers?*, concluding that the forces of religious conservatism in the nation's second largest state are still powerful. This political-religious bloc continues to threaten religious liberty, public education, and scientific research.

TFN shines its spotlight on the Texas State Board of Education, which "is moving even farther to the right," as the "culture warriors" now have a majority of board seats for the first time and "will now exert even stronger influence over what students learn in Texas public schools." The report concludes, "The State Board of Education (SBOE) was one of the first major targets in the religious right's campaign to take control of government and direct public policy in Texas. Since at least the early 1990s a series of far-right members have tried to use the SBOE to advance their own narrow religious agenda in public schools. That agenda has included promoting creationism and attacking evolution in biology textbooks; opposing medically accurate, age-appropriate sex education in health classes; attacking efforts to teach students about

various religions and cultures; and undermining respect for the separation of church and state."

God's Lawgivers, a model report that should be used in other states, includes impressive documentation. It has surveys of legislation enacted or considered in recent years concerning school vouchers, sex education in schools, stem cell research and textbook adoptions. Portraits of the major players in the controversy are insightful, and an index of far-right groups, complete with finances, leadership and legislative and other activities conducted by these groups, is included.

The 2006 Texas Republican Party platform is an eye-opener that "once again highlights the grip that religious extremists have on the party."

The Texas GOP platform adopted on June 3, 2006, in San Antonio, claims, "America is a Christian nation... We pledge to exert our influence toward a return to the original intent of the First Amendment and dispel the myth of the separation of church and state."

Texas Republicans "support school subjects with emphasis on the Judeo-Christian principles upon which America was founded and which form the basis of America's legal and its political and economic systems."

The party "opposes federal court jurisdiction in cases involving family law and calls for the passage of a federal constitutional amendment that forbids any state from permitting marriage or civil unions for same-sex couples."

The platform is so far-out that it opposes mandatory vaccination programs for infectious diseases, calls for the elimination of Social Security, the Internal Revenue Service, the U.S. Department of Education, and minimum wage laws, and endorses U.S. withdrawal from the United Nations. It favors a constitutional amendment to ban all abortions, supports restrictions on divorce, opposes legislation that creates greater access to voting, and favors weakening the Americans with Disabilities Act.

If anyone doubts that the Religious Right still wields a considerable clout in state politics, they need only consult *God's Lawgivers? The State of the Religious Right, 2007*, available at www.tfn.org. ■

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.

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

Please contact us if you would like further information.

Americans for Religious Liberty
PO Box 6656, Silver Spring, MD 20916
Telephone: 301-260-2988, Fax 301-260-2089
email: arlinec@verizon.net

Americans for Religious Liberty at 25

ARL's co-founders Edward L. Ericson and Rabbi Sherwin T. Wine reflect on our March 1982 founding and offer their insights on the role we continue to play in the world of 2007 and beyond.

ARL – A Job That's Just Begun

Twenty-five years after the organization of ARL, the situation is stark: The enemies of freedom of belief are steadily gaining ground. In the guise of promoting freedom of religious expression, respect for diversity of belief is disparaged or ignored.

A wearisome drumbeat of misinformation intones the claim that “freedom of religion does not mean freedom from religion.” The corollary of that astonishing presumption is the pretension that what I propose to promote as religion is constitutionally privileged, while your differing opinion has no constitutional standing.

A variation of this claim asserts that the First Amendment was intended to protect religion from the state, but was never meant to insulate the state from religion. The two-pronged provision of the Amendment refutes that claim: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.” To be consistent with that doctrine, both requirements must be met. Neither promotion nor prohibition can be countenanced. (Justice Hugo Black liked to remind the Court that “no law means no law!”)

Under cover of such specious arguments as the religious zealots make, the separation of church and state – so explicitly defined in the language of the Amendment quoted above – is so poorly grasped (often deliberately, one must conclude) that even the late Chief Justice Rehnquist purported to believe that the constitutional principle of church-state separation was a “myth.”

As a result of a decades-long endeavor of obfuscation and deceit, millions of our fellow citizens have come to disbelieve that the Constitution means what it says. They suppose that we have gone “too far” in excluding “religion” from the courthouse and other public institutions, including public education. Both Federal and state constitutional prohibitions against using public revenues to advance religious indoctrination are waved aside as politicians cater to powerful sectarian lobbies. (For example, in my native state of Florida, our recent governor, Jeb Bush, with the concurrence of a like-minded legislature, simply ignored Florida's Constitution, which forbids the use of state revenues to promote “directly or indirectly” sectarian enterprises. The result: Expenditure of state funds for church-based “schools” where a fundamentalist reading of biblical texts supercedes science and history.)

For the past twenty-five years, *Voice of Reason* has documented hundreds of instances of gross denial of a liberty that every American has a constitutional right to enjoy. We – and millions of others – have stood up in defense of our freedom.

For those of us who founded Americans for Religious Liberty a quarter-century ago, the grim flow of events holds one stunningly bright recompense. We know now that our mission was not only worthwhile; it was – and is – absolutely essential, if future generations are to enjoy liberty of conscience, an atmosphere where science is unshackled, the mind is free and reason prevails. The would-be theocrats continue to gain ground, but we must counter their thrusts inch by inch. As their claims become more extravagant and unjust, and their hubris expands, they will surely overreach, and fall. Vigilant people, we among them, can help make that happen.

—Edward L. Ericson

Voice of Reason

Twenty-five years ago Americans for Religious Liberty was established to oppose the political agenda of the Religious Right. Jerry Falwell had created the Moral Majority. The Republican Party had embraced Jerry Falwell. A powerful new political “army” had emerged to bend the government of the United States to its will. The separation of religion and government was in grave danger.

Over the last twenty-five years the marriage between the Religious Right and the Republicans has grown more intense. During the past six years, with the active support of the Bush administration, the political agenda of the Christian fundamentalists has been aggressively promoted. Partisans of the Religious Right have been appointed to important government jobs. Defenders of the religious presence in government now fill the judiciary. Federal money has been given to religious organizations for religious programs. Military institutions are promoting Christian fundamentalism.

The Religious Right is no longer new. But political success has emboldened it. The presidential election of 2004 revealed that “values” is a primary issue in the minds of millions of voters. It was the issue that gave victory to President Bush despite the disaster in Iraq. Millions of poor people voted Republican because they were appalled by the prospect of gay marriage. The “culture war” is an ongoing battle promoted by the leaders of conservative religion.

The election of 2006 was a “blow” to the Religious Right. The Republican loss of the House and the Senate was traumatic. The Republican Party is on the defensive. Many of its former supporters, angry about the management of the war in Iraq, turned against the President and the Party. While many Republicans have soured on the alliance with the Religious Right, others see the fundamentalists as the one remaining force that can rescue them from defeat in 2008. “Values” would again be revived as a central issue.

The Democratic victory in November has given us hope. The stem cell controversy is also another source of hope. The fundamentalist assault on science has backfired. Questioning or denying evolution is not an important issue for most Americans. But undermining the possibility of medicine to restore health and to promote human survival is an important issue. Vetoing embryonic stem cell research is not supported by a majority of American people. The fundamentalists may have pushed the wrong button. Denying science the freedom to do its healing work is only attractive to a fanatic minority.

The work of Americans for Religious Liberty and its courageous leader Edd Doerr has never been more necessary. The threat of the Religious Right is still ominous. The defense of the secular state is one of the foundations of a society of freedom and dignity. And I remain proud of my connection to the history of ARL.

—Sherwin T. Wine

Visit ARL's Web Site

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

ARL's First 25 Years: Some Highlights

1982

Americans for Religious Liberty was founded in the spring of 1982 when the leaders of its two predecessor organizations, the Voice of Reason and the Center for Moral Democracy, agreed to a merger. The Voice of Reason had been founded in 1981 in Michigan by Rabbi Sherwin T. Wine, Lynne Silverberg-Master, and others in response to the upsurge of political fundamentalism championed by televangelist Jerry Falwell and others. The Center for Moral Democracy was started around the same time in New York by Edward L. Ericson, leader of the New York Society for Ethical Culture, the Rev. Bruce Southworth, minister of Community Church (Unitarian Universalist) in New York, and others. Because of their similarity, the two groups were enthusiastic about combining.

The birth of ARL was marked by a National Summit Conference on Religious Freedom and the Secular State in New York in March. Featured speakers included Sherwin Wine, Edward Ericson, writer Isaac Asimov, Biblical archaeology professor Gerald Larue, ACLU attorney Arthur Eisenberg, American Ethical Union director Jean Kotkin, Unitarian Universalist Association board member Donald Field, biologist Ernst Mayr, and former *Church & State* magazine editor Edd Doerr, who was named executive director of the new organization. Lynne Silverberg-Master became president.

- ARL executive director Edd Doerr (and Catholics for a Free Choice executive director Frances Kissling) testified at the Senate Judiciary Committee hearings in opposition to the nomination of Robert Destro to the U.S. Commission on Civil Rights.

1983

- ARL's board voted to change the organization's name from the original Voice of Reason to Americans for Religious Liberty.
- Cleveland attorney and church-state activist Anne Lindsay was elected president, succeeding Lynne Silverberg-Master.
- ARL was a co-sponsor of the ACLU's 1983 Bill of Rights Lobby Conference and *Free Inquiry* magazine's James Madison conference.

Democracy Under Assault: Theopolitics, Incivility and Violence on the Right

by Michele Swenson

This important, compact, quite readable book could easily have been titled "Everything you might ever want to know about the theopolitical right: personalities, ideologies, agendas, connections, goals, catch phrases, propaganda gimmicks, and methods of operating."

Available from ARL for \$20.00 plus \$2.50 shipping and handling. Send your check or money order to:

Americans for Religious Liberty, PO Box 6656
Silver Spring, MD 20916

1984

- ARL joined amicus curiae briefs to the Supreme Court in two important church-state cases, *Grand Rapids v. Ball* (tax aid to church schools) and *Wallace v. Jaffree* (school prayer).
- Maury Abraham joined the ARL staff. He was the main organizer of a March 5 rally at the U.S. Capitol opposing President Reagan's proposed school prayer amendment.

1985

- Ethicist, author, civil libertarian, and peace activist John M. Swomley was elected president of ARL.
- ARL joined other organizations in amicus curiae briefs to the Supreme Court in abortion rights, "equal access," and tax aid to religious colleges cases.

1986

- ARL and the Anti-Defamation League filed an amicus brief to the Supreme Court in the Louisiana creationism case. ARL's Doerr originated the strategy of having Nobel science laureates sign an amicus brief in the creationism case.

1987

- ARL and 33 other religious and civil liberties groups filed suit in federal court in New York challenging federal and state aid to sectarian private education. The suit, *PEARL v. Secretary of Education*, challenged remedial services and related programs under Chapter 1 of the 1965 Elementary and Secondary Education Act. It also targeted the constitutionality of a New York statute providing publicly-funded vans and neutral-site leasing, as well as Chapter 2 funds for computer software, audiovisual equipment, library materials and supplies for use on the premises of religious schools.
- ARL opposed the nomination of Judge Robert Bork to the U.S. Supreme Court on the grounds that his confirmation "would seriously endanger the liberties of Americans well into the next century." Doerr made 30 appearances on radio, television, and before audiences speaking on the Bork nomination.
- ARL sponsored the first interdisciplinary conference on the scientific, ethical and legal aspects of fetal personhood and the abortion rights issue. The conference attracted nationally distinguished scientists, ethicists, and theologians.

1988

- ARL and national ACLU filed suit on February 1 challenging the constitutionality of a congressional appropriation of funds for religious schools in France, Egypt, Indonesia, Israel and the Philippines. The suit, *Lamont v. Shultz*, was filed in federal district court in New York.

1989

- ARL filed an amicus brief in the U.S. Supreme Court in *Webster v. Reproductive Health Services*, a case challenging a Missouri law which barred all public funding of abortions, banned privately paid abortions in public hospitals, prohibited publicly paid health care professionals and counselors from providing information to clients, and defined human life as beginning at conception. The ARL brief, signed by 167

distinguished scientists, including 12 Nobel laureates, was praised by NOW as the strongest brief filed in the case.

- ARL co-sponsored the April 9 “March for Women’s Lives” on the Mall in Washington, DC.

1990

- ARL joined with more than 50 medical, women’s, religious and other groups in an *amicus* brief to the U.S. Supreme Court in *Rust v. Sullivan*, which involved the Reagan administration’s 1988 cutoff of federal aid to family planning and reproductive health services.
- ARL joined with the National Coalition for Public Education and Religious Liberty in *Pulido v. Cavazos*, a Missouri case on appeal to a federal court. The case involved the distribution of federal remedial services to faith-based schools. ARL also joined in a National PEARL *amicus* brief in the *Helms v. Cody* case in Louisiana. The case involved federal and state aid to faith-based schools.
- ARL joined the state coalition opposing a tuition tax credit scheme to aid private and parochial schools in Oregon. ARL also joined pro-choice groups in referendum elections involving freedom of choice in Nevada and Oregon. All three referenda were on the ballot in November 1990.
- ARL supported a federal court challenge to the Boy Scouts of America, involving charges of religious discrimination against nontheists, in *Welsh v. BSA*.

1991

- ARL and five Nashville taxpayers challenged the constitutionality of \$15 million in tax exempt bonds for construction at a pervasively sectarian college. The suit, *Steele v. Industrial Development Board*, was filed in federal district court in Nashville. The college involved was David Lipscomb University, affiliated with the fundamentalist Churches of Christ.
- ARL participated in the coalition in Washington State to guarantee freedom of conscience in the abortion rights controversy.
- ARL filed an *amicus* brief with the U.S. Supreme Court in *Lee v. Weisman*, a public school graduation prayer case from Rhode Island. The ARL brief, prepared by General Counsel Ronald A. Lindsay, argued that government sponsorship of invocations tends to degrade religion and violates the Establishment Clause of the First Amendment.
- ARL worked closely with the anti-voucher coalition in Pennsylvania, where the State House of Representatives rejected a \$300 million voucher plan for private and parochial schools.
- The U.S. Second Circuit Court of Appeals ruled in favor of the ARL/ACLU challenge to distribution of U.S. Agency for International Development funds for sectarian schools overseas. The case, renamed *Lamont v. Woods*, held that the \$14 million grants to Jewish and Catholic schools in Egypt, Israel, Jamaica, the Philippines, Micronesia and South Korea were unconstitutional.

1992

- ARL joined a broad coalition of mainstream groups, the Coalition for the Free Exercise of Religion, in supporting the Religious Freedom Restoration Act (RFRA). RFRA’s main purpose was to redress the balance against free exercise of religious belief and practice which an increasingly conservative Supreme Court enunciated in the 1990 *Employment Division v. Smith* case.

1993

- ARL and several teachers’ groups helped to block a proposed voucher pilot program in Maryland. Executive director Doerr testified against the measure at both House and Senate hearings in Annapolis.
- ARL joined the California coalition to oppose vouchers in a November 1993 referendum election.
- ARL and Minnesota ACLU filed suit to stop a shared time program aiding parochial schools in St. Paul. The state court suit was *Stark et al. v. St. Paul Public Schools*.
- ARL opposed the naming of Raymond Flynn as U.S. ambassador to the Vatican (Holy See), though the U.S. Senate declined to allow testimony from groups opposed to the diplomatic connection inaugurated by President Reagan in 1994 as a violation of the Constitution.
- ARL joined in an *amicus* brief to a California appellate court, challenging a 1987 state law which removed abortion and pregnancy-related care from the category of “necessary medical care” for minors. The case, *American Academy of Pediatrics v. Lundgren*, was supported by many religious, feminist, and civil libertarian groups.

1994

- ARL joined with People For the American Way, RCAR, the Anti-Defamation League, and the American Jewish Congress in an *amicus* brief to the U.S. Supreme Court in *Madsen v. Women’s Health Center*, a case involving access to family planning clinics.
- ARL filed a brief with the U.S. Supreme Court in *Board of Education of Kiryas Joel v. Grumet*, a challenge to a New York State law creating a school district for the exclusive use and under the control of one religious group.
- ARL signed a national statement, “A Shared Vision: Religious Liberty in the 21st Century,” issued by more than 80 individuals and organizations. It affirms the importance of individual freedom of conscience, affirms the constitutional principle of church-state separation, and stresses the importance of religious neutrality in public education.
- ARL joined with National PEARL, a coalition of educational and civil liberties groups, in an *amicus* brief to the Fifth U.S. Circuit Court of Appeals in a school prayer case from Mississippi, *Ingebretsen v. Jackson Public School District*.

1995

- ARL and 35 other national organizations issued a comprehensive statement, “Religion in the Public Schools: A Joint Statement of Current Law,” to advise public school districts of the legal standards surrounding the issue. The statement warned politicians and policymakers that “tampering with our basic religious liberty safeguards is a dangerous and divisive cause of action.”
- ARL joined with Zero Population Growth and other organizations in supporting the programs endorsed by the U.N. Conference on Population and Development, held in Cairo.
- Research director Albert Menendez was named associate director of ARL at the April board meeting.

1996

- ARL participated in a Washington state coalition against a voucher referendum. The voters rejected vouchers.

continued on page 12

Highlights, continued from page 11

1997

- ARL filed an *amicus* brief with the U.S. Supreme Court in the rehearing of *Aguilar v. Felton*, a 1985 case ruling that sending tax paid teachers into sectarian private schools was unconstitutional. ARL joined the Council on Religious Freedom's brief.
- ARL reprinted Indiana State University historian Richard V. Pierard's article, "Vouchers: The Wrong Medicine for the Ills of Public Education," and distributed them to every member of Congress.

1998

- Doerr presented a statement to the U.S. Commission on Civil Rights in connection with a hearing on religion and public education. He warned against proselytizing in public schools and about the difficulties of teaching adequately and fairly about religion in religiously pluralistic schools.
- ARL joined coalitions to defeat a tuition tax credit scheme for the support of nonpublic schools in Colorado and in opposition to a ban on late-term abortions in Washington State.

1999

- ARL joined the Minnesota Civil Liberties Union and other groups in an *amicus* brief to the Eighth Circuit Court of Appeals in a challenge to Medicare/Medicaid funding of "religious non-medical health care institutions." The suit sought to halt \$50 million in federal tax support for Christian Science facilities. ARL also filed an *amicus* brief in conjunction with other organizations in *CHILD v. Vladeck*, a case challenging 1997 federal regulations creating and defining "religious non-medical health care institutions." The brief was filed in the Eighth Circuit Court of Appeals.
- ARL joined Catholics for a Free Choice and 67 other organizations from around the world in a petition to the U.N. requesting a review of the Holy See's Non-Member Permanent Observer status. The campaign asserts that the U.N. special status gives preferential treatment to one religion and interferes with progress on women's rights and health.
- ARL joined the PEARL *amicus* brief in the *Mitchell v. Helms* case, involving aid to faith-based schools, before the U.S. Supreme Court.

2000

- ARL asked the U.S. House of Representatives to reject the nomination of the Rev. James Wright to be the House Chaplain. In a letter to every House member, ARL President John Swomley said the selection process was "deeply flawed and ... violated Article VI of the U.S. Constitution, which bans religious tests for public office."
- ARL worked with coalitions in California and Michigan to defeat school voucher ballot initiatives.

2001

- In a letter to President George W. Bush, ARL asked his "assurance that you will not tolerate religious discrimination in any programs

funded with taxpayer dollars." ARL opposed the administration's "Community Solutions Act," the so-called faith-based initiative, as potentially unconstitutional. ARL joined with religious and civil liberties groups in opposing HR 7, the administration's "Community Solutions Act," which included substantial public money for church-related organizations.

- ARL joined more than 150 civic, labor, civil liberties, religious and other groups on September 20 in a declaration, "In Defense of Freedom," urging the U.S. government to preserve civil liberties and constitutional rights in its response to the terrorist attacks on our country.
- ARL joined an *amicus* brief filed by the National Committee for Public Education and Religious Liberty (PEARL) with the U.S. Supreme Court, supporting the Sixth Circuit Court ruling against the Ohio school voucher scheme.
- ARL filed a brief before the U.S. Court of Appeals for the Sixth Circuit in a case, *Steele v. Industrial Development Board*, that involved public aid to a "pervasively sectarian" college in Tennessee. The Court ruled two-to-one against the church-state separation position, and the case was appealed to the U.S. Supreme Court.
- ARL and other organizations in PEARL (the National Committee for Public Education and Religious Liberty) filed an *amicus* brief with the U.S. Supreme Court in the Cleveland voucher case (*Simmons-Harris v. Zelman*).

2002

- A New ARL board of directors was elected in February, with constitutional law Professor Burton Caine as chair. Doerr's title was changed from executive director to president.
- ARL filed an *amicus curiae* brief in the Third Circuit U.S. Court of Appeals in a case challenging the constitutionality of a Ten Commandments plaque at the Chester County, Pennsylvania, courthouse.
- ARL joined two dozen other religious and civil liberties groups that urged the state of Nevada to adopt a Religious Freedom Act which strengthens and ensures that the state constitution's free exercise clause is protected.

2003

- Edd Doerr was the featured speaker at a meeting of the Woman's National Democratic Club in December.
- ARL filed an *amicus curiae* brief with the U.S. Third Circuit Court of Appeals, urging affirmation of the district court ruling in *Freethought Society v. Chester County*. That ruling enjoined the removal of the Ten Commandments plaque from the Chester County Courthouse. The ARL brief was written by professor Burton Caine of Temple University School of Law and chair of the ARL Board of Directors.
- Veteran White House journalist Helen Thomas was the recipient of the 2003 Religious Liberty Award presented by ARL. She was cited for "her distinguished career in journalism and her devotion to religious freedom and church-state separation."

- ARL joined 40 other civil liberties, religious and educational groups in urging Congress to reject a \$10 million voucher appropriation for the District of Columbia.

2004

- ACLU president Nadine Strossen was the recipient of the 2004 ARL Religious Liberty Award. She was cited for her many contributions as a "champion of civil liberties and religious freedom," for her work on behalf of "the struggle for human dignity" and in recognition of her and

Moving?

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

the ACLU's "decades of work and leadership in defense of civil liberties, religious freedom, and church-state separation."

2005

- ARL expands and improves its web site, www.arlinc.org, to include a wide range of information and analysis.
- *Voice of Reason*, ARL's quarterly newsletter, becomes a journal and expands its size and coverage.
- ARL joins several Jewish groups in an *amicus curiae* brief to the U.S. Supreme Court in *Van Orden v. Perry*, a Ten Commandments case from Texas.
- ARL joins a Baptist Joint Committee *amicus* brief to the Florida Supreme Court urging it to uphold a lower court ban on the state's voucher program.
- In other *amicus* briefs, ARL supported Oregon's physician-assisted suicide law. (*Gonzales v. Oregon*), free exercise of religion for prisoners (*Cutter v. Wilkinson*) and religious free exercise (*Gonzales v. O Centro Espirito*).
- Edd Doerr addressed the New York Society for Ethical Culture in May and Al Menendez spoke to the National Education Association's annual conference in Los Angeles in June. The texts of both speeches are available on ARL's website.

2006

- *Voice of Reason* is redesigned to include more news and analysis.
- ARL signs on to an *amicus* brief in a Missouri Supreme Court case, *Planned Parenthood v. Nixon*, involving reproductive rights and freedom of speech.

The Separation of Church and State

Edited by Forrest Church

In this attractive pocket-sized, readable book, Church pulls together, with useful commentary, the more important writings of the Founders that show clearly that they intended our system of government to incorporate the principle of separation of church and state.

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PO Box 6656
Silver Spring, MD 20916

- ARL joins with 50 other groups in releasing a public statement, "The Truth About Vouchers," summarizing flaws in the voucher movement and its threat to public education.
- ARL signed an *amicus* brief in *Gonzales v. Carhart* and *Gonzales v. Planned Parenthood*, urging the Supreme Court to uphold freedom of conscience in reproductive health matters.

The ARL Bookshelf



During the past quarter century, ARL has produced more than two dozen books and monographs on vital church-state issues. Here they are, in chronological order:

1988

- Edd Doerr's *Religious Liberty in Crisis*, an introduction to the major church-state issues of the day, was ARL's first book.

1989

- *Abortion Rights and Fetal Personhood*, edited by Edd Doerr and James Prescott, included a collection of addresses from the ARL conference on abortion rights that refuted the unscientific claims propounded by some anti-choice activists.

1991

- *The Great Quotations on Religious Freedom*, edited by Edd Doerr and Albert J. Menendez, included 561 quotations that covered the full range of history and U.S. Supreme Court decisions.
- *Church Schools and Public Money: The Politics of Parochialism*, by Edd Doerr and Albert J. Menendez, thoroughly examined the campaign to get taxpayers to support nonpublic schools.
- *Religion and Public Education*, by Menendez and Doerr, focused on

the problems involving religion in public schools. The comprehensive guide covered religious observances, course offerings in the curriculum, and included relevant court rulings on all aspects of the controversy.

1992

- Doerr and Menendez contributed a chapter on referendum elections and parochial school aid in *Why We Still Need Public Schools: Church-State Relations and Visions of Democracy*, published by Prometheus Books, and edited by Art Must.
- *Visions of Reality: What Fundamentalist Schools Teach*, by Albert J. Menendez, examined religious, racial, cultural and political bias in many fundamentalist private schools that would be eligible for voucher aid under national Republican proposals.

1993

- *The December Wars: Religious Symbols and Ceremonies in the Public Square*, by Albert J. Menendez, issued by Prometheus Books, surveyed the history of Christmas and Hanukkah controversies throughout history and showed how the conflicts fit in the larger context of church-state relations.
 - *Catholic Schools: The Facts*, by Edd Doerr, was a realistic, contemporary portrait of the nation's largest private school system based on official
- continued on page 14*

ARL Bookshelf, *continued from page 13*

church data.

- *Abortion Rights at the Polls*, by Albert J. Menendez, reviewed the 1992 abortion rights referendum in Maryland, showing how political, economic, educational and religious influences intersect on the abortion issue.
- *Religious Liberty and State Constitutions*, compiled all state constitutional provisions dealing with religion, and was edited by Doerr and Menendez.

1994

- *Abortion and Public Policy*, by John Swomley, defended of freedom of conscience in the sensitive area of medicine, ethics and religion. *Religious Political Parties*, also by Swomley, warned against the dangers of religion-based political movements. An appendix to the book by research director Menendez surveyed religious political parties from Afghanistan to Venezuela.

1995

- *The Case Against School Vouchers*, was a comprehensive hard-hitting analysis of voucher plans, written by Doerr, Menendez and Swomley.

1996

- *Myths About Public School Prayer*, by John Swomley, explored and examined the misinformation purveyed by prayer amendment backers.
- Associate director Menendez published two books on national politics, both of which explored religious influences on recent elections. Published by Prometheus Books were *Evangelicals at the Ballot Box* and *The Perot Voters and the Future of American Politics*.
- *Public Education and the Public Good*, by Robert S. Alley, defended a free, democratically-controlled system of public schools, while *The Religious Right in Michigan Politics*, by Russ Bellant, documented the increasing domination of Michigan's politics, especially its Republican Party, by extreme right-wing fundamentalists.

The Case Against Charitable Choice:

Why President Bush's Faith-Based Initiative is Bad Public Policy

Albert J. Menendez and Edd Doerr

A 51-page study of the flaws in this proposal and its implications for religion, government, and society.

\$10.00 paperback

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- *Church and State in Canada*, by Albert J. Menendez, was published by Prometheus Books, which also issued a trade edition of *The Case Against School Vouchers*.

- *Home Schooling: The Facts*, by Albert J. Menendez, critically examined the growing phenomenon.

1997

- *Confronting Church and State: Memoirs of an Activist*, by John Swomley, recounted the ARL president's more than fifty year career crusading for world peace, civil liberties and religious freedom.

- *Three Voices of Extremism*, by Albert J. Menendez, exposed three prominent exponents of the Religious Right, Charles Colson, James Dobson and D. James Kennedy.

- A monograph, *The Red Mass: A Fusion of Religion and Politics?*, by Menendez, considered the ongoing Roman Catholic Church practice of seeking to influence judicial and legislative leaders by invoking natural law arguments.

1998

- *Who Goes to Nonpublic Schools: A Study of U.S. Census Data*, by Albert J. Menendez, revealed that four factors (religious affiliation, high income, ethnic ancestry, and the racial profile of local public schools) were significantly correlated with high private school enrollment throughout the United States.

1999

- *Colorado 1998: Another Voter Defeat for School Vouchers*, by Albert J. Menendez, analyzed the 1998 tuition tax credit/voucher referendum.
- Edd Doerr's *Vox Populi: Letters to the Editor*, was a collection of recently published letters on church-state issues.
- *Compulsory Pregnancy: The War Against American Women*, by John Swomley, was an anthology of articles on abortion rights and reproductive freedom.

2000

- ARL published an updated version of Doerr's *Catholic Schools: The Facts*.

2001

- *The Case Against Charitable Choice: Why President Bush's Faith-Based Initiative is Bad Public Policy*, by Menendez and Doerr, pointed out the flaws in the Bush policy.

2002

- A revised, updated and greatly enlarged edition of *Great Quotations on Religious Freedom* by Menendez and Doerr was published by Prometheus Books. More than 700 quotations on various aspects of religious liberty and separation of church and state are included.

2006

- *Here I Stand*, by Edd Doerr, ARL's most recent book, is a collection of essays, speeches, magazine articles, letters to the editor and book reviews celebrating freedom of conscience and the principle of church-state separation.

ARL staffers have also published numerous articles in magazines and newspapers, and have contributed chapters to several book-length anthologies. ■



The Voucher Watch

The convening of many state legislatures brings the possibility of new voucher or other initiatives that would expand state aid to private or faith-based schools.

The voucher movement, often mislabeled “school choice,” was active in last fall’s gubernatorial elections, but was noticeably unsuccessful. Pro-voucher candidates were defeated in seven of ten states where there was a definite difference between the candidates. Here is a summary:

State	Pro-Voucher Candidate	Party	Result
Arizona	Len Munsil	R	Defeated
Colorado	Bob Beauprez	R	Defeated
Florida	Charlie Crist	R	Elected
Iowa	Jim Nussle*	R	Defeated
Michigan	Dick DeVos	R	Defeated
New Hampshire	James B. Coburn	R	Defeated
New Mexico	John Dendahl	R	Defeated
New York	John Faso*	R	Defeated
South Carolina	Mark Sanford*	R	Re-Elected
Texas	Rick Perry	R	Re-Elected

* Favored tax credits for private schools.

Even those governors who favor vouchers have been unsuccessful in the past. The South Carolina and Texas legislatures have failed to adopt vouchers or tax credit legislation proposed by their governors.

The U.S. Supreme Court declined on November 27 to review a ruling from Maine’s highest court which upheld a state program barring public funds for faith-based schools. The case, *Anderson v. Durham School Department*, had been decided last April by the Maine Supreme Judicial Court, which ruled that municipalities were not required to pay tuition to faith-based high schools in those towns that do not provide public high schools. A Maine law, which has also been upheld by a federal court in years past, allows public funds to be used to send students to nearby public or private, but not religious, schools. Pro-voucher advocates had hoped that the U.S. Supreme Court would reverse the decision and require state payment of religious school tuition. The Maine court ruled that state officials had a valid interest in preserving separation of church and state.

People for the American Way and a coalition of parents and educators filed suit in November challenging the constitutionality of Arizona’s publicly funded school voucher programs. Two laws passed by Arizona legislators appropriated public money for indirect payment of tuition to private and faith-based schools. Plaintiffs cited specific provisions of the Arizona state constitution that prohibit public funding for religious education. On January 9 the Arizona Supreme Court refused to hear the challenge, instead remanding it to Maricopa County Superior Court for trial.

Vouchers would clearly aid faith-based schools in Arizona. An annual survey appearing in the *Arizona Daily Star* (January 21, 2007) shows that 7 out of 8 (87.6%) of students attending nonpublic schools in the Tucson area are enrolled in faith-based academies. Here is the breakdown:

Private School	% of all	Private School	% of All
Faith-Based	87.6	Lutheran	6.1
Roman Catholic	55.3	Jewish	1.6
Protestant Evangelical	24.6	Nonsectarian	12.4

It is likely that a similar demographic pattern prevails in other urban areas of the state.

On January 24 the Bush administration added a private school voucher scheme to its “No Child Left Behind” reauthorization. The vouchers, worth about \$4,000 per student, would allow poor students at “chronically failing” public schools to use the funds to attend nonpublic, including faith-based, schools. Education Secretary Margaret Spellings said the program was aimed at 1,800 under-performing schools. Democrats in Congress promised to fight the proposal, which they see as detrimental to public education and quite possibly unconstitutional. Democrats fear that a fight over vouchers will slow down the reauthorization process. Rep. George Miller (D-Calif.), chairman of the House Education and Labor Committee, denounced the proposal: “Private school vouchers, which would divert taxpayer dollars away from public schools that need them, have been rejected in the past and nothing has changed to make them acceptable now.”

In Texas several legislators are pushing voucher plans aimed primarily at the 17,000 autistic children of school age. House Bill 18 would create voucher pilot programs for the six largest school districts while House Bill 19 would create a voucher program for special education students. The issue continues to stir controversy. “Perhaps no education issue in Texas over the past two decades has been as contentious as vouchers,” wrote Jason Embry in the *Austin American-Statesman* on January 23.

Thousands of private school students were sent by their schools to lobby at the Texas state capitol on February 7, urging support for vouchers for their schools. (Public schools would not allow this activity.) Voucher guru James Leininger has renewed his campaign for the same. But the outlook is not bright. The *Austin American-Statesman* observed, “There appears to be little momentum at the Capitol this year for a publicly funded voucher program. The House could not pass a pilot voucher plan last year, and, by Leininger’s count, he’s lost five allies in the 150-member body since then.”

In Utah, a voucher bill worth up to \$3,000 per student passed the state house by one vote on February 2 and carried in the state senate on February 9 by a vote of 19 to 10. Utah’s voucher plan would be available to all of the state’s 512,000 public school students, regardless of family income, even though high-income families would receive a smaller amount. Students already attending private schools would not be eligible. The plan is expected to cost \$327 million over 12 years. The state’s Republican governor Jon Huntsman, Jr. is expected to sign the bill into law so it can go into effect in the fall.

Two prominent Republicans voiced opposition. Harold Christensen, former deputy attorney general in the Reagan and Bush I administrations, and former Utah Supreme Court Chief Justice Michael Zimmerman, said vouchers would violate the Utah Constitution’s prohibition on “any appropriation for the direct support of any school controlled by any religious organization.” Utah voters overwhelmingly rejected a voucher plan in a 1988 referendum. Utah has a very low percentage of students attending private schools.

A quasi-voucher plan exists in hurricane-ravaged Louisiana. The Louisiana Recovery Authority has approved a plan to make private schools and colleges eligible for \$40 million in federal relief aid to repair damage caused by Hurricanes Katrina and Rita in 2005. The money comes from the federal Community Development Block Grant program, and is designed to cover the 10% local matching fund for repair costs that are not covered by FEMA (the other 90% are covered). The politically influential Catholic Archdiocese of New Orleans expended considerable effort to get its share of the funds. *Education Week* reported, “Fearing private schools might not get any of the aid, the archdiocese sought to pressure the recovery authority to give them a portion.” ■

Editorial

War on Christmas Fizzles (Again)

Every Christmas season certain Religious Right groups and their allies parrot the line that Christmas is being stamped out in America, usually by some combination of liberals, secularists or atheist Grinches (see *Voice of Reason*, Issue 94). This dreary recitation of silliness usually begins in November when these groups start warning their members to monitor storefront displays and newspaper advertisements to see whether merchants are offering “Christmas” sales or “Holiday” sales, or whether “Happy Holidays” is supplanting “Merry Christmas.” Then they survey malls, courthouse lawns, and other public or semi-public places to see how Christmas is faring.

Sometimes, overzealous authorities contribute to the conflict by prohibiting what does not have to be prohibited. Seattle’s Sea-Tac Airport removed all of its Christmas trees after a local rabbi asked to have a menorah included. In Fort Collins, Colorado, the City Council refused to allow a menorah to be displayed downtown during Hanukkah, near a Christmas tree and other Christmas displays. Conservative groups implored Wal-Mart to use the term Christmas rather than Holiday in its advertising.

Some of these disputes are inevitable, given the difference in cultural expectations by community members of varied religious faiths and traditions and by the religious orientation of certain areas. But differences of opinion hardly constitute an assault on Christmas.

The war on Christmas argument was expressed by Linda Chavez, columnist and erstwhile Republican candidate, “Every Christmas, the politically correct and anti-religion crowd gets into Scrooge mode, trying to deprive the great majority of Americans from celebrating Christmas in traditional fashion. The American Civil Liberties Union files lawsuits demanding crèches be removed from public property. School districts change Christmas vacations into winter breaks and ban carols from holiday assemblies.”

This exaggeration was countered by Jeremy Gunn, director of ACLU’s Program on Freedom of Religion and Belief, “The ACLU supports the rights of Christians and all religious people to celebrate their holidays in

public spaces. What we do oppose is government action that promotes or endorses particular religions or religion over non-religion. Our views are dictated by the Constitution of the United States and are motivated by our commitment to religious liberty for all Americans.”

As Gunn realizes, and Chavez does not, most Americans are quite capable of choosing for themselves the kind of late December holiday they wish to observe. America’s shops are filled with merchandise of every kind. And television, cinema, theaters, and concert halls offer every type of Christmas-themed entertainment. America’s 200,000 congregations celebrate according to their customs and traditions. Hardly a town exists that does not feature performances of Handel’s “Messiah,” “The Nutcracker Suite,” and Dickens’ *Christmas Carol*. Christmas saturates American culture.

According to Hallmark research, 98% of Americans exchange Christmas presents, 90% decorate their homes, 88% erect a Christmas tree, and 85% send Christmas cards. Hallmark estimates that two billion Christmas cards are sent in the U.S. each year. More than 2,200 designs are produced by Hallmark alone. The research also found that 83% of Americans listen to Christmas music.

To claim that there is a well-coordinated attempt to deny Americans the most prominent holiday on the calendar is absurd.

The more recent moves toward inclusivity and respect for diversity should be seen as trends in the right direction. Even the Bush State Department has opted for a degree of religious neutrality. Secretary of State Condoleezza Rice sent a cable to all U.S. ambassadors requiring that “any messages or images on seasonal cards be secular in nature and should not convey religious themes on messages.” There was not a peep of protest from the Religious Right. They prefer to bash civil libertarians.

Orlando Patterson, a professor of sociology at Harvard, observed, “Christmas seems to bring out the worst in America’s culture warriors.” With all of the genuinely serious and perplexing issues facing the American nation in a time of war, uncertainty, and economic pressures, a culture clash over how to observe the Christmas holiday is a diversion at best, and a misuse of idealism at worst.

—Al Menendez

Robert Drinan, S.J. (1920 –2007)

Robert Drinan was many things, and he did them all well: member of Congress, law school professor, author, Jesuit priest, and stalwart opponent of the Religious Right. The first Roman Catholic priest elected to Congress, in 1970, Drinan, even as a freshman, led the fight against a school prayer amendment that was designed to reverse the Supreme Court’s quite proper 1962 ruling against mandatory, devotional prayer in U.S. public schools. Drinan took an active role in helping to defeat this egregious assault on religious liberty.

In his decade-long career as a representative from Massachusetts, Drinan was a foe of the Vietnam War, an advocate of stronger civil rights and civil liberties laws, and later was pro-choice on abortion. As a member of the House Judiciary Committee, he was the first to file a resolution of impeachment against President Richard Nixon.

Drinan left the House in 1981 after the Vatican ruled that no priest could hold a government position in any country, an action that may have been directed primarily at the government of Nicaragua but also cost Drinan his seat.

He spent the last 26 years of his life as a professor at Georgetown University Law School just a few blocks from the Capitol. The law was his first love. Before his election to Congress, he had been dean of the Boston College Law School. Georgetown Law Center established

the Robert Drinan Chair in Human Rights last year. Drinan founded the Lawyers’ Alliance for Nuclear Arms Control, the National Inter-religious Task Force on Soviet Jewry and Georgetown’s *Journal of Legal Ethics*. He also served as vice chair of the National Advisory Council of the American Civil Liberties Union.

Author of a dozen books, Drinan received more than 20 honorary degrees, the ABA Medal, and the Congressional Distinguished Service Award. Rep. Ed Markey (D-Mass.) called Drinan “the conscience of the House of Representatives.”

Even in his last column for *National Catholic Reporter*, published in the February 2 issue, Drinan again urged the U.S. Senate to ratify the U.N. Convention on the Elimination of All Forms of Discrimination against Women, which has been approved by 185 nations, but not by the United States.

A poignant tribute came at Drinan’s February 1 funeral service in Washington, when a packed crowd of mourners rose for a standing ovation to bid farewell to a man who made his mark on the U.S. legal and political system for decades.

In this age of religious extremism and the retreat of those who stand for religious liberty, Father Drinan will be long remembered as an advocate of human rights, and freedom of conscience for all.

—Al Menendez



Church and State in the Courts

A January 8 decision by a federal court upholding Veterans Administration (VA) policy integrating spirituality and medical care for veterans will be appealed by the Freedom From Religion Foundation (FFRF). U.S. District Judge John Shabaz, of the Western District of Wisconsin, ruled that the VA program was constitutionally permissible because it is voluntary. According to FFRF, the VA program includes a Spiritual Assessment Inventory that could refer nonreligious patients to chaplaincy services. FFRF also contends that Judge Shabaz misread recent rulings that held that “coercion in religious matters is not required to show that a governmental action violates the Establishment Clause of the First Amendment.” FFRF argues that programs may be unconstitutional on their face, regardless of whether they are inherently coercive. Shabaz also wrote that “Government is not constitutionally required to be hostile to religion,” which FFRF said is also a misreading of the doctrine of government neutrality toward religion.

The VA runs 157 hospitals, 870 outpatient clinics, 134 nursing homes and has an annual medical care budget exceeding \$30 billion.



A December 22 decision by a federal judge concluded that the founders of an Arizona religious group that uses marijuana as a sacrament lacked a “sincere religious belief” and “adopted their ‘religious’ belief in cannabis as a sacrament and deity in order to justify their lifestyle choice to use marijuana.” Judge Judith Herrera of U.S. District Court in Albuquerque cleared the way for a government criminal case against the couple, Dan and Mary Quaintance, founders of the Church of Cognizance in Pima, Arizona, in 1991. The couple was charged with possession of more than 100 pounds of marijuana and face up to 40 years in prison if convicted. They were arrested on February 22, 2006, just seven days before the U.S. Supreme Court ruled in favor of a small religious group that uses a hallucinogenic tea in its ceremonies. Judge Herrera did not believe that the Church of Cognizance was a genuine religion. “Defendants cannot avoid prosecution for illegal conduct by transforming their lifestyle choices into a religion.”



A federal judge in New Jersey ruled on December 15 that the Frenchtown (New Jersey) Elementary School violated the religious expression rights of a second-grade student who wanted to sing the song “Awesome God” in a voluntary, after-school talent show. School officials argued that this would give the impression that the school endorsed the religious sentiments in the song. The ACLU of New Jersey submitted an amicus brief in support of the student. Judge Freda L. Wolfson held that because the school allowed students to choose their own musical selections, the school could not censor a student’s choice because of its religious content.

Visit ARL’s Web Site

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



The Fourth U.S. Circuit Court of Appeals in Richmond ruled on December 15 that a South Carolina school district could not charge a religious group fees to use facilities when such fees are not charged to secular groups. The unanimous three judge panel ruling was issued in *Child Evangelism Fellowship v. Anderson School District Five*.



The Fourth U.S. Circuit Court of Appeals ruled in December that Virginia could not withhold compliance from a federal law that protects the free exercise of religion for prisoners. An inmate at Buckingham Correctional Center filed suit in 2001 because prison authorities denied his request for Kosher meals. The inmate, Ira Madison, is a member of a Hebrew Israelite sect called the Church of God and Saints of Christ. State prison officials had contended that a vegetarian diet was an adequate substitute for Kosher meals but the 4th Circuit ruled otherwise. Rejecting Virginia’s claim that Congress exceeded its authority when it passed the Religious Land Use and Institutionalized Persons Act (RLUIPA), 4th Circuit Judge J. Harvie Wilkinson III wrote, “Because Virginia voluntarily accepted federal correctional funds, it cannot avoid the substantive requirements of RLUIPA.”



The Ninth Circuit U.S. Court of Appeals ruled in November that Boise, Idaho, city officials erred when they gave one religious group an exclusive license to conduct religious activities in a publicly owned building. In September 2005, the city of Boise leased a 34,000 square foot building to the Boise Rescue Mission for only \$1 a year for a five-year contract, a rate far below the ordinary. A legal challenge to the decision was rejected by a federal district court, which based its ruling on the fact that the homeless residents who lived at the shelter were not required to participate in religious services.

But a three-judge panel of the Ninth Circuit looked at the group’s “religion conversion scorecard,” a monthly compilation of the number of “decisions for Christ” the Mission claimed to have recorded, and held that the lease agreement “constitutes governmental aid which has the effect of advancing religion” and is thus unconstitutional. The case was *Community House, Inc. v. City of Boise*.



A religious discrimination suit was filed in Orange County (California) Superior Court on January 19 by a former executive of an Irvine firm that fired him last July because he refused to become a Pentecostal Christian. The ex-employee, Atticus Firey contends that Meguiar’s Inc. fired him for religious reasons, claiming that the company president Barry Meguiar read to him from the Bible, demanded that he read Christian books and join a church, and forced managers to attend in-office prayer meetings. The suit also alleges that the company hired and fired other employees based on religion. The company denied all charges.

Updates

Abortion Foes Target Legislatures

Those legislators who want to restrict the availability of abortion have begun to make their moves early in the 2007 legislative sessions. Bills seeking to outlaw abortion if the Supreme Court overturns *Roe v. Wade* have been introduced in Oklahoma, Texas and Virginia. All three states are Republican and Religious Right strongholds, though Virginia voters have been steadily moving toward the political center. In Georgia conservative legislators have introduced a bill that would make abortion a felony, and would impose prison sentences for women who have abortions and for doctors who perform the procedure.

NARAL Pro-Choice America president Nancy Keenan is clearly worried. Writing on TomPaine.com on January 19, she said, "In 2006, 45 states considered 650 anti-choice measures, a 6 percent increase from 2005. Seventeen states enacted 45 of these anti-choice measures, which means more women will face obstacles to accessing birth control or abortion care."

The Virginia General Assembly, with a Republican majority that faces the voters in November, is considering more than a dozen bills restricting access to abortion. One seeks to change the state's feticide law to charge the woman carrying the fetus with "unlawful killing." Other bills require abortion clinics to comply with new requirements and mandate parental consent for contraceptive dispersal at public health clinics. The Republican majority is already facing a rebellion in its ranks. Sen. H. Russell Potts, Jr., chairman of the Senate Education and Health Committee, told the *Washington Post*, "It's absolutely outrageous stuff that is just totally out of the mainstream. They just don't get it. Women by the thousands are deserting the Republican Party."

Despite the 2006 elections, which strengthened Democrats at the state and Congressional levels, the future is uncertain. Keenan notes, "As the 2007 sessions start, legislatures under anti-choice control still outnumber pro-choice legislatures by nearly two to one. But, in a positive post-election development, the number of states with the combination of an anti-choice governor and legislature has decreased from 19 to 14. There are three new states with pro-choice governments (both a majority of the legislature and the governor are pro-choice): Massachusetts, New Hampshire and Oregon."

Final Congressional Religious Affiliation Count

The election of Democrat Ciro Rodriguez in Texas in December brought the Catholic contingent in Congress to a record 155, a gain of one over 2004. Catholic Democrats in the 110th Congress now number 103, compared to 87 in the 109th Congress, while the number of Catholic Republicans has declined from 67 to 52. The reelection of William Jefferson in Louisiana in December added one to the Baptists, who now number 67. Jews also established a record with 43 members, while Presbyterians, Episcopalians, Unitarian Universalists and the United Church of Christ recorded their lowest numbers.

Following is a table of the religious affiliations for the 110th Congress:

Religion	Senate	House	Total	Democrat	Republican	Change from 109 th Congress
Roman Catholic	25	130	155	103	52	+1
Baptist	7	60	67	30	37	-5
Methodist	13	49	62	28	34	+1
Presbyterian	9	34	43	15	28	-7
Jewish*	13	30	43	39	3	+6
Episcopalian	10	27	37	12	25	-5
Protestant	4	22	26	9	17	+2
Christian	2	16	18	7	11	+4
Lutheran	3	14	17	11	6	-3
LDS (Mormon)	5	10	15	3	12	0
United Church of Christ	5	2	7	4	3	-1
Non-affiliated	0	6	6	6	0	0
Eastern Orthodox	1	4	5	3	2	+1
Christian Science	0	5	5	0	5	0
Assembly of God	0	4	4	0	4	0
Unitarian Universalist	1	1	2	2	0	-1
Seventh-day-Adventist	0	2	2	1	1	0
A.M.E.	0	2	2	2	0	0
Buddhist	0	2	2	2	0	+2
Evangelical	0	2	2	0	2	+1
Christian Reformed	0	2	2	0	2	0
Disciples of Christ	0	2	2	2	0	0
Church of Christ	1	1	2	0	2	0
All Others	1	8	9	4	5	+4

* Bernard Sanders of Vermont is an independent who caucuses with the Democrats. Joe Lieberman of Connecticut won reelection as an Independent and prefers to be known as an independent Democrat. He has obtained a committee chairmanship as a Democrat.

New Jersey Approves Millions for Stem Cell Research

On December 14 both houses of the New Jersey legislature authorized borrowing \$270 million to build the state's first stem cell research centers in Camden, Newark and New Brunswick. Governor Jon Corzine endorsed the action. Smaller research centers would be located in Allendale and Belleville. The bulk of the money would go to New Brunswick, where Rutgers University is located. Also on the agenda in coming months is a measure that would place on the ballot, for voter approval in November 2007, a \$230 million grant program for stem-cell research.

Democratic Hopefuls Hire Religious Advisers

Two major Democratic aspirants have signaled an intent to appeal to religious voters.

Burns Strider, head of religious outreach for the House Democratic Caucus and staff person for the Faith Working Group, will join Sen. Hillary Rodham Clinton's campaign, according to *The Hill*, a Capitol Hill insider newspaper. According to journalist Alexander Bolton, "Strider's move to Clinton's camp suggests that Democrats will woo so-called faith voters in the 2008 election. The plan is buoyed by the Democrats' success in winning over religious voters in Michigan, Ohio, and Pennsylvania in the midterm elections."

Political observers noted that Clinton, an active Methodist, attended prayer meetings while First Lady and joined a Senate prayer group after winning her first term as U.S. Senator from New York in 2000.

Sen. Barack Obama of Illinois, who has discussed his religious values openly in his 2004 campaign and in recent forums, has selected Josh Dubois as his religious outreach adviser. Obama joined Kansas Senator Sam Brownback, a GOP presidential possibility, at a conference on AIDS and other issues at a large evangelical congregation, Saddleback Church in Lake Forest, California, whose pastor, Rick Warren, is a noted author and evangelical celebrity.

School Board Ends Evolution Imbroglio

A suburban Atlanta school board abruptly ended its four-year battle to put disclaimers in school science books claiming that "evolution is a theory, not a fact." On December 19 the Cobb County Board of Education agreed that it would never use disclaimer stickers on textbooks. Signing a settlement agreement with a federal district court, the board ended the *Selman v. Cobb County* case that was heading for a possible retrial. Parents who sued to stop the disclaimers also agreed to drop their legal action.

According to Glenn Branch, deputy director of the National Center for Science Education, "In the agreement, the board and the school district are enjoined not only from 'restoring to the science textbooks of students in the Cobb County schools any stickers, labels, stamps, inscriptions, or other warnings or disclaimers bearing language substantially similar to that used on the sticker that is the subject of this action' but also from taking any of a number of actions that 'would prevent or hinder the teaching of evolution,' including making oral or written

By the Numbers

- Of the 22 House elections that were decided by fewer than two percentage points last November, Republicans won 13 of them.
- There are only two Unitarian Universalists in the 110th Congress compared to 14 in the 89th Congress elected in 1964.
- There are only seven United Church of Christ members in Congress today compared to 27 in the Congresses that met from 1967 to 1971.
- Only one of New England's 22 members of the House of Representatives is a Republican. After the 2006 election, the last GOP survivor was Christopher Shays of Connecticut.

disclaimers about evolution or Darwin, placing statements in textbooks about 'creationism, creation science, intelligent design, or any other religious view concerning the origins of life or the origins of human beings,' and 'exercising or redacting materials on evolution in students' science textbooks.' This agreement is binding in perpetuity."

County Blocks Graduation Ceremony at Church

Montgomery County, Maryland, school authorities headed off a potential lawsuit against a school board decision allowing Montgomery Blair High School in Silver Spring to hold its 2007 graduation ceremony at a large megachurch in a neighboring county. The decision, narrowly approved in January, was related to cost and size of facility. The Jericho City of Praise Church offered its 10,000 seat facility free of charge, but some parents and civil liberties groups threatened a lawsuit, contending that it is improper to compel students, parents and family members to attend graduation exercises in a church setting.

School Superintendent Jerry Weast, who opposed the church venue from the start, announced on January 30 that the graduation exercises would be moved to a neutral site, the Comcast Center in College Park, where many University of Maryland athletic events are held. The school system will now pay the full cost of graduation, up to \$125,000 per high school, rather than relying on parental donations.

Prison Religious Programs Expand

Despite challenges to religious-oriented rehabilitation programs in a federal court in Iowa, similar religious programs are proliferating throughout the country. *The New York Times* reported, "The Iowa prison program is not unique. Since 2000, courts have cited more than a dozen programs for having unconstitutionally used taxpayer money to pay for religious activities or evangelism aimed at prisoners, recovering addicts, job seekers, teenagers and children.

"Nevertheless, the programs are proliferating. For example, Corrections Corporation of America, the nation's largest prison-management company, with 65 facilities and 71,000 inmates, is expanding its religion-based curriculum and now has 22 institutions offering programs similar to the one in Iowa."

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Abortion Opponents Receive Government Subsidies

Groups that oppose abortion and counsel pregnant women to bring pregnancies to term are receiving state and federal funds, according to a report in the *Los Angeles Times*. Writes Stephanie Simon in the paper's February 12 edition, "At least eight states – including Florida, Missouri and Pennsylvania – use public funds to subsidize crisis pregnancy centers, Christian homes for unwed mothers and other programs explicitly designed to steer women away from abortion. As a condition of the grants, counselors are often barred from referring women to any clinic that provides abortions; in some cases, they may not discuss contraception either."

She continues, "On the state level, Florida, Minnesota, Nebraska, North Dakota and Texas approved funding in 2005. Louisiana, Missouri and Pennsylvania have longer-running programs. Arizona and Kansas have offered one-time grants to anti-abortion groups; several other states fund abortion alternatives from sales of "Choose Life" license plates. All told, states will spend at least \$13 million this year – much of it from welfare or family-planning budgets – to direct women away from abortion."

Simon added that, "Crisis pregnancy centers have received tens of millions of dollars over the last six years from the federal government, mostly to support abstinence education."

Texas legislators sent \$25 million to anti-abortion clinics that used to go to Planned Parenthood. Some of the money was redirected to the Roman Catholic diocese of Austin. At least 660 women were counseled by the anti-choice groups during the first year of state funding. The

new system has no benefit for taxpayers. Simon found that the anti-choice counseling averages \$450 per client compared to \$180 for prenatal exams and contraceptive services.

Military Refuses Wiccan Chaplains

Though there may be 4,000 adherents of the Wiccan faith serving in the U.S. Armed Forces, the military chaplaincy corps refuses to provide Wiccan chaplains. The military brass refuse to recognize the group as a bona fide religion, though Wiccan worship services are allowed on U.S. bases.

This refusal was underscored recently when Chaplain Don Larsen, an ordained Southern Baptist minister, who has converted to the Wiccans, was removed from the chaplaincy corps and withdrawn from Iraq. Larsen, a true religious seeker, was born a Catholic and switched from Baptist to Pentecostal in the military. His Pentecostal superiors also removed their sponsorship. Larsen applied to become the first Wiccan chaplain last July 6, but his request was denied.

Alan Cooperman, writing in the *Washington Post* on February 19, observed, "For Wiccans seeking public acceptance, obtaining a military chaplain is the next major goal. More than 130 religious groups have endorsed, or certified, chaplains to serve in uniform. But efforts by Wiccan organizations to join the list have repeatedly been denied by the Pentagon."

Air Force deputy chief of chaplains Cecil Richardson claimed that the small number of Wiccans does not justify a chaplain. Pentagon figures show 1,511 Wiccans in the Air Force and 354 in the Marines. No figures are available in the Army and Navy, which have an even

If Elected

The first presidential caucuses and primaries are only ten months away. Here are some facts and tidbits of information about prospective candidates:

- John McCain would become the oldest U.S. president if elected. At age 72 in 2008 he would be three years older than Ronald Reagan at the time of his election in 1980. He would also be the first Arizona resident to win the White House and the first U.S. Naval Academy graduate to become president since Jimmy Carter.
- Senator Barack Obama of Illinois would be the first African-American president, the first president born in Hawaii, and the first United Church of Christ/Congregationalist president since Calvin Coolidge.
- Hillary Rodham Clinton would be the first woman president, and the first New York State resident to occupy the Oval Office since Franklin D. Roosevelt.
- Former Massachusetts Governor Mitt Romney would be the first Mormon president.
- Former Arkansas Governor Mike Huckabee would be the first Southern Baptist preacher elected president, and the second Arkansan (after Bill Clinton).
- Senator Chuck Hagel would be the first Nebraska resident to win the presidency, and the first Nebraskan to be nominated since William Jennings Bryan. (Gerald Ford was born in Nebraska but grew up in Michigan.)
- Senator Joe Biden would be Delaware's first president.
- If Reps. Duncan Hunter of California or Dennis Kucinich of Ohio becomes president, either would be the first House member to go directly to the White House since Garfield in 1881.



- Former New York City mayor Rudy Giuliani or Rep. Tom Tancredo would be the first Italian-American president, and Giuliani would be only the second president (since Grover Cleveland) to have been a mayor.
- Tom Tancredo would be the first Colorado-born president.
- John Edwards, the 2004 Democratic vice presidential nominee, would be the first North Carolina resident to be elected president.
- If either Joe Biden, Rudy Giuliani, Sam Brownback, Chris Dodd, Bill Richardson, or Dennis Kucinich is elected, he would be the second Catholic chief executive (after JFK).
 - Sam Brownback would be the first Kansan to become president and the third Republican presidential candidate from the Jayhawker State (after Bob Dole in 1996 and Alf Landon in 1936).
 - If he were to win, New Mexico Gov. Bill Richardson would become the nation's first Hispanic-American president and the first New Mexico resident to become chief executive.
 - While Ronald Reagan remains the only divorced U.S. president, a number of potential Republican candidates are divorced, including Arizona Senator John McCain and Nebraska Senator Chuck Hagel. Former New York City mayor Rudy Giuliani is twice divorced and married to his third wife, as is former Speaker of the House Newt Gingrich of Georgia. So far, the only possible Democratic candidates who are divorced are Sen. Chris Dodd of Connecticut and Dennis Kucinich of Ohio.

larger number of members. On the other hand, notes Cooperman, "According to Pentagon figures, however, some faiths with similarly small numbers in the ranks do have chaplains. Among the nearly 2,900 clergy on active duty are 41 Mormon chaplains for 17,513 Mormons in uniform, 22 rabbis for 4,038 Jews, 11 imams for 3,386 Muslims, six teachers for 636 Christian Scientists, and one Buddhist chaplain for 4,546 Buddhists."

The plight of the Wiccans points up the continuing problems for religious minorities in the U.S. military.

International

Bucharest: The Romanian parliament's passage of a new law on religion has provoked criticism from human rights groups worldwide. The law establishes a series of qualifying standards which religious groups must meet in order to receive full and equal treatment before the law. Religious groups must have at least 23,000 members and must wait 12 years before being accorded recognition by the state. Seventh-day Adventists, Baha'is, Baptists, Jehovah's Witnesses and Greek Catholics have not reached the threshold of required membership. Dutch Prime Minister Jan Peter Balkenende criticized the law, as did the Washington, D.C.-based Institute on Religion and Public Policy, which said the law "will deprive many religious minorities of fundamental religious rights."

Romania, where the Romanian Orthodox Church is dominant, joined the European Union in January and may be forced to reevaluate its legislation in light of European Union requirements for equal treatment of minority groups.

Lisbon: Portuguese voters failed to liberalize the country's strict abortion laws in a referendum on February 11. Even though a majority of voters favored the change, the turnout failed to reach 50%, as required by law. In Portugal, referenda must receive a majority of votes cast by a majority of the electorate. The government plans to introduce enabling legislation to legalize abortion for any reason during the first ten weeks of gestation. At present, abortion is allowed only in cases of rape, birth defects or danger to the woman's health. Other abortions are theoretically punishable by imprisonment though rarely enforced. A survey in 2006 indicated that 14% of Portugal's women of childbearing age have had abortions, mostly in neighboring Spain.

London: The British House of Lords defeated an attempt to block a House of Commons-passed law to extend equal protection legislation to gays and lesbians. The new sexual orientation regulations apply current anti-discrimination laws that protect other minorities to the homosexual community. The vote in favor of gay rights was an overwhelming 199 to 68. The motion to block enforcement was proposed by Northern Irish Protestant leader Lord Morrow, a close friend of Ian Paisley, and a leader of Paisley's Democratic Unionist Party. The January 9 vote was followed by an angry protest rally outside Parliament mounted by religious fundamentalists. Ironically, the new regulations have been applied in Northern Ireland before the rest of the United Kingdom. The 3 to 1 defeat for the hard right is considered highly significant since the House of Lords is seen as a conservative bastion.

Peter Tatchell celebrated the vote in *The Guardian*: "The massive House of Lords vote against homophobia was, however, much more than a victory for gay rights. It was a victory for modern, liberal Britain. Tolerance vanquished intolerance. Compassion and justice triumphed over heartlessness and inequality. We are all winners, gay and straight. The Lords vote was also a huge setback for attempts to import into Britain the zealous, authoritarian tactics of US Christian fundamentalism."

Letter from Tel Aviv

"An "eruv"? Not in this neighborhood," (*Jerusalem Post* magazine, Nov. 17, 2006) is all wrong about opposition to the eruv erected by Lower Merion Synagogue in suburban Philadelphia. It is not "Jewish intolerance," as maintained by the article. It is a question of the violation of the separation of religion and state as mandated by the very first provision of the First Amendment to the Constitution of the United States.

I am a member of Lower Merion Synagogue. I am also Professor of Constitutional Law at Temple University School of Law, Philadelphia, and am currently teaching First Amendment at Tel Aviv University Faculty of Law. I oppose the eruv as a transgression against the First Amendment because the government has imposed the eruv – a Jewish symbol – upon the community. It makes no difference whether the neighborhood is all Jewish – which it is not.

The U.S. Supreme Court has ruled that the community of Kiryas Joel in New York violated the separation of religion and state by zoning a school district to benefit handicapped Orthodox children. I believe that the Lower Merion Township approval of an eruv to benefit Orthodox Jews is similarly unconstitutional. Jews joined other civil libertarians to object when the government favored Christians, as for example, when the City of Philadelphia built a platform for Pope John Paul II to conduct a mass. I was involved on behalf of the American Civil Liberties to declare that action a violation of the First Amendment. Jews should not violate the separation principle when it benefits them. The Constitution is the best protection of minority rights and Jews should know what that means.

Burton Caine
Professor of Law
Temple University Faculty of Law
Now teaching at Tel Aviv University Faculty of Law
Chairman, ARL Board of Directors

Tatchell also criticized those who blamed all religious groups for the anti-gay campaign. "It is notable that the 'rally for the right to discriminate,' which was held outside parliament on Tuesday night, was not supported by the Anglican, Catholic, Methodist, Presbyterian or Baptist churches, nor by the Muslim Council of Britain or the Board of Deputies of British Jews. These mainstream religious organisations wanted nothing to do with this dishonourable protest in support of homophobic discrimination."

London: Prime Minister Tony Blair decided on January 29 that Roman Catholic adoption agencies cannot be exempt from new legislation banning discrimination against gay couples. Catholic adoption services have threatened to cease all activities if forced to comply with the new regulations. "There can be no exemptions for faith-based adoption agencies offering public-funding services from regulations that prevent discrimination," the Prime Minister said.

Moscow: Russia's diverse religious bodies have united in an effort to block implementation of a law passed by parliament last April that allows the government to monitor activities of nonprofit groups and organizations that receive financial support from outside the country. The law was passed in an effort to monitor the activities of such groups as Amnesty International and Doctors Without Borders. Human rights

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groups are opposed to the measure, which is supposed to be operational by April 15, 2007. A government agency, the Federal Registration Service, announced on December 22 that rules affecting church groups would be reviewed. The law mandates detailed information on churches that seem onerous and unnecessary, according to a wide range of critics.

Five Protestant groups lodged a formal appeal to First Deputy Prime Minister Dimitri Medvedev on December 1, asking that churches be excluded from the law's accounting rules. Religious minorities are particularly worried that they will be burdened by overzealous bureaucrats, particularly in rural areas. But even the powerful Russian Orthodox Church, which claims 70% of Russians as members, has warned that the law, backed by President Vladimir Putin, represents a throwback to Soviet-era repression. Metropolitan Kliment, Chancellor of the Moscow Patriarchate of the Russian Orthodox Church, told *USA Today's* Maria Kolesnikova, "We shouldn't return to the Soviet practice, when the state controlled every step of a religious organization, when they checked the contents of the sermons and all the documents."

Kolesnikova added, in a special report to *USA Today* (December 27), "While Moscow ponders changing the reporting requirement, some local officials already are asking church leaders for the names of their followers, even though the law doesn't explicitly request a list of worshippers."

New Delhi: Church-state separation and equal treatment of minority religions in India were at issue in a state court ruling on January 24 in the state of Madhya Pradesh. The issue was whether public school students should be required to engage in a yoga practice that invokes Hindu gods. Muslims and Christians objected to the requirement, and the court agreed that no religious practice should be imposed on all public school children. The central Indian state of Madhya Pradesh is ruled by a Hindu nationalist party, the B.J.P., which inaugurated the practice and also announced that yoga lessons would be incorporated in textbooks. The B.J.P. has frequently been accused of stirring up Hindu-majority prejudice against religious minorities.

In the same state, Hindus who marry non-Hindus have been threatened with death by militant Hindus associated with the Dharam Sena (Religious Army), a branch of the World Hindu Council. The state governor, Balaram Jakhar, intervened on January 11 to allow a Christian-Hindu marriage in a civil court after Hindu extremists threatened to kill the Christian clergyman who was supposed to perform the ceremony. A Religious Army leader, Sudhir Agrawal warned, "We will not tolerate such anti-Hindu activities on our soil anymore."

Oslo: By a solid vote of 63 to 19, the governing body of the established Lutheran Church of Norway voted to separate church and state. The general synod of the Church of Norway voted to end its 469-year establishment of the Lutheran faith as Norway's official religion. The December 6 vote reflected input from more than 2,500 congregations. The church said new legislation from parliament would be needed to transfer powers from the government to the church, including the authority to appoint clergy. While most Norwegians identify as Lutherans, few attend church regularly.

Santiago: Chile is bracing for another controversy over abortion. President Michelle Bachelet's government recently made the morning-after pill available at no charge in state-run hospitals. It has been available at private pharmacies for five years. Religious and political conservatives are mounting a campaign to thwart distribution and to force a reversal of the policy. The national conference of bishops said the action was "reminiscent of public policies established in totalitarian regimes." Pablo Zalaquett, mayor of a Santiago borough, filed suit seeking to halt

'Vouchers a losing idea'

Will school voucher fanatic James Leininger ever admit that he is wrong? Will he ever admit that vouchers clearly violate the Texas Constitution? That vouchers would fragment Texas kids along religious, class and other lines? That vouchers will do nothing for rural kids? That in 25 statewide referendums from coast to coast, millions of voters have rejected vouchers by wide margins? That the latest polls show that Americans want to improve public schools, not find alternatives to them?

With his great wealth, Leininger could do a lot of good for public education instead of working to tear it down.

—Edd Doerr

This letter was published in the Austin (TX) *Statesman* on 29 Dec 2006.

the policy, and the Supreme Court agreed to hear his appeal. Some other conservative mayors have announced that they will veto distribution of the pill in public clinics in their municipalities. The conservative campaign was denounced by María Soledad Barria, the government's minister of health and herself a physician, "We have a system of laws in this country that applies to everybody. Public officials in particular have an obligation to implement public policy, whether they like it personally or not."

Vatican City: Pope Benedict XVI clearly allied himself with those who favor more religious symbols in public places. Religious symbolism on public property has caused controversy in a number of European countries and in the United States. "Hostility to all forms of recognition of the political and cultural importance of religion and in particular the presence of any religious symbols in public institutions... is not a sign of healthy secularism, but the degeneration of secularism," the pope said. He added that religion "should be recognized as a common public presence" in courtrooms, offices, schools, hospitals and prisons, in an address on December 9 to a group of Italian Catholic lawyers.

Books and Culture

Book Talk

Books tackling church-state issues are numerous this spring. *Scientists Confront Intelligent Design and Creationism*, a collection of 16 essays edited by Andrew Petto and Laurie Godfrey, is coming from Norton in March. An updating of their 1983 title *Scientists Confront Creationism*, this new volume has been praised by *Publisher's Weekly*, which in a January 22 review said, "There is much to help readers gain a robust understanding of the current controversy. Indeed, the point is very clearly made that the battle is a political one and not one of scientific substance."

Two books focus solely on the Dover, Pennsylvania, "intelligent design" case of 2005: *40 Days and 40 Nights* by Matthew Chapman (April, Collins Reference) and *The Battle Over the Meaning of Everything: Evolution, Intelligent Design, and a School Board in Dover, PA* by Gordy Slack (June, Jossey-Bass)

The frequently-published and always controversial Alan Dershowitz has written *Blasphemy: How the Religious Right is Hijacking Our Declaration of Independence*, coming from Wiley in June.

Victor Gold zeroes in on the Republican Party and shows how religious and cultural conservatives have transformed the Grand Old Party in *Invasion of the Party Snatchers: How the Holy-Rollers and the Neo-Cons Hijacked the GOP*, an April title due from Sourcebooks.

The Elephant in the Room: Evangelicals, Libertarians, and the Battle to Control the Republican Party, by Ryan Sager. John Wiley & Sons, Inc., 2006, 248 pp., \$25.95.

New York journalist Sager looks at the internal battle within the GOP between the libertarian-corporate wing and the moralists. Sager is a partisan, favoring the libertarian side and warning that “moralism” and domination by the Evangelical South will ultimately spell defeat for the GOP. “The Republican Party has been heading in the wrong direction for a long time. Toward big government and away from small government. Toward politics and away from principle. Toward the South and away from the West. Toward moralism and away from morality.”

Sager argues that the Republicans have achieved all they can in the South, carrying all eleven Dixie states twice for Bush. He includes data revealing the percentage of evangelicals in each state from the 2004 National Annenberg Election Survey, showing an almost direct correlation between evangelicals and the Bush vote.

Bush carried all 20 states with the highest evangelical membership (Mississippi at 73% is the top), while Kerry carried 11 of the 12 least evangelical states (Vermont and Massachusetts are only 12% evangelical). Furthermore, Bush carried 1064 of the 1154 white-majority counties in the South, while Kerry could only win 90 of them. That’s 92% of the white South counties for Bush. It would be hard to improve on that level of support. Religion now supplants income as the determinant of voting decisions. “Republican strongholds have lots of Evangelicals, Democratic strongholds have very few, and swing states are in between. . . . Bush won 79 percent of white voters who went to church more than once a week, as opposed to 54 percent of Americans who earned more than \$100,000 a year.”

Sager says the Democrats can win in the near future if they can capture a portion of a newly emergent geographic region he calls “the Interior West,” which is roughly similar to the Mountain States (Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Utah, Wyoming and Alaska). While these states have been Republican strongholds since the 1960s, their libertarian, anti-big government, and religiously tolerant ethos (except in Utah and Idaho) make them targets for Democrats. Kerry made solid gains in Colorado, Alaska and Montana in 2004 and was competitive in Nevada and New Mexico. If the nation remains bitterly divided in 2008, it will only take two or three of these states to push the Democrats over the top.

Sager uses Pew Research Center data from 2005 to show that residents of the Interior West are the second or third most liberal voters on religion, gay rights, censorship and immigration. They are strongly opposed to “government getting too involved in the issue of morality” and are wary of “giving up privacy and freedom in order to be safe from terrorism.” On most issues the Interior West is quite different from the South. “The results are fairly revealing, and they particularly show a cultural gulf between the South and the interior West – with the Inte-

rior West often looking in its attitudes much closer to Blue-state northeasterners and Pacific Coasters than to their fellow Red staters.”

If the GOP continues to appease the white South, “it could have dire consequences out West.” Even on immigration, the Interior West is welcoming, while the South is Nativist. Sager notes that 51 of the 91 anti-immigration caucus members are from the South while only 11 are from the Interior West [including its chairman, Tom Tancredo (R-CO).] The 2006 elections suggest that Sager may be right on target.

—Al Menendez

Here I Stand, by Edd Doerr. Potts Publishing, 2006, paperback, 117 pp., \$12.00.

This volume by ARL’s long-time president/executive director is a true potpourri, celebrating freedom of conscience and the principle of church-state separation. The literary styles and formats vary, making it an appealing read. Essays, speeches, magazine articles, book chapters, letters to the editor, and even poems, a newspaper interview, and written testimony at a Congressional hearing comprise this selection of recent and highly relevant pieces.

The topics covered run the gamut of the church-state field: faith-based initiatives funded by taxpayers, school vouchers, religious activities and studies in public schools, reproductive rights, religious influence on politics, and U.S. diplomatic relations with the Holy See. Most of the letters to the editor are from 2005 and 2006, making them topical and contemporary in scope and interest.

This readable and enjoyable book is available from ARL for \$14, including postage and handling.

—Al Menendez

The Unequal Yoke: Evangelical Christianity and Political Conservatism, by Richard V. Pierard. Wipf & Stock Publishers, 2006, Paperback, 191 pp., \$22.00.

Few books deserve the title “classic.” Fewer still are prophetic. Such a book is Dick Pierard’s *The Unequal Yoke*, originally published in 1970 by Lippincott, a fine old Philadelphia publishing firm. In a nutshell, Pierard, then a youngish history professor at Indiana State University, warned evangelical Christians that they would be used, and that their values would be transgressed fundamentally, by an alliance with political conservatism and the Republican Party. Now, more than three decades later, the warning has come true. The party of Lincoln and Theodore Roosevelt has been changed. The evangelical branch of Protestant Christianity has been altered. The nation has seen a rebirth of sectarian animosity, a religion-based (religion saturated?) political system that has broken down and been made inoperable over trivial religious issues that are not even in the proper purview of government. People are now unwelcome in their lifelong religious communities because their political convictions, often rooted in their own religious realities, are unpopular with the majority. (Remember the Baptist church in North Carolina that expelled its members who voted for Kerry?)

When religion and politics become interchangeable, nothing good can be said about either. Both are corrupted, but religion more so, since religion belongs more to the realm of the numinous, where persuasion and voluntarism are essential, while government, however noble and well meaning in purpose, enforces its will inevitably through coercion and law. Our Constitution’s writers and the nation’s Founders understood this well. Government should have little to do with religion, except to insure its exercise, freely chosen, and to prevent concentrations of religious power tending toward the dreaded reality of establishment. While not a perfect solution, it assured civil peace and led to a flowering of religious diversity, unparalleled in history. Evangelicals

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Books and Culture, *continued from page 23*

initially supported this pattern, and were generally happy to be a part of it and did not seek preferential treatment or political preferment.

The reissue of this important book is welcome news. While the treatment necessarily focuses on the Cold War, the Civil Rights Movement, Vietnam and other issues of the 1950s and 1960s, its overall treatment of the captivity of the evangelical church (or at least a major portion of it) by the political Right is valuable. Remember that when this book originally appeared, there was no “Religious Right” as such. Its emergence was still nearly a decade away. But many evangelicals uncritically identified with, or at least tolerated, the radical right of the Goldwater-Wallace era, which, itself, had a significant religious component known as “Christian Americanism.”

Pierard notes in his new preface, “As one leafs through the pages of the book today, one gets an eerie sense of déjà vu – we have seen all this before. The names and sources cited are of an earlier time but the main ideas remain essentially the same. What is so different, however, is that evangelicals currently have the political power and influence they did not have in the 1960s.” Some things have not changed. “The Rightists are unwittingly undermining faith in civil liberties, the two-party system, and the integrity of elected officials, and they have made a mockery of American patriotism. . . . Evangelicals must beware of the insidious attempts of Christian Rightists to exploit their religious concerns and to yoke the faith to an unconservatism that violates the basic ethical principles of Christianity.”

There is no doubt that Pierard is right when he observes, “A marriage between Christianity and Americanism is an Unequal Yoke because one clearly stands in a superior relationship to the other.” This book deserves to be back on bookshelves everywhere.

—Al Menendez

Sex, Priests, and Secret Codes: The Catholic Church's 2,000-Year Paper Trail of Sexual Abuse, by Thomas P. Doyle, A.W.R. Sipe and Patrick J. Wall. Volt Press, 2006, 383 pp., \$29.95.

“By August 2005, the [Catholic] church has paid out more than \$1 billion in claims [for clergy sexual abuse of minors] and there was no end in sight.” So writes psychologist Mary Gail Frawley-O’Dea in the December 29, 2006, *National Catholic Reporter*. Since the scandal really went public in early 2002 the press has been regularly reporting news of scandals, cover-ups, payouts to victims of abuse, and diocesan bankruptcy filings.

In 2003 Massachusetts Attorney General Thomas Reilly released a detailed, 84-page report entitled *The Sexual Abuse of Children in the Roman Catholic Archdiocese of Boston*. In 2005 the Irish government released the Ferns Report on abuse in one Irish diocese. In 1995 and 2002 Spanish psychologist Pepe Rodriguez published comprehensive books on the subject.

Now comes the most comprehensive study of them all, *Sex, Priests, and Secret Codes*. The authors have many years of experience in dealing with this subject. Doyle is a priest who has been an expert on these matters for over 20 years. Sipe and Wall are former priests with similar expertise.

After surveying the problem in great, well documented detail, the authors conclude: “Regardless of how objectionable and criminal the sexual abuse of children was regarded, it has been a recurring and widespread problem within the ranks of the clergy for the best part of two thousand years. To make matters worse, the church has for a long time – but especially in more recent times – engaged in a widespread conspiracy not only to deny the existence of sexual abuse but, often deliberately, to provide cover for its perpetrators.”

The authors ascribe the scandals and cover-ups to “clericalism,” which they define as “a social atmosphere that regards clerics with exaggerated respect and authority,” enough respect and authority to silence critics and intimidate victims and their families.

It is interesting to compare the findings of these authors regarding clerical sexual activity in the US and those reported by Rodriguez in Spain. Doyle et al report that 41-46% of US priests are sexually active in spite of their vows of celibacy; Rodriguez found 60%. Doyle et al report 20-25% of priests sexually active with adult women and 15% with adult men; Rodriguez reports 32% and 13%. Doyle et al report that 6% are sexually active with minors, though the figures for Boston are 7.6%, New Hampshire 8.2%, and Los Angeles 13%; Rodriguez breaks the figures down to minor male victims, 8.4%, and 7.2% for minor females. Thus despite the cultural and historical differences between the US and Spain, the statistics are strikingly similar. Studies in other countries are likely similar as well.

Rodriguez advises victims and/or their parents to report abuse to civil authorities as complaining to church officials would generally be useless. Doyle et al would agree.

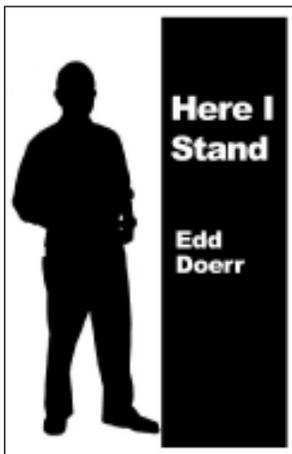
Doyle, Sipe, and Wall do not discuss the question of the advisability of the clerical celibacy rules, though a majority of Catholics favor its discontinuance, evidently because such discussion would distract attention from the abuse problem.

—Edd Doerr

The Founding Fathers and the Place of Religion in America, by Frank Lambert. Princeton University Press, 2006, 328 pp., Paperback, \$18.95.

Lambert, a history professor at Purdue University, shows how the U.S. pioneered the concepts of legal and constitutional guarantees of religious freedom in its seminal period. He argues that religious conformity gradually gave way to religious freedom, which was firmly embedded in the Constitution and Bill of Rights.

The process was not without conflict. Lambert explains, “While the



Essays, speeches, magazine articles, book chapters, letters to the editor, and even poems, a newspaper interview, and written testimony at a Congressional hearing comprise this selection of recent and highly relevant pieces.

Here I Stand

by Edd Doerr

Available from ARL for \$14.00. Send your check or money order to:

Americans for Religious Liberty, PO Box 6656
Silver Spring, MD 20916

Puritan Fathers gave us the symbols of America as haven of religious freedom and America as a Christian Nation, the Founding Fathers provided enduring legacies that define the place and role of religion in American society. Their bequests were the ideas of separation of church and state and the free exercise of religion extended to people of all faiths or no faith. Their achievement can be understood only against the backdrop of the American Revolution. Clearly they were architects of a political revolution, throwing off constitutional monarchy for a democratic republic. But they were also framers of a religious revolution, rejecting the idea of an established or official religion, which was the organizing principle informing church-state relations in the vast majority of countries, as indeed it had been in most of the American colonies. Never before had there been such a total separation of religious and political institutions. But the ban on establishment was not the Founders' only legacy in church-state matters. Regarding religion as a natural right that the governed never surrendered to government, they prohibited any interference in citizens' rights to the free exercise of religion."

The author's narrative history includes bracing chapters exploring how "Deists entered the religious marketplace," who emphasized science and newly discovered philosophical principles, and how "political Whigs and religious dissenters fought religious regulations" supported by theocrats and bureaucrats. A concluding chapter details the titanic struggles over opposing religious viewpoints in the 1800 presidential election between Thomas Jefferson and John Adams. "The Founding Fathers' religious settlement, embodied in the First Amendment to the United States Constitution, gave legal sanction to an American revolution of religion that redefined the place of religion in America. . . . The Founders made religious freedom the cornerstone of faith in the new republic."

This is a good, scholarly introduction to a subject which is of vital importance for 21st century Americans.

—Al Menendez

God and Country: How Evangelicals Have Become America's New Mainstream, by Monique El-Faizy. Bloomsbury, 2006, 262 pp., \$24.95.

The author, who calls herself an ex-evangelical, surveys the rise of evangelicals as a political and social force in America today. There's not much that is truly new or insightful here, but the book works fairly well as a general overview of a major political and religious force. "On a national level evangelicals have become the new establishment," she claims, though that may be overstating the case. She adds, "Over the course of the past several years, America has undergone a realignment and is now a country in which evangelical Christians are no longer a fringe group but instead make up its core."

Their political clout is undeniable. "Evangelicals have moved into the mainstream of politics just as they have in other areas of the culture, abandoning their religious organizations in favor of issue-based groups and the Republican Party, where they are now precinct captains and county committee members."

But the evangelical-Republican alliance is growing shaky. "As evangelicals turn their attention to issues such as AIDS and global poverty, their interests more naturally align with those of the Democratic Party; as the evangelical agenda becomes broader and the community more diverse, the issues evangelicals care about may no longer be best addressed by the GOP."

Evangelicals have also been influenced by American culture. "Just as evangelicals have influenced the country, so, too, has America made its mark on evangelicals. They now look, sound, and in many areas — though obviously not all — think like the rest of us. This mainstreaming of the evangelical community has ramifications for everyone. Politically,

'Many forms of certainty are bad'

Jonah Goldberg's Dec. 28 column on "certainty" was rather juvenile. Some forms of certainty are clearly bad. Examples: Hitler's certainty that Jews, Slavs, Africans, and others were "inferior" and fit only for slavery or extermination; fundamentalist religious certainty that leads some "believers" to persecute and even execute others, or to have government foist their opinions on others; Bush's certainty that Iraq had weapons of mass destruction and connections to Bin Laden as the basis for our catastrophic misadventure there.

Postmodernism's view that all beliefs and values are equally valid is just as bad.

The reasonable middle course is what scientists call "warranted assertability", certainty limited to what the evidence shows, tolerance for differences, open mindedness, and willingness to change one's views in the light of new evidence.

—Edd Doerr

This letter was published in the *Washington Examiner* on January 1, 2007.

it will likely mean either a softening or over time a possible diminishing of the Republican Party."

—Al Menendez

A Nation of Religions: The Politics of Pluralism in Multireligious America, edited by Stephen Prothero. University of North Carolina Press, 2006, 296 pp, \$19.95 paperback.

Stephen Prothero, a professor of religion at Boston University, has admirably edited a collection of a dozen essays on how Muslims, Buddhists, Hindus and Sikhs have accommodated to and been shaped by the American experience. He sets the book's tone at the beginning. "In the United States, religion matters. . . . religion is as public as it is pervasive, as political as it is personal."

The increase in Asian immigration since the passage of the Immigration Reform Act of 1965 has been considerable, and its impact has expanded religious and cultural diversity. The dramatic increase in the Asian-based religions has also led to inevitable tensions and conflicts in schools, employment areas, public life and culture in general, argue several authors. Part of this stems from the unique circumstances surrounding American civil society. James Davison Hunter and David Franz explain, "The vitality of political institutions presupposes cultural understandings and social practices within which those institutions make sense and have legitimacy. In the American case, the realm of civic culture on which democracy depends rested from the beginning on a unique combination of Reformed Protestantism, Lockean individualism, and neoclassical republicanism."

As a result, assimilation is not always harmonious. The courts have had to step in to resolve conflicts. Courtney Bender and Jennifer Snow observe, "Over the past forty years, Muslims, Hindus, Buddhists, and Sikhs have exercised their First Amendment rights by bringing grievances to federal courts. Most such cases that have reached the appellate level concern one of three venues: prisons, public schools, or municipal zoning." Furthermore, "Of all Asian religions, Islam has had the greatest presence in the courts. According to John Wybraniec and Roger Finke's 2001 statistics, more than 4% of all court cases on religion between 1981 and 1996 (including more than 7% of all Free Exercise cases)

continued on page 26

were brought by Muslims.”

Bender and Snow also cite data indicating that U.S. courts have not been particularly vigilant in preserving or expanding the Free Exercise Clause. “Even after *Sherbert*, the courts rarely ruled in favor of expanding Free Exercise. Only four of the seventeen cases to reach the Supreme Court between 1963 and 1990 won, and almost three-quarters of all Free Exercise cases to reach federal appellate courts between 1963 and 1994 lost.” They argue that certain Protestant presuppositions about the definition, meaning and scope of religion hamper the judicial process. “One consequence of the presence of Asian religious actors in the courts is their ability to expose the Christian principles that work by stealth in courts’ operating definitions.” Prothero agrees: “Christian norms and organizational forms repeatedly factor into the accommodations U.S. Buddhists, Muslims, Sikhs, and Hindus are making to American circumstances.”

One fascinating essay by Stephen Warner, “The De-Europeanization of American Christianity,” shows the influence of post 1965 immigration on America’s largest religious community. He cites data showing that 65% of all immigrants are Christians, and that these new-arrival Christians from Latin America, Africa and Asia are often more conservative than their co-religionists. American Catholicism now has substantial communities of Mexican, Cuban, Filipino and Vietnamese adherents, and Presbyterians have a large Korean membership. (Of all immigrants, 42% are Catholic, 19% Protestant and 4% Eastern Orthodox). Many evangelicals are from Latin America or east Africa. This broadening of the Christian population also has to be considered in any discussion of the new pluralism.

This is an essential study of a changing America, now particularly relevant since the election of two Buddhists and one Muslim to the U.S. Congress in 2006.

The Theocons: Secular America Under Siege, by Damon Linker. Doubleday, 2006, 272 pp., \$26.00.

Linker, who used to work for Richard John Neuhaus at *First Things* magazine, warns about the theocons’ very real threat to American democracy. He shows how Neuhaus has provided much of the brainpower behind the evangelical theocons. Neuhaus’s 1984 book *The Naked Public Square* had the aim of “equipping newly politicized Protestant evangelicals” to gain political power.

Despite some shortcomings, this is an important book, brimming with insights into some key but neglected figures in the “theoconservative” or “theocon” movement.

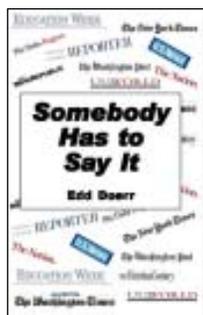
Heading the list of *dramatis personae* is Richard John Neuhaus, Canadian turned American, erstwhile Lutheran pastor turned Catholic priest (he converted in 1990), and one-time radical leftist turned radical conservative. Completing this theocon triumvirate are Michael Novak, another ‘60s radical turned conservative, and George Weigel, author of a thousand-page hagiography of Pope John Paul II.

“The theocons,” Linker writes, “do not aim to transform the country into a Christian version of Afghanistan under the Taliban – a goal that could only be achieved by pursuing the wholesale destruction of American liberal democracy and the establishment of theocratic totalitarianism in its place. Yet they do propose to sanctify and spiritualize the nation’s public life, while also eliding fundamental distinctions between church and state, the sacred and the secular. Such efforts, if successful, would not be fatal to the nation, but they would cripple it, effectively transforming the country into what would be recognized around the world as a Catholic-Christian republic. I hope that prospect is disquieting enough to inspire thoughtful American citizens to educate themselves about the theocons, their ideology, and the very real threat that they pose to the United States.”

The Theocons is a “must read” expose of some of the key figures in the powerful movement toward theocracy in America.

—Edd Doerr

The third volume of Edd Doerr’s letters-to-the-editor covers a half decade of material, from 1999 to 2004, and also includes an analysis of gender gaps in the publication of letters in three national newspapers. Included as well is an article from USA Today from 1995 on a 1974 world population report commissioned by the White House but suppressed.



Somebody Has to Say It

Edd Doerr

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Tempting Faith: An Inside Story of Political Seduction, by David Kuo. Free Press, 2006, 283 pp., \$25.00.

David Kuo received his fifteen minutes of fame last fall when he angrily complained in this book that the Bush administration wasn’t totally honest about or committed to its own faith-based initiative program for which Kuo was deputy director. His insider’s account raises serious questions about how religion and government use each other to advance often competing agendas. Aimed at an evangelical audience, Kuo’s book shows no apparent concern for the religious liberty rights of employees of faith-based enterprises or of the recipients of their services.

—Al Menendez

Moral Minority: Our Skeptical Founding Fathers, by Brooke Allen. Ivan R. Dee, 2006, 235 pp., \$24.95.

Among the favorite stratagems of the religious right, the “theocons,” is an Orwellian “selective manipulation of history.” To the theocons the US is not a nation with a majority of extraordinarily diverse, devout and nominal Christians, but, rather, a “Christian nation” like that envisioned by the 17th century New England Puritans. Not only that, but that the Founders were mostly conventional evangelicals, as exemplified by the ahistorical painting of George Washington kneeling in prayer at Valley Forge.

Brooke Allen, a well-known writer and editor armed with a Ph.D. from Columbia, blows these myths out of the water. She carefully

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examines what is known about the religious thinking of Franklin, Washington, Adams, Jefferson, Madison, and Hamilton, and shows that they were all essentially Deists, though they could hardly be said to be as alike as peas in a pod. They made no mention of Jesus in the Declaration of Independence or of a deity in the Constitution. They all strongly supported church-state separation and none were what anyone would term particularly pious, though they tended to keep their views on religion rather private.

Allen also mentions Thomas Paine, whose views on religion are well known, and Deist Ethan Allen, the hero of the battle of Ticonderoga, which provided the artillery used to drive the British from Boston.

In appendices Allen provides the complete text of Madison's "Memorial and Remonstrance" and two of Jefferson's letters debunking the idea that English-American common law is based on Christianity.

Moral Minority is an excellent antidote to the propaganda of the theocons.

—Edd Doerr

The 15% Solution: A Political History of American Fascism 2001-2022, by Johnathan Westminster. Thomas Jefferson Press, 1996, 464 pp., \$24.95.

Jack London's *The Iron Heel*, Edward Bellamy's *Looking Backward*, Aldous Huxley's *Brave New World*, Sinclair Lewis' *It Can't Happen Here*, George Orwell's *1984*, and Margaret Atwood's *The Handmaid's Tale* are prime examples of the use of science fiction format for sociopolitical comment on what the future might bring. Westminster's *The 15% Solution* falls squarely in that tradition, but with a twist. The author's wide study and more than abundant footnoting of the period of the few years preceding the book's 1996 publication give the book a solid grounding.

In rich detail, Westminster shows how fascism could develop in the U.S. from 2001 on, even though George W. Bush only appeared on the political scene as the book was being written. Eleven years after its original publication, the book seems chillingly prophetic. For clarity, my Oxford desk encyclopedia summarizes the characteristics of fascism thusly: "Glorification of the state and total subordination to its authority; suppression of all political opposition; stern enforcement of law and order; the supremacy of the leader as the embodiment of high ideals; and an aggressive militarism aimed at achieving national greatness. It also typically encourage[s] racist and xenophobic attitudes and policies."

Westminster cites as forerunners of an American fascism the Reli-

gious Right, Pat Robertson's Christian Coalition, Ralph Reed, Jerry Falwell, Newt Gingrich, ex-senator George ("Macaca") Allen, David Barton, and elements of the Republican Party. The author does not say that the preceding would approve of the fascism portrayed in the book, nor does he say that the rise is inevitable, only that present trends point in that direction.

This book is available from Americans for Religious Liberty.

—Edd Doerr

Rediscovering God in America, by Newt Gingrich. Integrity House, 2006, 159 pp., \$14.99.

Former House Speaker Newt Gingrich's slender book is a not too thinly disguised effort, masquerading as a tour of Washington's public buildings and monuments, to promote the Religious Right perspective on U.S. history. He uses this vehicle to denigrate our constitutional principle of church-state separation and the Supreme Court rulings upholding that principle. Not recommended!

—Edd Doerr

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Commentary

Why Rwanda Matters

It was only an 11-line snippet in the February 15 *New York Times*, but it immediately caught my eye: “Rwanda: Three Child Limit Planned.” Rwandan lawmakers are drafting a law to limit families to no more than three children in order to belatedly deal with excessively rapid population growth and increasing poverty. Rwanda’s population is growing at 3% per year and women give birth to an average of six children.

So why should we care? Let me explain. Rwanda is the most densely populated country in Africa. Overcrowded as it was and is, Rwanda suffered severe draughts in the 1980s. Then, in 1994, almost on the eve of the UN population conference in Cairo, the Rwandan Hutu people massacred between 500,000 and a million of the less numerous but politically dominant Tutsi people in just a few months while the rest of the world stood by and did nothing.

Why did this happen? When the European powers divided up Africa among themselves in the late 19th century, what are now Rwanda and neighboring Burundi became part of German East Africa. After World War I the League of Nations turned the two smaller countries, both of them about the size of Maryland, over to Belgium. Rwanda became a UN Trust Territory after World War II and became independent in 1962. Civil unrest ebbed and flowed.

Under German and then Belgian rule, Roman Catholicism became the country’s dominant religion, enrolling 65% of the population and securing a monopoly on education. The Germans and Belgians also gave preference to the minority Tutsis over the majority Hutu, which helped set the stage for the 1994 genocide. (Abundant detail may be found in Gerard Prunier’s 1995 book, *The Rwandan Crisis: History of a Genocide*.)

Because of the powerful influence of the Catholic Church, nothing whatever was done to slow runaway population growth. As Prunier points out, “the genocidal violence in the spring of 1994 can be partly attributed to that population density.” It didn’t help matters that the Reagan, Bush I, and Bush II administrations showed little interest in the overpopulation problem, or that the Catholic Church is the only religious body that enjoys permanent observer status in the UN General Assembly, a position that allows it to impede progress on women’s rights and reproductive rights and health. (As a representative on the board of

the International Humanist and Ethical Union several years ago, I worked with British and French representatives to get the IHEU to support the “See Change Project” of Catholics for a Free Choice to terminate the Holy See’s special status at the UN.) This shows the necessity of individuals of diverse religious and philosophical positions working together for progressive goals.

Not only did overpopulation contribute to the Rwandan genocide, but that genocide was essentially predicted by an important US government report, the National Security Study Memorandum 200 report (on the web, see security-population.org), which was produced by the Nixon and Ford administrations in 1975 but “classified” and deep-sixed until close to the Rwanda genocide.

All of the preceding points to the importance of the world’s taking seriously the necessity of making family planning information and where-withal universally available, not to mention the problems of global warming, resource depletion, deforestation, desertification, growing income disparity, and the erosion of church-state separation.

—Edd Doerr

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