REPORT from the Capital

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Supreme Court decision on religion upends campus religious life

When the U.S. Supreme Court in 2010 upheld the policy of a small public law school that said a Christian student group could be officially recognized only if it accepted all students as potential leaders, some lawyers and campus advocates grew nervous.

While the 5-4 decision in *Christian Legal Society v. Martinez* was primarily aimed at public colleges and universities, some conservatives say the decision has upended university religious life, with both public and private schools reconsidering nondiscrimination rules.

TWO YEARS LATER

Now, nearly two years after the decision involving the University of California's Hastings College of the Law, the case is causing strife across U.S. college campuses:

—InterVarsity Christian Fellowship says 41 of its campus chapters have faced challenges since the Supreme Court decision. Many have been resolved, but the IVCF chapter at the State University of New York at Buffalo plans to appeal its loss of official recognition for asking a gay student leader to resign when he would not accept its belief statement.

—In one of the most visible debates, private Vanderbilt University in Nashville, Tenn., has said some religious groups will not be officially recognized if they require certain beliefs or do not allow all members to compete for leadership roles. On the website about its nondiscrimination policy, the school cited the 2010 Supreme Court ruling in defending the constitutionality of the rules.

—Lawmakers in Ohio and Arizona passed bills to ensure that public colleges and universities did not go down the same road as Hastings. Tennessee Gov. Bill Haslam, a Republican, vetoed similar legislation because it also included a category of private universities. The bill included private schools that receive more than $24 million in state funds — namely, Vanderbilt.

David French, senior counsel with the American Center for Law and Justice, said there has been an uptick in challenges to religious campus activity since the 2010 case, but he expects Vanderbilt to be the exception rather than rule. He argues the so-called "all-comers policies" for religious groups, such as Vanderbilt's, are unfair as long as sororities or all-male glee clubs can discriminate based on gender.

"Very few universities have tried to implement all-comers policies in the aftermath of *CLS v. Martinez*," said French, who has defended student religious groups for more than a decade. "They recognize the fundamental absurdity of an all-comers policy."

More than a dozen religious groups have determined they cannot or will not comply with Vanderbilt's stance, which prompted members of the Congressional Prayer Caucus to complain to school officials that religious student groups are being targeted. They cited a now-unrecognized campus group that was told it must remove a requirement that its leaders have a personal commitment to Jesus.

"Belief-based or status-based requirements are inconsistent with our nondiscrimination policy," said Vanderbilt spokeswoman Beth Fortune when asked about that group. She also said the policy "does not target specific student groups."

Jim Lundgren, InterVarsity Christian Fellowship's senior vice president, said his organization is currently helping several chapters beyond Vanderbilt and Buffalo that are facing questions about their policies. IVCF officials argue that allowing chapters

DECISION *CONTINUED ON PAGE 5*

News from the BJC blog

To stay informed on the latest church-state news, visit the Baptist Joint Committee's *Blog from the Capital* at **www.BJConline.org/blog**. Updated regularly by **Don Byrd**, it has news and analysis on a variety of stories affecting religious liberty. Here are some recent items, including a way you can participate in the newsgathering process:

'The six commandments' is no solution

[A] federal judge in Virginia is urging parties in a Ten Commandments dispute to think outside the box to arrive at a solution. One of his suggestions was the possibility of removing from public school displays the commandments that are explicitly religious in character, leaving a display of only six commandments (which brings to mind a scene from Mel Brooks' *History of the World: Part I*).

Church-state experts weighing in don't sound optimistic that this would be a practical or acceptable answer to the problem. *The Roanoke Times* reports:

> *Charles Haynes, a senior scholar with the First Amendment Center, said the compromise is unlikely to appeal to either side.*
>
> *"I don't think it cures the problem," Haynes said. "In fact, it may make it worse, because for many Christians, to somehow edit the commandments would be an offense to their faith." ...*
>
> *"It's the worst of both worlds," Haynes said. "It keeps the scriptures on the walls as a government-sanctioned message, but it truncates the scriptures and distorts their message."*

Meanwhile, columnist Ted Biondo suggests the plaintiffs challenging the display are responsible for cutting the religion out of the Ten Commandments. But, it's the display's defenders that argue the Ten Commandments' historical, legal significance (not its religious significance) justifies the posting. So which side is secularizing this sacred text?

Judge rules Sussex County prayer practice likely unconstitutional

Far be it from me [Don Byrd] to recommend a person spend time out of their busy day to slog through a judicial opinion on church-state matters. That's what you count on me for, right? But if you are interested in the issue of legislative prayer — that is, official prayer opening government meetings — you should take a few minutes to read the opinion filed [May 15] enjoining the Sussex County (DE) Council from implementing their prayer practice because it is likely to be found unconstitutional. The discussion section (pages 7-16) offers an especially clear explanation of the issues involved and the precedent controlling, without losing the complexity or delicacy of the analysis.

The bottom line — for those who still would rather not (I can't blame you) — is that while the Supreme Court has left a broad opportunity for government bodies to open meetings with prayer, there are limitations that keep the state from crossing the line into endorsement of a particular faith. Here, Sussex County's Council delivered a distinctly Christian prayer (The Lord's Prayer) before most every meeting. That close affiliation with the Christian faith, the court rightly concludes, runs afoul of the First Amendment.

> *The fact that The Lord's Prayer has been the only prayer recited at the beginning of Council meetings for over six years is likely to be found to demonstrate that the Council gives Christianity an unconstitutionally preferred status, sending a message to meeting attendees that the Council is promoting the beliefs of Christianity. ...*

The defense in this case offered up the troubling argument that perhaps The Lord's Prayer was not in fact distinctly Christian, and they argued that to improperly advance religion, the Council would have to have actively proselytized. The judge rejected both arguments ... In issuing the injunction that would halt the practice, the judge delayed its effect for a month to give the parties time to work out a solution.

A campaign on issues?

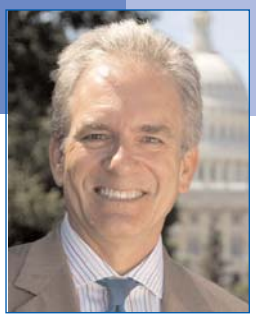
It's nice to see both President Obama's and presumptive Republican nominee Mitt Romney's campaigns decry the use of religion in attacking the opposition. *The Los Angeles Times* reports that on the heels of Romney's refusal of a renewed Rev. Jeremiah Wright line of criticism, David Axelrod has likewise said Romney's faith is not appropriate campaign fodder.

> *Obama campaign senior advisor David Axelrod said Sunday [May 20] that Mitt Romney's Mormon religion was off-limits in Democratic strategies for the campaign.*
>
> *"We've said that's not fair game," Axelrod said on CNN's "State of the Union with Candy Crowley."*
>
> *...*
>
> *When the GOP proposal from a "super PAC" emerged last week, Romney was quick to distance himself from the conservative group.*
>
> *"I want to make it very clear I repudiate that effort," Romney told reporters at a campaign stop in Jacksonville, Fla., ... "I think it's the wrong course for a PAC or a campaign. I hope that our campaigns can respectively be about the future, and about issues and about a vision for America."*

As the 2012 election approaches, a recurring feature of the blog will be excerpts from candidates' own words on religious liberty. As candidates for office in your state or congressional district discuss those issues, send their comments to Don Byrd at **don.byrd@comcast.net**.

REFLECTIONS

Shedding light, not bringing heat



J. Brent Walker
Executive Director

Less than six months out from the 2012 fall elections, religion continues to be a part of the campaigns. I predict it only will accelerate.

Four years ago I offered this conundrum as a challenge: "How do we uphold the institutional separation of church and state, while affirming the relevance of candidates' religion to politics, without imposing a religious test for public office?" And I might add, how do we do it with civility, integrity and with an eye to encouraging shedding of light rather than turning up the heat in the public square? These continue to be nettlesome questions.

For me, two overarching principles are always in play here: First, although the U.S. Constitution's ban on religious tests for public office addresses only formal, legal qualifications and constrains only government, the electorate should make every effort to embrace the spirit, as well as the letter, of the no-test clause. This means that discussing the candidate's religion should be permissible but never mandatory. Nonbelievers and persons of faith who are uncomfortable discussing their religion in public should not be prejudiced in the political arena. The most outwardly religious candidate is not necessarily the best qualified leader of our secular government and religiously plural country.

Second, when religion is discussed or taken into account, it is essential to ask about how the candidate's religious views will impact public policy positions and leadership competence. It's important always to ask the question: "What difference will it make?" It is not only unhelpful but terribly invasive to launch a theological inquiry isolated from policy questions and issues that matter in governing.

Both of these tenets, it seems to me, continue to be violated. Gov. Mitt Romney's membership in The Church of Jesus Christ of Latter-day Saints raises the religious test issue front and center. A recent poll reflected about 20 percent of registered Republicans say they would not vote for a Mormon under any circumstances. About one in three evangelicals claim they will not pull the lever for a Mormon. This kind of religious bigotry was apparent when, calling Mormonism a "cult," the Rev. Robert Jeffress, pastor of First Baptist Dallas, brazenly dismissed Gov. Romney's candidacy simply because he was a Mormon without drawing any connection between his religious beliefs and his fitness for office. In fact, this attitude is so widespread that even the secular left has joined with the religious right. Talk show host Bill Maher called Mormonism a "cult" in May. ("Cult" is one of the most inflammatory words in our religious lexicon. It does nothing but heap opprobrium on somebody else's beliefs and practice and even suggests that it's not even a "religion" worthy of constitutional protection or acceptance. Let's get rid of the word!)

Of course, President Barack Obama is not immune from a *de facto* religious test. And to make matters worse, it's often a lie. Nearly one in five Americans say they believe that the president is really a Muslim. Of course, he is not. He is a Christian and a member of the United Church of Christ. And, as Gen. Colin Powell said four years ago, "What if he is [a Muslim]? Is there something wrong with being Muslim in this country? The answer's no, that's not America."

The second principle is also being flouted. The president's association with the Rev. Jeremiah Wright was sought to be brought up again by a Republican strategist, Fred Davis, who wrote an extensive memo supporting an ad campaign to discredit the president with guilt-by-association tactics. Laudably, Gov. Romney put the quietus on that effort.

Sure, where candidates choose to worship and whom they select as spiritual mentors is not completely irrelevant. It is part of the mix that makes up a candidate's character. But we should indulge a strong presumption against making such things a campaign issue. This is particularly the case where the candidate, such as President Obama, has repudiated much of the inflammatory rhetoric that Wright preached over the years.

Indeed, we should bend over backwards to permit candidates to worship freely without having to pay a political price if they happen to choose a pastor that is controversial or given to immodest rhetoric. And it's good to encourage candidates to hear prophetic preaching when they worship. Strapping candidates with isolated, out-of-context statements of their pastors and spiritual advisers will have the effect of encouraging candidates to avoid the prophetic pulpit and favor less-trenchant forums of preaching.

We are fortunate to live in a country that welcomes religion into the public square and on the campaign stump. Let's not abuse it. Get to know the candidates by listening to their story, including their religious pilgrimage; but, don't make it a litmus test one way or another. And, treat religion with respect and civility — always demanding the truth and respecting our religious diversity. Our religion and our politics will be the better for it.

Churches tread lightly on p in 2012 electior

With the 2012 election less than six months away, congregations are getting the message that Americans want religion out of politics. But that does not mean they plan to keep mum in the public square.

Instead, they are revamping how congregations mobilize voters by focusing on a broader set of issues than in the past. Preachers are largely avoiding the political fray, and hot-button social issues are relegated to simmer in low-profile church study groups.

Why? For one, Americans are growing impatient with religious politicking: 54 percent want houses of worship to keep out of politics (up from 52 percent in 2008 and 43 percent in 1996), according to the Pew Forum on Religion & Public Life. Churches seem to be responding.

"The biggest change we see is a drop-off in the percentage of people saying they hear politics from the pulpit," said David Campbell, a University of Notre Dame political scientist whose Faith Matters project tracked 3,100 people over five years.

"It's been happening everywhere," Campbell added. "People say they don't want to hear about politics in church, and they're actually hearing less of it."

Still, that does not mean the public is clamoring for a totally secularized public square. Some believe the backlash is against a particular type of religious activism that aligns closely with one party's agenda or set of candidates.

"When people say they want religious organizations out of politics, they mean religious organizations telling people who to vote for," said Gordon Whitman, director of public policy for PICO, a national network of more than 1,000 faith-based organizations. "We find ... lots of consensus that our religious values should inform our positions on issues."

CAMPAIGN 2012

In April, PICO launched a national campaign to enlist congregations in registering low-income voters and championing multiple issues of "economic justice." Missouri pastors are now leading efforts to cap payday lending rates at 36 percent. Minnesota clergy are rallying parishioners and others to oppose a new voter ID initiative, which they say would disenfranchise low-income residents and others who lack state-issued ID cards.

For religious conservatives, social issues still matter in 2012, but they are not always being billed as top priorities.

Hispanic evangelicals, for instance, criticized President Obama in May for supporting same-sex marriage and remain opposed to abortion on demand. But those concerns will not trump the more pressing matter of immigration reform, which could lead to endorsements for Obama and Democrats running for Congress.

That's according to Miguel Rivera, chairman of the board for the National Coalition of Latino Clergy and Christian Leaders, whose membership includes leaders from 16,000 churches.

"We are very happy with the outcome of the referendum (banning gay marriage) in North Carolina," Rivera said. "But we hope our politicians will understand that this type of agenda is no longer acceptable if we want our country to unite again and work for the betterment of our communities."

The National Association of Evangelicals plans to use soft-sell techniques in mobilizing its 45,000 churches to impact votes. Churches will not receive candidate scorecards, which "are often thinly disguised partisan devices," according to Galen Carey, NAE's vice president for government relations. Instead, they will be equipped with resources for studying what the Bible says about such issues as immigration and marriage.

"Churches are wary of becoming involved in a very partisan way, or campaigning on issues that might be controversial, because their mission is to reach their whole communities," Carey said.

Religious involvement in partisan politics is driving Americans, especially those under 35, away from organized religion, according to Campbell. Some rising evangelical leaders see this young adult drift, documented in this year's Millennial Values Survey, as a factor that makes nonpartisanship a practical necessity for churches seeking to grow and thrive.

"The last generation of Christians saw (the two major parties) as strategic allies in pushing their agendas," said Jonathan Merritt, the 29-year-old evangelical author of *A Faith of Our Own: Following Jesus*

olitics

Beyond the Culture Wars. "The next generation is reconsidering how that has blinded us and harmed us."

Being nonpartisan is proving a tricky task in the political arena. Example: When Pastor Paul Slack of New Creation Church in Minneapolis makes a faith-based case against a voter ID initiative in Minnesota, he frames it as fighting against a GOP agenda.

"It's politically motivated," Slack said at an April press conference. "Voter ID is designed intentionally to make it harder for certain Minnesotans to vote. ... We need to get more people at the polls so they can take part in sharing the common life together because that is indeed a value of our faith."

Come October, however, all bets for nonpartisanship will be off, at least in churches participating in Pulpit Freedom Sunday. The Alliance Defense Fund is urging pastors to preach Oct. 7 on political issues and endorse specific candidates in defiance of Internal Revenue Service codes for tax-exempt institutions. More than 250 pastors have already signed up, including Ron Johnson Jr., senior pastor of Living Stones Church in Crown Point, Ind.

Churchgoers "have the opportunity to vote with their feet," said Johnson, who preached in 2008 on why voting for Obama would be immoral. He's now running for state representative.

"If they don't like the messaging, then they don't have to worship in our congregation."

—G. Jeffrey MacDonald, Religion News Service

DECISION *CONTINUED FROM PAGE 1*

to determine how to pick their leaders helps maintain their values.

"We just want to have a place on college campuses and allow our perspective to be there in the kind of mix of ideas and beliefs," said Lundgren. "We think that's part of what a great college education is about."

Robert Shibley, senior vice president of the Foundation for Individual Rights in Education (FIRE), said the Vanderbilt controversy confirms what his organization cautioned against after the Hastings case when it wrote 271 schools to say the decision did not require a policy change on their campuses.

"This is along the lines of what I feared, that Vanderbilt is effectively establishing that some religions are acceptable on its campus," he said, "and others are now beyond the pale at Vanderbilt."

Although there have not been wholesale changes across academia, there has been substantial debate over potential or actual policy changes on some campuses.

Jeremy Tedesco, senior counsel for the Alliance Defense Fund, sees the *Martinez* decision "lurking in the background" of other cases. He filed suit in February on behalf of the Christian anti-abortion group Make Up Your Own Mind at the University of North Carolina-Greensboro. The group did not receive official school recognition because it would not agree to accept non-Christian members, according to *The (Greensboro) News & Record.* The university does allow student religious and political organizations to exclude those who do not share their beliefs, but the school decided the group did not fit either category.

"We don't want the government determining whether a group is or is not religious," Tedesco said.

According to The Associated Press, the school has since officially recognized Make Up Your Own Mind, saying school officials misinterpreted the university's nondiscrimination policy; the ADF dropped the lawsuit.

The University of North Carolina at Chapel Hill, which last fall permitted the Christian singing group Psalm 100 to retain its recognition after a dispute over its exclusion of a gay member, is now reviewing its nondiscrimination policy.

The Baptist Joint Committee filed a friend-of-the-court brief in the Supreme Court case. Joined by The Interfaith Alliance Foundation, the brief said student clubs at Hastings should have the ability to organize around common interests without having to accept the all-comers policy in order to gain access to the school's public forum. The brief urged the Court to avoid rendering a decision that sanctions either direct funding of a private religious organization or that unduly curtails the expressive association rights of organizations.

The BJC's position primarily concerned religious groups' "equal access" to public forums and facilities generally available to non-religious groups but only so far as government stays out of the business of funding religion. At Hastings, official recognition included the ability to apply for university funding.

The Christian Legal Society chapter at the center of the Supreme Court case became so small when it lost recognition that it no longer exists, said Kim Colby, senior counsel with the CLS' Center for Law and Religious Freedom. Other chapters have been questioned without losing their status.

"If you can give a broad exemption to the fraternities and sororities, you can give a narrow exemption to the religious groups," she said.

—Adelle M. Banks, Religion News Service & Staff Reports

K. Hollyn Hollman
General Counsel

Churches and political campaigns

In an election year, many people feel the heightened sense of responsibility that comes with living in a democracy. We all should. Despite the problems of excessive partisanship, negative campaigning and corporate influence over our elections, the right to vote and get involved in campaigns is a privilege that shouldn't be taken for granted.

For church leaders, election season brings special challenges. While church members often differ on specific political issues and candidates, some congregants put their pastor in a tough position by bringing their politics to church with the expectation that he or she will bless their views. That said, the First Amendment's religious freedom guarantees limiting the government's involvement in religious institutions — separating the institutions of church and state — do not mean that churches and their members have no role in influencing the law. Navigating the waters of political influence and church leadership may not always be easy, but doing so carefully is necessary for the benefit of the churches and the state. Fortunately, good resources are available to help chart a reasonable course.

Any time a church gets involved in a public policy debate, it should be careful to maintain an independent voice and avoid partisanship. In addition to ethical and practical reasons, there are legal considerations. While the First Amendment protects the freedoms of religion and speech that churches enjoy, tax laws govern entities that receive favorable tax treatment by limiting lobbying and banning electioneering. The ban on electioneering comes from the statutory language that provides for the nonprofit status that most houses of worship claim.

Internal Revenue Code 501(c)(3) defines tax-exempt organizations as follows:

> Corporations, and any community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, testing for public safety, literary, or educational purposes, ... no part of the net earnings of which inures to the benefit of any private shareholder or individual, no substantial part of the activities of which is carrying on propaganda, or otherwise attempting, to influence legislation (except as otherwise provided ...), and which does not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of (or in opposition to) any candidate for public office.

For years, Rep. Walter Jones, R-N.C., has made various, and unsuccessful, attempts to remove the restrictions on electioneering. He and his allies have persisted in mischaracterizing the prohibition as an assault on churches' First Amendment rights of free speech, free association and free exercise of religion. The BJC has opposed such attempts and has encouraged our supporters, including church leaders, to educate themselves on the many ways to communicate their political convictions in the marketplace of ideas within legal and ethical boundaries.

In reality, the First Amendment broadly protects religious organizations' rights to free speech and expression. Church leaders are free to speak openly about matters of important public policy, even from the pulpit, and there are a number of other ways church members can get involved in the political process — including voter registration drives, hosting nonpartisan candidate forums, and — as the statute recognizes — even a certain amount of issue lobbying. Churches, however, may not directly intervene in a political campaign (e.g., by using church resources to support or oppose a specific candidate or formally endorse or oppose a candidate for office).

A pastor who uses the church to urge congregants to vote for a particular candidate jeopardizes the church's tax-exempt status. This does not mean that a pastor cannot urge political action on a moral or social issue. The complexity arises when issue advocacy leads to participation in a political campaign on behalf of (or in opposition to) any candidate for public office. Recently, in light of President Obama's statement of support for marriage equality, some churches turned their issue advocacy about marriage into a campaign to defeat the president, resulting in a call for IRS investigations.

The assertion is false that the 501(c)(3) prohibitions amount to "targeted censorship of churches." The ban on electioneering does not single out houses of worship; it applies to all similarly organized charitable organizations. Opponents of the law rarely mention that tax-exemption is a special benefit — not a right — that churches are free to decline if they wish to engage in political campaigning. You can read more in the IRS church guide, available online at www.BJConline.org/electioneering.

Despite some high-profile counterexamples, most worshippers do not wish for their religious leaders to instruct them on how to vote or use their tithes to support partisan politics. Church leaders do well to exercise their freedom responsibly to preserve their public witness.

For additional resources on church electioneering, visit **BJConline.org/electioneering**

BJC welcomes summer intern

Boschen

The Baptist Joint Committee is pleased to welcome Matthew Lee Boschen of Ashland, Va., as one of our summer interns working alongside our staff in Washington, D.C. Boschen is a rising senior at Hampden-Sydney College, majoring in English and minoring in Religion. He is the son of Kenny and Amy Boschen and a member of First Baptist Church in Ashland, Va. After graduation, Boschen plans to continue local ministerial work and pursue a career in law.

Catholic groups file suit over HHS birth control mandate

Dozens of Catholic universities, dioceses and other institutions filed lawsuits in courts around the country on May 21 in a coordinated effort, spearheaded by the U.S. hierarchy and Catholic conservatives, to overturn the Obama administration's contraception mandate plan.

The 43 plaintiffs, which include 13 dioceses and the University of Notre Dame, say the mandate forces religious employers to provide contraceptive and sterilization services to employees that violate their beliefs. They say that infringes on First Amendment religious freedom protections, and they charge that the federal government's exemption for religious organizations is too narrow.

"This filing is about the freedom of a religious organization to live its mission, and its significance goes well beyond any debate about contraceptives," said Notre Dame's president, the Rev. John Jenkins, who famously awarded President Obama an honorary degree in 2009 despite anger from U.S. bishops.

The Obama administration and its allies, including some Catholic groups, reject those assertions and say a proposed compromise to the mandate effectively bypasses any entanglement in birth control coverage by faith-based groups.

A spokeswoman for the U.S. Department of Health and Human Services (HHS) told The Associated Press the department does not comment on pending litigation.

It was unclear whether the new lawsuits, which were filed in 12 different federal jurisdictions, would be heard anytime soon or whether they would have any legal impact on the controversial White House plan to have health insurers provide cost-free birth control coverage.

Legal experts noted that the U.S. Supreme Court is expected to rule in June on the constitutionality of the health care reform law, and it could overturn all or parts of the 2010 law and render the latest lawsuits moot.

In addition, the part of the mandate that deals with religious groups does not go into effect for more than a year, and the Obama administration is currently processing feedback from Catholic groups — including many who filed lawsuits — on how to accommodate their concerns in the final regulation.

Dioceses and many of the groups that filed lawsuits will likely be exempt from the mandate, so the courts may not grant them standing as plaintiffs.

Jenkins said that the decision to file a lawsuit now, before the birth control policy goes into effect and before the mandate is finalized, was taken because the negotiations could take months, "making it impossible for us to plan for and implement any changes to our health plans by the government-mandated deadlines."

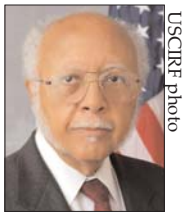
While the lawsuits effectively raise the pressure on the Obama administration in the ongoing negotiations — while raising the profile of the hierarchy's religious liberty campaign this summer — the filings also prompted questions about how united the hierarchy is in challenging the administration on the contraception mandate.

Just 13 out of nearly 200 dioceses in the United States are party to the lawsuits. While the Washington-based U.S. Conference of Catholic Bishops is "facilitating and coordinating" the lawsuits, the hierarchy's public policy arm itself has not joined in as a plaintiff.

"Our bases are covered (by these lawsuits). Our concerns are addressed. No need to pile on," Sister Mary Ann Walsh, a USCCB spokesperson, explained.

—David Gibson, Religion News Service

Pastor is religious freedom panel pick


USCIRF photo

Shaw

President Obama announced plans May 11 to reappoint African-American Baptist leader William J. Shaw to the United States Commission on International Religious Freedom.

Shaw, immediate past president of the National Baptist Convention U.S.A. Inc., was appointed in June 2010 to the nine-member bipartisan panel charged with monitoring violations of religious freedom worldwide and making foreign policy recommendations based on their findings.

Pastor of White Rock Baptist Church in Philadelphia since 1956, Shaw served as president of the National Baptist Convention U.S.A. Inc., from 1999 to 2009. He has been a leader in the New Baptist Covenant, a movement to unite North American Baptists across racial and geographical lines that resulted in a mass meeting in Atlanta in 2008 and a series of regional gatherings linked by satellite television last fall. Shaw also served on the Board of Directors of the Baptist Joint Committee.

With the recent departure of five commissioners, including Southern Baptist Convention official Richard Land due to term limits, Shaw will be the panel's lone Baptist. Along with Muslim law professor Azizah al Hibri and former GOP congressional counsel Ted van der Meid, he is one of three sitting members with watchdog experience. Current chairman Leonard Leo, executive vice-president of the Federalist Society and a commission member since 2007, steps down at the end of his second term.

Created in 1998, the panel nearly lost funding last year but survived with a three-year extension after a Senate amendment imposed new term limits for commissioners, who are appointed by leadership of both parties in the House and Senate and the White House.

—Bob Allen, Associated Baptist Press & Staff Reports

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REPORT from the Capital

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Campaign 2012

Poll reveals voters' knowledge of nominees' religion

WASHINGTON — After nearly four years in the Oval Office, President Barack Obama is incorrectly thought to be Muslim by 16 percent of American voters, and only one quarter of voters can correctly identify him as a Protestant, according to a new poll.

Voters do better identifying Mitt Romney's Mormon faith, according to the poll released May 10 by the Public Religion Research Institute in partnership with Religion News Service. A slim majority of voters — 51 percent — knows the presumed Republican presidential nominee is Mormon.

While Americans across the board get the president's religion wrong, the religious group that most often thinks Obama is Muslim is white evangelical Protestants (24 percent). Americans unaffiliated with a religious group make the error least often: just 7 percent identify Obama as Muslim.

The poll also found that white evangelical Protestants, suspicious of Romney in the early GOP primaries, are warming up to him now that he is the presumptive nominee.

Romney's support among white evangelicals has jumped 27 percent since October; evangelicals support him over Obama, 68 to 19 percent.

Earlier this year, when primary voters faced more choices, evangelicals showed a preference for Catholics Rick Santorum or Newt Gingrich, who campaigned hard on social issues dear to conservative Christians before dropping out.

"Americans want someone with strong religious convictions, but they don't have to be the same as their own," said Daniel Cox, PRRI's research director. "The exception is white evangelicals, who want them to be the same."

But with a Mormon now the presumptive GOP nominee, that is no longer a possibility for evangelicals, and the poll shows they are coalescing around Romney, according to Cox.

White evangelicals — depending on how the term is defined and how the question is asked — make up between 20 and 25 percent of American voters. Among Republicans, they are a particularly powerful bloc, representing about 40 percent of GOP voters.

Obama's support lies in Catholic and mainline Protestant territory. Catholic voters overall say they would be more likely to vote for Obama (46 percent) than Romney (39 percent), though white Catholic voters state a preference for Romney over Obama (48 to 37 percent).

White mainline Protestant voters also prefer Obama over Romney (50 to 37 percent) and religiously unaffiliated voters stand even more firmly in the Obama camp (57 to 22 percent).

More than 60 percent of white evangelical, white mainline Protestant and Republican voters know Romney is Mormon. Less than half of Catholic and Democratic voters know this.

The poll surveyed 1,006 Americans between May 2 and 6, and its margin of error is 3.5 percentage points.

—Lauren Markoe, Religion News Service