ISSN 1556-3723 (print)

Interdisciplinary Journal of Research on Religion

Volume 11 2015 Article 2

Separation Anxiety: Analyzing Media Coverage of Issues of Law and Faith in *Town of Greece v. Galloway*

Erica Salkin*

Assistant Professor, Communication Studies
Whitworth University
Spokane, Washington

Jonah Brown

Whitworth University
Spokane, Washington

* esalkin@gmail.com

Separation Anxiety: Analyzing Media Coverage of Issues of Law and Faith in *Town of Greece v. Galloway*

Erica Salkin

Assistant Professor, Communication Studies
Whitworth University
Spokane, Washington

Jonah Brown

Whitworth University
Spokane, Washington

Abstract

In 2008, two citizens sued the Town of Greece in western New York over sectarian prayer at town government meetings. Their dispute worked its way through the federal courts to the U.S. Supreme Court, and with it came a range of media coverage seeking to explain the constitutional question behind this intersection of church and state. This article explores newspaper coverage of *Town of Greece v. Galloway* at both the local and national levels to determine how reporters tackled the dual challenge of law and faith at the core of this case. A content analysis of media articles indicates that the hesitancy to cover issues of religion and faith that has been well captured in the literature remains alive and well and is joined by an intriguing finding of confluence of Christian speakers and Christian speech. In addition, issues of accuracy in depicting and describing the nature of the Establishment Clause can create dissonance for the audience as they try to understand the nature of this First Amendment right.

The relationship between church and state as described in the Bill of Rights is simultaneously one of the clearest and one of the most confusing constitutional mandates. The wording of the First Amendment to the Constitution ("Congress shall make no law"—a negative right, restricting government actions rather than granting specific civil rights—"respecting an establishment of religion, or prohibiting the free exercise thereof") suggests a simple interpretation: a full separation of the nation's civil and religious lives.

While courts grapple with the intricacies of the relationship between government and faith, many audiences outside the legal community rely on the media to both present and interpret decisions involving constitutional law. This informational responsibility raises a particular challenge for the media: The reality of church/state legal involvement is far more complex than a mere "separation" suggests. A failure to fully explain the intricacies of the Establishment Clause can lead to dissonance as audiences see certain church/state interactions get a constitutional pass while others do not.

Dissonance can lead to a lack of trust in the judicial branch, the only branch of federal government that is not directly accountable to the voting public. Although Supreme Court justices are appointed rather than elected, the Court still seeks public trust to legitimize its decisions (Segal and Spaeth 2002). Thus we see long, detailed court documents explaining the legal basis and rationale for decisions that are loaded with precedent, law, and philosophy.

The media are tasked with sifting through long, complex decisions to bring the key elements of Supreme Court decisions to the public. This poses a challenge, as the Court traditionally has kept the media at arm's length. Therefore reporters need to seek out knowledgeable third parties to help them interpret the intricacies of decisions that can run 100 pages or more.

Coverage of Supreme Court decisions dealing with religious freedom takes on an extra dimension of difficulty. The American media have had a tumultuous history of covering issues involving religion for reasons ranging from fear of offending readers to the seeming incompatibility of applying objective news-gathering techniques to a story based in faith (Winston 2012).

News stories involving both the complexity of the Supreme Court and the challenge of writing about faith create unique difficulties for journalists. This article explores that challenge by reviewing coverage of *Town of Greece v. Galloway*, a case involving a constitutional challenge to a township's policy of incorporating prayer into local government meetings, which resulted in prayers that were offered almost exclusively by Christian clergy. The case traveled through the federal court system and was ultimately heard by the U.S. Supreme Court, drawing coverage from national newspapers as well as newspapers that served the Greece, New York, area. Specifically, this study asks the following questions:

1. How did print media describe the facts and legal questions at play in *Town of Greece v. Galloway*? How accurate were those depictions?
2. How did print media depict the religious freedom issue that was at play in *Town of Greece v. Galloway*?
3. What differences, if any, emerged between local and national newspaper coverage of the case?

The literature on covering the courts and that on covering religion suggest that an ongoing story that involves both law and faith presents particular challenges for reporters. After reviewing some of the relevant literature as well as the facts and legal background of *Town of Greece v. Galloway*, we will present a content analysis of articles discussing the case from its initial district court decision to Supreme Court decision. The objective of the analysis is to explore the approach that local and national newspapers took to report on the legal and religious aspects of the case. Finally, we will presents the results of the analysis and opportunities for future research.

MEDIA COVERAGE OF RELIGION

Before the 1930s, mainstream media coverage of religion tended to fall into one of three categories: stories focusing on the "seamy side of religion" (Buddenbaum 2012: 42), listings of dates and times of church services and activities, or nothing at all. Penny press editors exploited the sensational nature of stories about religious leaders who had been caught in illegal or immoral acts, but as journalists moved their craft toward a more professional approach, media outlets began to align themselves with the scientific approach of questioning and verification in order to position themselves as "indispensable truth bearers" (Flory 2012: 58).

The formation of the Religion News Service in 1934 and the addition of a religion beat by the Associated Press represented a shift in post–World War II journalism, recognizing that stories about religion and faith were newsworthy and complex enough to warrant a specialist (Mason 2012). As newspapers and other media outlets began to pursue stories on religion, they were still faced with the question of covering a topic that was based in nonconfirmable tenets of faith, an issue that persists today. Media and religion researcher Stewart Hoover (2012: 90) noted that journalists consider their work to be that of gathering and circulating information, "leaving the larger questions of truth, veracity, and reliability to the discursive marketplace. Many shrank from religion as a topic because they assumed that the whole point of religion is to prosecute claims to special and particular veracities, and journalists feared being drawn into this process."

Reviews of religious reporting, while few, support some of the hesitancy that Hoover suggested exists in modern media. A review of religion coverage in the 1990s indicated that there was a transformation from religious issues into value

issues in mainstream reporting (Vultee, Craft, and Velker 2010). A 2003 study found a similar trend in coverage of Jesse Jackson's marital infidelity, noting that news stories focused more on the broader *topos* of immoral conduct than on the precepts of Jackson's Baptist faith (Moore 2003). The rationale for the reinterpretation may be journalists' desire to reach as wide an audience as possible, thus lifting the core of the story out from one particular faith tradition and instead focusing on more universal values such as truth or compassion.

Several studies of religion news found conflict to be a significant news value prompting such coverage, followed by impact of religion on the political world or vice versa (Buddenbaum 1986; Moore 2003). However, focusing on the conflict allowed reporters to avoid specific religious content and instead to frame their stories broadly in terms of disagreement or discord. There is a certain degree of common sense to this approach, since religious questions are plagued with epistemological relativism (what is true for you might not be true for me), creating a scarcity of common reference points (Zagano 1990).

An additional challenge to high-quality religion reporting is the willingness of sources to offer their insights. Religious leaders have complained about a secular bias in the media and that most coverage is "inadequate, in error or sensationalist" (Vultee, Craft, and Velker 2010: 151), leading to a reluctance to respond to reporters' requests. Faith leaders have a secondary concern about losing control over their message. The secular media provide a valuable forum through which religious leaders can try to reach larger audiences, but doing so involves entrusting the purity of their message to outside hands (Zagano 1990). Consequently, reporters who seek knowledgeable sources for religion stories often get guarded, reluctant responses.

MEDIA COVERAGE OF THE COURTS

Both accuracy and accessibility are essential in coverage of the Supreme Court. Most citizens rely on mainstream media for news of the Court's actions, as the average person has limited opportunities for direct observation of the Court's activities, and the Court itself rarely directly communicates with the public (Haider-Markel, Allen, and Johansen 2006). Past research indicates that most citizens leave interpretation of the significance of Supreme Court decisions to the press and expect that the media will get it right (Briscoe, Jones, and Deardorff 2004).

"Getting it right" can be a tall order. Court decisions are lengthy, complex, and steeped in legal language. The pace of the modern media combined with a desire to be audience-friendly leads to simplified versions of Court decisions, often at the request of editors who believe that the content is beyond their readers (Davis and Strickler 2000). To play into news values, coverage often focuses on superficial issues. For example, a study of the decision in *Regents of the University*

of California v. Bakke (1978) found that "a full 45 percent of *Bakke* stories lacked specific content about the nature of Bakke's claim or the factual scenario underlying it" (Davis and Strickler 2000: 89).

The market-driven nature of modern journalism demands an audience-friendly approach to coverage of the courts, especially the Supreme Court. In response to declining audiences for both print and broadcast news in the 1980s, editors began directing journalists to cover the stories that had the greatest interest for audiences, regardless of importance, and to pursue stories with easily accessible sources (Vinson and Ertter 2002). Subsequently, both a 2002 study (Vinson and Ertter 2002) and a 2013 study (Sill, Metzgar, and Rouse 2013) found that when journalists did cover the courts, they chose cases that had easily understood and sensational aspects, such as high-profile murder trials, rather than cases involving constitutional issues or white-collar crimes that might have a greater impact on the day-to-day lives of audiences.

Market pressures may also lead to a lack of legal explanation in mainstream coverage of the courts. Studies of court coverage during the past thirty years indicate that articles contain little information about legal principles and details (Haider-Markel, Allen, and Johansen 2006). A 2002 analysis of court stories over a one-year period in five major media markets indicated that 25 percent of the print articles and a mere 5 percent of broadcast stories included background or explanation of the legal issues that were in play (Vinson and Ertter 2002).

Joining reporters and editors as causes of weak court reporting are the courts themselves, especially the Supreme Court. The Supreme Court is not an ideal media source; it lacks the mechanisms that other branches of government have for effectively communicating its work to the public, such as an official spokesperson, press conferences, press releases, or town hall meetings (Davis and Strickler 2000). All Supreme Court decisions are released in the same way, leaving journalists with very little guidance as to the relative significance of any one case. Reporters find themselves in the role of translator and, to extend the metaphor, have to translate from a language that continues to grow and outstrip their proficiency.

News coverage of the courts and of religion share many challenges: source availability, audience receptiveness, and a pressure to cover sensational stories over topics that may be far more relevant to a democratic society. When courts and religion come together, as they did in *Town of Greece v. Galloway*, the media were faced with the challenges of both forms of reporting as they sought to explain the complexity of this constitutional challenge.

THE BACKGROUND OF TOWN OF GREECE V. GALLOWAY

The conflict at the heart of *Town of Greece v. Galloway* (2010) began in 1999, when the town board of this western New York municipality began inviting local

clergy to offer oral prayer at the start of board meetings. The invitation process was informal; the board did not create a written policy regarding who would deliver the prayers, the necessary content, or any kind of prior review (*Galloway v. Town of Greece* 2010: 197).

In the first ten years of town board meeting prayer, the role of "Town Board Chaplain" was filled by a variety of local clergy who were randomly called and asked to give invocations. Although the employee who was responsible for calling the clergy members said that she never declined to contact an organization on the basis of its religious affiliation, a majority of the prayers contained references to "Jesus Christ," "Jesus," "Your Son," or the "Holy Spirit" (*Galloway v. Town of Greece* 2010: 205).

Concerned about inclusivity, Linda Stephens and Susan Galloway, two residents of Greece, began to track the consistently Christian nature of town board prayers. They met with the board in September 2007 to voice their concerns about the sectarian prayers:

> During this meeting, in response to Plaintiffs' question, the Town told Plaintiffs that an Atheist could give the invocation if he or she wanted. Plaintiffs allege that Town officials also told them that if they did not like the prayer that was being offered, they could leave the meeting (*Galloway v. Town of Greece* 2010: 205).

On February 28, 2008, Stephens and Galloway filed suit, "alleging that the Town violated the Establishment Clause by aligning itself with a 'single faith,' meaning Christianity" (*Galloway v. Town of Greece* 2010: 209). The complaint was fourfold:

- "the vast majority of prayers during the past four years have been explicitly Christian in content."
- "by sponsoring persistently sectarian—and almost exclusively Christian—prayers, the Town Board has publicly aligned itself with a single faith."
- "defendants' practices of favoring Christian clergy and prayers at Town Board meetings have the purpose and effect of promoting, advancing, favoring and endorsing the Christian religion."
- "these practices convey the message that the Christian religion is favored or preferred by the Town over other religions *and over nonreligion*."

LAW RELEVANT TO TOWN OF GREECE V. GALLOWAY

The First Amendment's Establishment Clause states that "Congress shall make no law respecting an establishment of religion," which has the plain meaning that the U.S. government may not actively endorse one religion over another. In a normative sense, this means that the government may not set up a state church, pass

laws that aid one specific religion, force individuals to attend church, or punish people for ascribing to certain beliefs (Legal Information Institute 2013).

The seemingly plain meaning of the Establishment Clause is deceptively complex. The metaphor of a "wall between church and state" suggests (inaccurately) that the civil world and the sectarian world cannot touch. In reality, that overlap occurs. The difficulty rests in the amount of overlap the Establishment Clause will tolerate. Religion is entwined in American history and culture, and that pragmatic role of religion combined with the First Amendment's Free Exercise Clause means that courts need to determine how to interpret the Establishment Clause in a way that provides equal toleration of religion while avoiding promotion of a specific faith (Legal Information Institute 2013).

Finding that balance is no easy feat. Law professor Marcy Strauss claims that "the 16 words at the beginning of the First Amendment are some of the most controversial language in the Constitution," and Supreme Court Justice Sandra Day O'Connor noted that "the meaning of these words have been a source of much debate and have been intense and divisive over this nation's history" (Strauss 2012). The question of embrace of religion by a government entity that is at the heart of *Town of Greece v. Galloway* highlights the debate and decision to which O'Connor refers. A basic review the core cases that outline the common law surrounding church and state will help contextualize the legal environment of *Town of Greece*.

Many modern discussions of church/state cases begin with *Lemon v. Kurtzman* (1971), a case that deals with state aid to church-related elementary and secondary schools to support the teaching of necessary secular subjects. The aid programs were challenged as an unconstitutional use of tax funds for religious enterprises. The Court began by acknowledging the challenge in the expectations behind the Establishment Clause as compared to the interpretation that was prevalent in courts until that point:

> The language of the Religion Clauses of the First Amendment is, at best, opaque, particularly when compared with other portions of the Amendment. Its authors did not simply prohibit the establishment of a state church or a state religion, an area history shows they regarded as very important and fraught with great dangers. Instead, they commanded that there should be "no law respecting an establishment of religion." A law may be one "respecting" the forbidden objective while falling short of its total realization. A law "respecting" the proscribed result, that is, the establishment of religion, is not always easily identifiable as one violative of the Clause. A given law might not establish a state religion, but nevertheless be one "respecting" that end in the sense of being a step that could lead to such establishment, and hence offend the First Amendment (*Lemon v. Kurtzman* 1971: 612).

Drawing on past decisions and in an effort to present a common precedent that would drive future church/state discussion, Chief Justice Warren Burger presented a three-part test to determine whether government has avoided the "step" that could lead to establishment: "First, that statute must have a secular legislative purpose; second, its principal or primary effect must be one that neither advances nor inhibits religion; finally, the statute must not foster 'an excessive government entanglement with religion'" (*Lemon v. Kurtzman* 1971: 612–613). Ultimately, the Court determined that the aid programs in *Lemon* did not survive the "entanglement" prong and were therefore unconstitutional.

The *Lemon* test, as the three-part analysis became known, is not without its critics (Paulsen 1993). Furthermore, different courts have placed different emphases on different prongs of the test, leading to three approaches to Establishment Clause issues. Strauss (2012) describes these approaches as strict separationist, symbolic endorsement, and accommodation.

The first prong in *Lemon* looks at secular purpose, which aligns with strict separationist theory (Hames and Ekern 2012). This theory embraces the literal meaning of the "wall of separation" (Neem 2007) and suggests that there are few instances in which state support or aid to religion would be constitutional. Adherents to this theory argue that phrases such as "One nation under God" and "In God we trust" represent unconstitutional promotion of a particular faith (Strauss 2012). Because of its inflexibility, strict separationism is not a common approach.

The second prong requires that state action neither advance nor inhibit religion; in essence, this is a neutral stance. It aligns with symbolic endorsement theory (Hames and Ekern 2012), which advocates creating opportunities across the board regardless of faith. One area of Establishment Clause law in which this theory is most often played out is the idea of pluralism in public religious displays. If there is a Christmas tree in a public place, there needs to be a menorah as well, along with symbols of other religions. A reasonable person must be able to look at the display and see clear pluralism (*Lynch v. Donnelly* 1984).

The final prong—avoiding "excessive entanglement"—aligns with accommodation theory in that it recognizes that limited amounts of state/church interaction are not problematic from a constitutional perspective. This is a conservative approach to the Establishment Clause and embraces the idea that the government can encourage religiosity but not favor one religion over another. For example, there can be an option for prayer at schools, but children should not be forced to engage in prayer (Hames and Ekern 2012).

No particular theory has become the benchmark approach, but all three theories, along with the precedents emerging from their applications, have helped in developing an outline of how to approach the intersection between religious expression and government activity, especially in and around government buildings as well as public parks and schools.

Religious expression on public land is a paradoxical issue. The First Amendment gives people the opportunity to express their religion freely, but if such expression occurs on government property, there may be an appearance of government endorsement and a violation of the Establishment Clause. This issue was at the heart of *Lynch v. Donnelly* (1984).

Lynch questioned the inclusion of a nativity scene in the official holiday display of the city of Pawtucket, Rhode Island. The city was first enjoined from including the display because of its perceived endorsement of Christianity. After applying the *Lemon* test, the Supreme Court reversed the judgment, finding that the city's purpose in including the nativity scene in its holiday display was secular. The city was not advancing a particular religion, nor was the inclusion of the nativity scene an impermissible entanglement. As Justice Burger noted, "Total separation is not possible in an absolute sense. Some relationship between government and religious organizations is inevitable" (*Lynch v. Donnelly* 1984: 672).

The issue of holiday displays was revisited in *County of Allegheny v. American Civil Liberties Union* (1989), this time examining a display that included a Christmas tree, a crèche, and a menorah placed outside Allegheny County government buildings. The Court found that the nativity display was a violation of the Establishment Clause but the menorah and Christmas tree were not. The Court noted that the nativity scene sent "a message to non-adherents that they are outsiders, not full members of the political community, and an accompanying message to adherents that they are insiders, favored members of the political community" (*County of Allegheny v. American Civil Liberties Union* 1989: 687). The Christmas tree and menorah displays were not problematic because they represented "a secular celebration of Christmas coupled with an acknowledgement of Chanukah as a contemporaneous alternative tradition" (*County of Allegheny v. American Civil Liberties Union* 1989: 618–619).

When *Lynch* and *County of Allegheny* are compared, a division of opinion on public perception emerges. In *Lynch v. Donnelly* (1984: 695), the Court determined that the nativity scene had "legitimate secular purposes," although the dissent argued that the display wasn't there to represent the holiday season, it was there to endorse Christianity. *County of Allegheny* took place only four years later, but the Supreme Court found that the nativity scene had "the effect of endorsing a patently Christian message" (*County of Allegheny v. American Civil Liberties Union* (1989: 601).

A highly controversial issue that has emerged from Establishment Clause jurisprudence, though not directly relevant to *Town of Greece v. Galloway*, has been religious expression in public schools. A robust line of cases have deemed issues of religion and faith problematic in public schools primarily when the school appears to be endorsing or preferring a specific religious doctrine or faith (*Engel v. Vitale* 1962; *Lee v. Weisman* 1992).

A far more applicable line of Establishment Clause cases explored the intersection between religious expression and government function. In the case of *Torcaso v. Watkins* (1961), the Court heard arguments about a provision in the Maryland state constitution that required all public officeholders to declare an affirmative belief in the existence of God. Roy Torcaso, an atheist, was appointed by the governor to the office of notary public but refused to make the declaration. The case was taken to the Supreme Court, which straightforwardly rejected the requirement:

> We repeat and again reaffirm that neither a State nor the Federal Government can constitutionally force a person "to profess a belief or disbelief in any religion." Neither can constitutionally pass laws or impose requirements which aid all religions as against non-believers, and neither can aid those religions based on a belief in the existence of God as against those religions founded on different beliefs (*Torcaso v. Watkins* 1961: 495).

Torcaso was refined by *Marsh v. Chambers* (1983), which examined the Nebraska legislature's practice of opening sessions with a chaplain reciting a prayer. The Supreme Court began its analysis with a historical review highlighting the common practice of incorporating prayer into federal legislative meetings, reaching back to the First Congress. While history alone could not justify practice, "historical evidence sheds light not only on what the draftsmen intended the Establishment Clause to mean, but also on how they thought that Clause applied to the practice authorized by the First Congress—their actions reveal their intent" (*Marsh v. Chambers* 1983: 790). The decision then examined three specific complaints: that the chaplain was Presbyterian, offered Judeo-Christian-style prayers, and was paid with tax dollars. The Court dismissed these concerns: The chaplain's actual prayers were nondenominational, the legislature regularly asked a variety of faith leaders to speak, and "remuneration is grounded in historic practice" (*Marsh v. Chambers* 1983: 794). As such, the tradition was "no real threat to the Establishment Clause" (*Marsh v. Chambers* 1983: 791).

A broad view of precedent indicates that the rationale behind *Lemon* is still in play, even if the test itself is not always applied. The government property cases show a strong consideration for pluralism as a balancing factor against a claim of Establishment Clause violation. Tradition and history have their role to play, though they cannot excuse an overreach of a particular faith into civic life.

TOWN OF GREECE V. GALLOWAY*'S JOURNEY THROUGH THE COURTS*

The District Court applied *Marsh* and *Allegheny* to reaffirm the constitutionality of legislative prayer as long as the prayer does not "proselytize or advance any one, or to disparage any other, faith or belief" (*Galloway v. Town of Greece* 2010:

225). In analyzing the process by which the Town of Greece invited clergy and the guidance that was given to encourage an inclusive prayer, the court found no deliberate attempt to advance one faith over another. Because the houses of worship in the town were overwhelmingly Christian and the board made no effort to discourage or ban other faith traditions (as evidenced by single appearances by a Baha'i practitioner and a Wiccan), the court found that the town did not violate the Establishment Clause.

On appeal, Galloway and Stephens reduced their arguments to one: "whether the district court erred in rejecting the plaintiffs' assertion that the town's prayer practice had the effect, even if not the purpose, of establishing religion" (*Galloway v. Town of Greece* 2012: 26). The Court of Appeals for the Second Circuit, like the district court, rooted its analysis in *Marsh* and *Allegheny*, but instead of focusing on the town's process, it chose to focus on the actual outcomes, which created a vastly different analysis.

The court defined the question as follows: "We must ask, instead, whether the town's practice, viewed in its totality by an ordinary, reasonable observer, conveyed the view that the town favored or disfavored certain religious beliefs" (*Galloway v. Town of Greece* 2012: 29). By shifting the question from the town's intended policy to the reasonable perception of its results, the emphasis changed from what the speakers wanted to what a reasonable audience heard. Examining the "totality of the circumstances present in this case" (*Galloway v. Town of Greece* 2012: 30), the court determined that the Town of Greece's particular prayer practice was an endorsement of a specific religion, and it reversed the decision of the district court. The Second Circuit was careful to note that it did not advocate a reversal of *Marsh* and it did not believe that the intentions of the Town of Greece were to actively endorse a specific religion. The results of the town's policy, however, effectively created:

> [A] legislative prayer practice that, however well-intentioned, conveys to a reasonable objective observer under the totality of the circumstances an official affiliation with a particular religion. . . . Where the overwhelming predominance of prayers offered are associated, often in an explicitly sectarian way, with a particular creed, and where the town takes no steps to avoid the identification, but rather conveys the impression that town officials themselves identify with the sectarian prayers and that residents in attendance are expected to participate in them, a reasonable objective observer would perceive such an affiliation (*Galloway v. Town of Greece* 2012: 34).

The Town of Greece appealed, and the Supreme Court granted certiorari (*Town of Greece v. Galloway* 2013a). In a May 2014 decision, the Court overturned the circuit court decision and deemed that the Town's prayer practice had a

"permissible ceremonial purpose" and did not violate the Constitution (*Town of Greece v. Galloway* 2014: 1828).

The Court relied heavily on *Marsh*, clarifying that the precedent did permit "a practice that would amount to a constitutional violation if not for its historical foundation" (*Town of Greece v. Galloway* 2014: 1819) and demanded that Establishment Clause application be interpreted by both law and historical practice and understanding. The claim that prayers could not be sectarian and abide by the First Amendment was not consistent with the "explicitly religious" environment in which the law itself was created (*Town of Greece v. Galloway* 2014: 1820). Further, requiring that prayers be nonsectarian would introduce an element of content review or censorship into the prayer process, potentially creating a "civic religion that stifles any but the most generic reference to the sacred" (*Town of Greece v. Galloway* 2014: 1822).

The Court also rejected *Galloway*'s argument that the town's nearly exclusive choice of Christian ministers to lead the prayer created an Establishment Clause violation. Noting that Greece's faith community was predominantly Christian, the Court found that the existing nondiscriminatory policy welcoming all who expressed a wish to lead the prayer ensured sufficient compliance with the Constitution. The town was not required to seek out faith leaders from beyond its boundaries to ensure balance.

Finally, the Court did not see the element of coercion that *Galloway* suggested was inherent in the meeting prayers. No evidence of explicit coercion to participate or derision for failure to do so could be presented, and the respondents' feeling of offense and exclusion did not equate to coercion. Justice Anthony Kennedy noted:

> Adults often encounter speech they find disagreeable; and an Establishment Clause violation is not made out any time a person experiences a sense of affront from the expression of contrary religious views in a legislative forum, especially where, as here, any member of the public is welcome in turn to offer an invocation reflecting his or her own convictions (*Town of Greece v. Galloway* 2014: 1826).

THE PRESENT STUDY

The specific character of the dispute at the heart of *Town of Greece v. Galloway*, combined with the highly personal nature of religious freedoms, created unique challenges for the reporters who were assigned to watch over this case from district court through Supreme Court (Buddenbaum and Mason 2000). Both readers and courts needed to have the decisions made accessible to the general public: readers so that they could understand the nature of the church/state dispute, courts

so that they could retain the people's faith that constitutional rights were being protected (Barabas and Jerit 2009).

Issues of church and state are further complicated by the oversimplification of the "wall" metaphor, first presented by Thomas Jefferson in a letter to the Danbury Baptist Association:

> I contemplate with sovereign reverence that act of the whole American people which declared that their legislature should "make no law respecting an establishment of religion, or prohibiting the free exercise thereof," thus building a wall of separation between Church & State (quoted in Neem 2007: 153).

A 2011 survey by the First Amendment Center showed that 67 percent of respondents endorsed Jefferson's description as a true interpretation of the Establishment Clause, even though "it's true that the actual words 'separation of church and state' aren't in the Constitution" (Haynes 2011). The Center also noted that many people incorrectly understand separation of church and state to mean to "banish all religion from the public square," a not unreasonable interpretation of a "clear separation." This prevalent acceptance of the "wall" metaphor could lead to media misinterpretation based on a widely misunderstood conceptualization of law.

To explore the approach that the media take in covering issues that involve both law and faith, this study looked at print coverage of *Town of Greece v. Galloway* as it traveled through the federal courts. We examined national newspapers as well as newspapers that specifically serve the greater Rochester/Greece (Monroe County, New York) area—the first because such outlets can devote knowledgeable resources to the high court and the second because news values of proximity and impact suggest that coverage should be present.

Focusing on one specific court case results in a small selection of articles for analysis. However, it also allows for a consistent exploration of key issues within one case and reflects a consistent media time frame. While researchers understand that a limited sample reduces the generalization of findings, the narrow focus allows for exploration of coverage of the church/state issues that are particular to *Town of Greece*.

We gathered articles from national newspapers by using the ProQuest Newspapers database, local articles from the *Greece Post* and the *Daily Record of Rochester* by using the NewsBank NewsLibrary database, and articles from the (Rochester) *Democrat and Chronicle* by using the ProQuest eLibrary. All article searches were conducted by using the search terms "Greece" and "Galloway" and a date range of August 1, 2009, and July 1, 2014. When identical articles appeared in multiple publications, they were counted only once, in their original publication. We eliminated letters to the editor and guest columns from the search results to focus the analysis specifically on the newspapers' decisions about how to ex-

plain the significance of the court cases and decisions in their own voices. The searches and subsequent eliminations resulted in the totals shown in Table 1.

Table 1: Article Breakdown by Newspaper

Newspaper	Number of Articles
National	
New York Times	6
Washington Post	7
Los Angeles Times	4
*Wall Street Journa*l	1
Local	
Greece Post	7
Daily Record of Rochester	6
Rochester Democrat & Chronicle	15
Total	46

Each article was read carefully for depiction, description, or detail related to the following elements, all of which were consistently cited by the three involved courts as highly pertinent to their decision-making processes:

- Description of legal question: Why was this in court?
- Discussion of sectarian/nonsectarian legal element
- Discussion of coercion element
- Discussion of precedent (*Marsh*, *Torcaso*, etc.)
- Discussion of historical element
- Discussion of impact on communities of faith
- Sources used other than court documents
- Key perspectives of sources (pro-*Greece*, pro-*Galloway*, neutral)

Because of the relatively small sample size, we were able to analyze the articles together, eliminating the need for intercoder measures. A combination of manifest content analysis and latent content analysis was used to best examine the results. Manifest content analysis looks for elements that are physically present and countable and allows for clear coding with little disagreement among researchers (Berg 2004). Manifest content analysis allowed us to analyze the presence of discussion, analyze the specific language that was used or not used to discuss key elements, and categorize and characterize sources.

Latent content analysis involves a more interpretive reading. For this study, the latent content analysis looked specifically at the language the newspapers used

to explain the relevance and impact of this decision, in the spirit of James Carey's theory of ritual communication. Carey (2009: 18) noted, "A ritual view of communication is directed not toward the extension of messages in space but toward the maintenance of society in time; not the act of imparting information but the representation of shared beliefs." Latent content analysis allowed us to examine combinations of discussions and perceptions of sources to interpret the explanatory role these articles played in serving their communities. Thus this analysis examined how newspapers presented the actions of the courts and the impact of their decisions as a part of the broader national discussion of the interaction between church and state in the United States.

FINDINGS

The Legal Question

As the court of last resort, the Supreme Court of the United States hears only cases that involve a specific constitutional question. This approach means that the question to be decided by the court is worded with close attention to detail to ensure that the constitutional issue is clearly defined and narrowly focused. In this situation, the Court asked whether the Town of Greece's prayer practice created an impermissible establishment of religion by starting meetings with largely sectarian prayer (*Town of Greece v. Galloway* 2014). The circuit court's decision focused on this same constitutional question; only the district court looked at the permissibility of legislative prayer regardless of its specific nature.

Two of the three courts looked specifically at the sectarian question, and 90 percent of the newspaper articles focused on the sectarian court cases, yet the presentation of the legal question at the heart of this situation was split evenly between the legality of opening a government meeting with prayer and the legality of opening a government meeting with specifically sectarian prayer. Changing one word makes it a case that examines "the constitutionally mandated separation of church and state" (Staff Reports 2013) rather than a case that examines a violation of "the First Amendment clause that prohibits the establishment of religion" (McKinley 2013).

Print media used result-oriented wording for the legal question, focusing on the sectarian nature of the prayers, rather than the more process-oriented focus of inquiry that all three courts adopted. Combined with the common confusion of prayer with sectarian prayer, this case could be misconstrued as a judicial review of the constitutionality of prayer rather than of the policies guiding the nature of prayer before a legislative meeting. This presentation of the facts of *Town of Greece v. Galloway* may tie into the tradition in religious reporting of covering issues that have a high conflict news value: Conflict between church and state

makes for a more understandable narrative than does the nature of legislative guidance regarding pre-meeting prayer.

Two significant differences emerge when national coverage and local coverage are compared. National coverage was more likely to present the legal issue correctly as one of sectarian prayer (thirteen of eighteen articles) than was local coverage (eleven of twenty-eight articles). National coverage also presented the legal question within a broader context, referencing its potential impact on the constitutionality of legislative prayer, while local articles focused more specifically on the impact that the case would have on how the Town of Greece would conduct its operations in the future. The more localized focus was connected to the local articles' lack of a sectarian element in the initial presentation of the legal question; if the local newspapers center on the impact felt by the Town of Greece, then the differentiation between sectarian and nonsectarian is less relevant.

The Sectarian Element

Although not all the articles incorporated the sectarian element as part of their description of the legal question, all did address in some way the predominantly Christian nature of the prayers. Articles explored this element of the case in two ways: by focusing on the sectarian nature of the invocations [e.g., "The prayers overwhelmingly have reflected Christian themes" (Bravin 2013)] or the sectarian nature of the speakers [e.g., "over the last two years, according to town records, almost all of the prayers have been delivered by either a pastor, deacon or nun" (McKinley 2013)]. In other words, articles presented the sectarian issue as either a matter of the prayers (speech) or a matter of those doing the praying (speaker).

Both national and local newspapers presented the sectarian element in both ways, though national newspapers leaned more toward addressing it as a speech issue, while local papers saw it more as a speaker issue. Overall, however, the fact that many articles presented a sectarian speaker as one who automatically engages in sectarian speech raises a question of reporters' ability to separate speech from speaker. Assuming that Christian faith leaders—pastors, priests and nuns—can deliver only explicitly Christian prayers reflects a biased assumption about the role of faith in civic life. Incorporating that assumption into journalistic coverage muddies the understanding of the heart of this legal conflict. It suggests that guidance from the town about a nonsectarian prayer would be useless as long as Christian clergy continued to be invited.

The Coercion Element

The question of coercion was relevant to the courts at all three levels, as the presence of some form of pressure or compulsion to join in the prayer, regardless of

one's own personal beliefs, would provide strong support for the Establishment Clause violation argument. From a legal perspective, it was necessary. However, from a journalistic perspective, it was not.

Nearly half (nineteen of forty-six) of the articles did not include the coercion element of *Town of Greece v. Galloway*. Of those that did address coercion, many did so in an effort to define what was (or wasn't) coercive:

> "The official prayer practice puts religious minorities in a difficult spot: They can either betray their conscience by participating in a prayer that conflicts with their religious views or single themselves out by declining to take part," according to Americans United (McDermott 2013a).

> Thomas and Scalia differed. They said that to the extent coercion is relevant to whether there is a violation of the Constitution's establishment clause, "it is actual legal coercion that counts." Peer pressure, they said, is not enough (Barnes 2014).

> He says a town's residents sometimes must go to a board meeting because they need a permit or have other business. If the court rules for the town of Greece, government officials would be free to "press prayers on a captive audience," he said, "even those that promise eternal hellfire to religious minorities" (Savage 2013).

National articles that discussed coercion did so in a wider context of citizen rights, presenting *Galloway*'s argument that people attending a town meeting to request support or services might feel compelled to participate in prayer to avoid offending the people who would decide whether their requests should be granted. Local articles, by contrast, explored the specific language used in prayers that supposedly created a coercive environment as well as citizens' perceptions of existing coercion. Once again, national media chose to explore the broad picture while local articles focused on the impact on the town itself.

The Impact of Precedent

Town of Greece v. Galloway was not the first case that looked at the constitutionality of prayer before a legislative session. The Supreme Court began its legal analysis of *Town of Greece* with a direct reference to *Marsh v. Chambers*. Twenty-six articles referenced that precedent as well, though one third of those references were by description [e.g., "The court decided 30 years ago, in a case involving the Nebraska legislature . . ." (Barnes 2013)] and not by name.

Nearly all of the national articles (fifteen of eighteen) referenced the *Marsh* precedent, and several also described a potential point of differentiation between

the 1983 case and the current one: *Marsh* involved meetings of the Nebraska legislature, while *Galloway* involved a town meeting that citizens regularly attended with requests for support. Local articles were less likely to discuss precedent (eleven of twenty-eight did so), and those that did rarely distinguished the circumstances of the two cases. However, local articles did bring in lower court cases such as *Pelphrey v. Cobb County* (2008), in which the Court of Appeals of the Eleventh Circuit upheld Cobb County's policy of selecting prayer givers from the phone book regardless of sectarian diversity.

The Historical Element

All three decisions in *Town of Greece v. Galloway* referenced the long history of legislative prayer in the United States, and a little over half of the articles picked up on this theme. Twenty-five of all articles, split relatively evenly between the national and local articles, incorporated the historical element in coverage. Overall, the common language that was used to describe the history argument included "tradition" and "ceremony." As the Supreme Court decision noted:

> Ceremonial prayer is but a recognition that, since this Nation was founded and until the present day, many Americans deem that their own existence must be understood by precepts far beyond the authority of government to alter or define and that willing participation in civic affairs can be consistent with a brief acknowledgment of their belief in a higher power, always with due respect for those who adhere to other beliefs (*Town of Greece v. Galloway* 2014: 1828).

National articles used specific references to early American history, such as the Founders or the First Congress:

> There is, of course, a long-standing tradition of a religious presence in American government (Editorial Board 2010).

Local articles employed descriptive language to give a sense of timelessness:

> The Obama administration said Greece's practice of allowing local clergy and citizens to offer pre-meeting prayers is part of the nation's long-standing tradition of legislative prayer and should not be considered an endorsement of religion (McDermott 2013a).

What is more difficult to discern is whether reporters incorporated a historical element because it was considered a relevant point by the courts that were hearing the cases or because the newspapers saw the historic argument as part of the larger issue of church and state. In certain instances, the articles used exact quotes

from the courts' decisions or from key players such as legal counsel, but when the reference to history appeared in body copy without specific attribution to a source, it is plausible to assume that the reporter was using the reference to establish a broader context for the significance of the case.

Impact on Faith Communities

Past research indicates a hesitation by reporters to cover issues of religion and faith, and some of that reticence appears in coverage of *Galloway*. One third of the articles did not discuss how the decision could affect faith communities or the relationship between religious life and civic life.

A recurring theme among articles that looked at the ripple effect on communities of faith was the need to keep government out of religious life. Several articles cited Justice Kennedy's reluctance "to have judges or other government officials decide what prayers are acceptable" (Liptak 2013). Local articles applied this argument specifically to the predominantly Christian makeup of Greece, interviewing local pastors and faith leaders to get their opinions about the impact of the decision.

Local articles also examined the impact of the case and the decision on the integrity of prayer itself. The *Rochester Democrat and Chronicle* quoted the legal counsel for the Town of Greece:

> "No one starts out a prayer saying 'To whom it may concern,'" he said. "Everyone who prays, prays to a God or concept that is meaningful to them. You stifle religious freedom if you have government decide which prayers are acceptable or not. Requiring generic prayer excludes the devout" (McDermott 2013b).

Sources

Besides court documents and transcripts, twenty-five articles incorporated other primary sources. In most of these articles, additional source material came from legal counsel for both sides and government leaders from the Town of Greece. There were few quotes from Galloway or Stephens, who were apparently directed by legal counsel not to comment (McDermott and Wolf 2013). Less common were sources from the faith and legal communities, many of whom offered neutral commentary that explained the significance of the case or decision for their unique areas of expertise.

Sources outside of court documents lacked the balance that one might expect from journalistic pieces that sought to hold themselves separate from religious discourse. Pro-Greece sources outnumbered pro-Galloway sources overall and at

the national and local levels. Only one article included perspectives from the Jewish community, and two articles quoted Muhammad Shafiq, executive director of the Hickey Center for Interfaith Studies at Nazareth College, despite the fact that Galloway was Jewish and her co-plaintiff, Linda Stephens, was an atheist.

Only three articles, all at the local level, included any quotes from citizens or residents of the Town of Greece. These few sources were well balanced among pro-Greece, pro-Galloway, and neutral perspectives.

DISCUSSION AND OPPORTUNITIES FOR FUTURE RESEARCH

In this study, we reviewed local and national coverage of *Town of Greece v. Galloway* in an effort to explore the confluence of two traditionally challenging areas of journalistic reporting. The literature suggests that reporters struggle with covering law and the courts and with covering issues dealing with religion and faith. Because this case was a Supreme Court decision involving legislative prayer, it can be assumed that coverage of this case and its details could create difficulties for the reporters who were assigned to it. The results of the content analysis reaffirm many common understandings about legal and religion reporting but also raise some interesting new elements that are worthy of further examination.

With regard to all the key elements of the case—the legal question, sectarianism, coercion, precedent, history, and impact on faith communities—national coverage offered interpretations that focused on the big picture, while local coverage centered more on how court outcomes would specifically affect the Town of Greece and surrounding areas. These dual foci were not unexpected, as they reflect the perceived intended audience of each group of publications.

Also in line with past research were findings that indicated weak accuracy in stating the legal question, particularly in the local newspapers. This was a case of sectarian prayer, as the *Marsh* decision had confirmed the constitutionality of legislative prayer on the whole. At issue in *Town of Greece* was the nearly exclusive use of Christian prayer, and that element was a necessary part of the description of the legal question.

However, context may explain some of the differences in accuracy between national coverage and local coverage. The Town of Greece, as is noted in several of the articles, is a primarily Christian community in terms of the denominations of its resident houses of faith. If the town is primarily Christian, then including the qualifier of "Christian" before "prayer" in a description of the legal question at hand may have appeared redundant. This is a questionable argument that could be resolved only through information gathered from interviews or focus groups. However, it is a worthy consideration with respect to this important difference in reporting approach.

Past research in both legal and religious reporting indicates that reporters often latch onto conflict as a news value when engaging in their news process. The articles that we reviewed in this analysis found that the conflict news value featured prominently when the articles discussed the legal aspects of the court case but not as thoroughly when they discussed the impact on faith communities. Examination of the non-court-related sources showed a marked preference for consulting Christian faith leaders in contrast to members of other faiths or atheists or agnostics, even though the two original plaintiffs were a Jew and an atheist. If reporters were focusing on the conflict news value, one might expect to see sources representing both sides of the faith aspect of the conflict.

An unexpected finding, and one that is worthy of additional study, was the observed conflation of speech and speaker in dealing with matters of faith. Articles were unclear as to whether the supposed constitutional violation that occurred in Greece happened because of the wording of the prayer or because of the denomination of the person delivering the prayer, and some articles freely interchanged the two. This substitution raises the question of whether the newspapers view Christian faith leaders as inseparable from sectarian speech. In other words, do the reporters and their editors assume that pastors always engage in sectarian speech and cannot deliver a nondenominational prayer? Further study of this apparent presupposition would offer interesting insights into the study of media coverage of faith and religion.

A second area for further exploration is media interpretations of the Establishment Clause—specifically, the use of the "church and state" frame—rather than a more nuanced description of concerns about government support for or opposition toward specific religions. While the broad frame is perhaps more relatable, it can create misunderstandings about the fundamental nature of the constitutional right. Those misunderstandings, in turn, can lead to a conflicted public that sees some government involvement in faith as constitutional and some not.

Finally, further comparison of local and national coverage of Supreme Court cases that involve religion would add a valuable dimension to research on the media, religion, and law. *Town of Greece v. Galloway* involved a municipality that is located a six-hour drive from New York City and a seven-hour drive from Washington, D.C. That proximity may have created more media access and opportunities than would have been likely if the case had originated farther from a major metropolitan area. Exploring cases stemming from church/state conflicts in other parts of the country would offer depth and diversity to this academic question.

Town of Greece v. Galloway was a challenging case that revisited core issues of faith and government. The Supreme Court itself acknowledged the difficulty of settling such an apparent conflict as the role of politics in prayer. In oral testimony, Justice Elena Kagan noted:

> I think it's hard because the Court lays down these rules and everybody thinks that the Court is being hostile to religion and people get unhappy and angry and agitated in various kinds of ways. . . . Part of what we are trying to do here is to maintain a multi-religious society in a peaceful and harmonious way. And every time the Court gets involved in things like this, it seems to make the problem worse rather than better (*Town of Greece v. Galloway* 2013b: 52).

Walking the line between creating a solid, understandable news product and giving news stories about law or faith the depth they require is a challenge for modern journalists but one that is well worth embracing if the press is to fill its expected role of giving citizens in a democratic society the information they need to make reasoned decisions and understand their constitutional rights.

REFERENCES

Barabas, Jason, and Jennifer Jerit. 2009. "Estimating the Causal Effects of Media Coverage on Policy-Specific Knowledge." *American Journal of Political Science* 53: 73–89.

Barnes, Robert. 2013. "Justices to Weigh Case Regarding Separation of Church and State." *Washington Post*, May 21, 2013: A3.

Barnes, Robert. 2014. "Justice Uphold Legislative Prayer." *The Washington Post* May 6: A1.

Berg, Bruce. 2004. *Qualitative Research Methods for the Social Sciences*. Needham Heights, MA: Pearson Education.

Bravin, Jess. 2013. "U.S. News: High Court to Decide Fate of Town Prayer." *The Wall Street Journal* Nov. 7: A8.

Briscoe, Michelle G., Augustus Jones, and Michelle D. Deardorff. 2004. "Did the Press Get It Right?: Media Constructions of Grutter v. Bollinger and Gratz v. Bollinger." Paper presented at the annual meeting of the Southern Political Science Association, New Orleans, Louisiana.

Buddenbaum, Judith. 1986. "An Analysis of Religion News Coverage in Three Major Newspapers." *Journalism Quarterly* 63: 600–606.

Buddenbaum, Judith. 2012. "The Penny Press and the Birth of Modern Religion Reporting." In *The Oxford Handbook of Religion and the American News Media*, edited by Diane Winston, 37–48. New York, NY: Oxford University Press.

Buddenbaum, Judith, and Debra Mason, eds. 2000. *Readings on Religion as News*. Ames, IA: Iowa State University Press.

Carey, James W. 2009. *Communication as Culture*. New York, NY: Routledge.

County of Allegheny v. American Civil Liberties Union, Greater Pittsburgh, 492 U.S. 578 (1989).

Davis, Richard, and Vincent Strickler. 2000. "The Invisible Dance: The Supreme Court and the Press." *Perspectives on Political Science* 29: 85–92.

Editorial Board. 2010. "Justice Served in Greece Prayer Ruling Amen." *Greece Post*, August 20, 2010: 11A.

Engel v. Vitale, 370 U.S. 421 (1962).

Flory, Richard. 2012. "American Journalism and Religion, 1870–1930." In *The Oxford Handbook of Religion and the American News Media*, edited by Diane Winston, 49–63. New York, NY: Oxford University Press.

Galloway v. Town of Greece 732 F. Supp. 2d 195 (W.D. N.Y. 2010).

Galloway v. Town of Greece, 681 F.3d 20 (2nd Cir. 2012).

Haider-Markel, Donald P., Mahalley D. Allen, and Morgen Johansen. 2006. "Understanding Variations in Media Coverage of U.S. Supreme Court Decisions: Comparing Media Outlets in Their Coverage of Lawrence v. Texas." *Harvard International Journal of Press/Politics* 11: 64–85.

Hames, Joanne Banker, and Yvonne Ekern. 2012. *Constitutional Law: Principles and Practice*, 2nd Edition. Clifton Park, NY: Cengage Learning.

Haynes, Charles. 2011 "Surprising Support for Separating Church from State." Washington, DC: First Amendment Center, Newseum Institute. Available at www.newseuminstitute.org/surprising-support-for-separating-church-from-state.

Hoover, Stewart. 2012. "Quantity, Quality, and Religion in the News Since 9/11." In *The Oxford Handbook of Religion and the American News Media*, edited by Diane Winston, 81–93. New York, NY: Oxford University Press.

Lee v. Weisman, 505 U.S. 577 (1992).

Legal Information Institute. 2013. "Establishment Clause." Ithaca, NY: Cornell University. Available at www.law.cornell.edu/wex/establishment_clause.

Lemon v. Kurtzman, 403 U.S. 602 (1971).

Liptak, Adam. 2013. "Supreme Court Hears Arguments on Constitutionality of Prayers at Town's Meetings." *The New York Times*, Nov. 7, 2013: A26.

Lynch v. Donnelly, 465 U.S. 668 (1984).

Marsh v. Chambers, 463 U.S. 783 (1983).

Mason, Debra. 2012. "Religion News Coverage Between 1930 and 1960." In *The Oxford Handbook of Religion and the American News Media*, edited by Diane Winston, 65–79. New York, NY: Oxford University Press.

McDermott, Meaghan M. 2013a. "U.S. to Argue in Greece Prayer Case." *Rochester Democrat and Chronicle* September 25.

McDermott, Meaghan M. 2013b. "Supreme Court to Hear Greece Prayer Case Next Week." *Rochester Democrat and Chronicle* October 30.

McDermott, Meaghan M., and Richard Wolf. 2013. "Greece Prayer Case Enters National Arena." *Rochester Democrat and Chronicle* May 20.

McKinley, Jesse. 2013. "Upstate Community Is Divided as Prayer Case Heads to the Supreme Court." *New York Times* November 6: A24.

Moore, Rick Clifton. 2003. "Religion and Topoi in the News: An Analysis of the 'Unsecular Media' Hypothesis." *Journal of Media and Religion* 2: 49–64.

Neem, Johann N. 2007. "Beyond the Wall: Reinterpreting Jefferson's Danbury Address." *Journal of the Early Republic* 27: 139–154.

Paulsen, Michael. 1993. "*Lemon* Is Dead." *Case Western Reserve Law Review* 43: 795–864.

Pelphrey v. Cobb County, 547 F.3d 1263 (11th Cir. 2008).

Regents of the University of California v. Bakke, 438 U.S. 265 (1978).

Savage, David. 2013. "Justices to Hear Prayer Case; An Appeal Before the Supreme Court Could Lead to a Shift in Laws on Church and State." *Los Angeles Times* November 3: A9.

Segal, Jeffrey A., and Harold J. Spaeth. 2002. *The Supreme Court and the Attitudinal Model Revisited*. Cambridge, UK: Cambridge University Press.

Sill, Kaitlyn, Emily Metzgar, and Stella Rouse. 2013. "Media Coverage of the U.S. Supreme Court: How Do Journalists Assess the Importance of Court Decisions?" *Political Communication* 30: 58–80.

Staff Reports. 2013. "Anti-Defamation League Joins Fight Against Greece Prayer." *Greece Post* October 33: 12.

Strauss, Marcy. 2012. "The Meaning and Background of the Establishment Clause." Speech delivered at Loyola Law School, Los Angeles, CA, June 7, 2012. Available at www.youtube.com/watch?v=bIfsswN9GTA&feature=youtu.be.

Torcaso v. Watkins, 367 U.S. 488 (1961).

Town of Greece v. Galloway, 133 S. Ct. 2388 (2013a).

Town of Greece v. Galloway. (2013b) (No. 12-696). Oral argument. Available at www.supremecourt.gov/oral_arguments/argument_transcripts/12-696_6j37.pdf.

Town of Greece v. Galloway, 134 S. Ct. 1811 (2014).

Vinson, C. Danielle, and John S. Ertter. 2002. "Entertainment or Education: How Do Media Cover the Courts?" *Harvard International Journal of Press/Politics* 7: 80–97.

Vultee, Fred, Stephanie Craft, and Matthew Velker. 2010. "Faith and Values: Journalism and the Critique of Religion Coverage of the 1990s." *Journal of Media and Religion* 9: 150–164.

Winston, Diane, ed. 2012. *The Oxford Handbook of Religion and the American News Media*. New York, NY: Oxford University Press.

Zagano, Phyllis. 1990. "MediaChurch: The Presentation of Religious Information via Media." *Journal of Communication and Religion* 13: 40–44.