

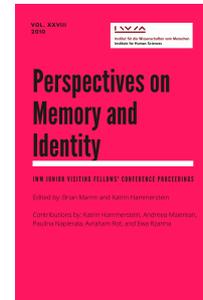
# From the Secularization of the State to the Deprivatization of Religion and Faith-Based Initiatives Policy in the USA [1]

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The paradigm of secularization has been the main theoretical and analytical framework through which the social sciences have viewed the relationship of religion and modernity. According to Jose Casanova, however, academics usually try to present a single theory of secularization, while these theories are actually all made up of three unintegrated propositions. The first one sees secularization as the differentiation of the secular spheres from religious institutions and norms. The second presents secularization as decline of religious beliefs and practices, and the third one views secularization as the marginalization of religion to a privatized sphere. Casanova argues that the fruitless secularization debate can end only when sociologists of religion begin to examine and test the validity of each of the three propositions independently of each other.[2] According to him:

“It is simply fallacious to argue, for instance, that the permanence or increase in religious beliefs and practices, and the continuous emergence of new religions and the revival of old ones in the United States or anywhere else, serves as empirical confirmation that the theory of secularization is a myth. It only confirms the need to redefine the theory by distinguishing between the general historical structural trend of secular differentiation and the different ways in which different religions in different places respond to and are affected by the modern structural trend of differentiation.”[3]

Casanova stresses that, apart from a decline in religious beliefs and marginalization of religion to a private sphere, there is another possible answer to the process of differentiation. It is a trend that Casanova terms ‘deprivatization’. He underlines that privatization and deprivatization are simply different historical options for religions in the modern world.

“Some religions will be induced by tradition, principle, and historical circumstances to remain basically private religions of individual salvation. Certain cultural traditions, religious doctrinal principles, and historical circumstances, by contrast, will induce other

religions to enter, at least occasionally, the public sphere.”[4]

If we accept Casanova’s assumptions, we can define the revival of fundamentalist Protestantism observed in the USA in the late 1970s as a deprivatization of religion which should be viewed as a response to secularization (in the sense of the institutional differentiation).

When explaining the religious processes in the USA, Casanova refers to Weber’s church-sect typology. He explains that when religion becomes disestablished (as happened in the First Amendment to U.S. Constitution), when it loses its compulsory institutional character, it becomes a voluntary religious association, either a sect or a “free church”. Once freedom of religion is established, from the perspective of the now secular state all religions, churches and sects turn into denominations.[5] According to him, if religions resist this process of modern differentiation (secularization in the first sense), then, in the long run, they will suffer the decline in religious practices (one of the answers to differentiation), which actually happened in the case of number of European churches. It was different in the USA. Religions there accepted and embraced differentiation early on, tended to accept the modern denominational principle of voluntarism and therefore were in the better position both to survive the modern process of differentiation and to adopt some form of evangelical revivalism as a successful method of religious self-reproduction in free religious market.[6]

The story is, however, more complicated if we consider the privatization/deprivatization processes. Despite the fact that there has never been a serious decline in religious beliefs in the US, both of these responses to differentiation were adopted by American religions at different times in history.[7]At the beginning of the US history, the most important religious group that chose to press for the deprivatization of their religion was evangelical Protestantism. Even this group, however, has changed its positions several times in the course of American history.

Casanova talks about three different stages of the institutional differentiation of church and state in the USA. The first stage, according to him, was the formal separation of church and state. The disestablishment of religion was guaranteed in the First Amendment to the U.S. Constitution, which states that: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof [...]”

This stage did not involve much of the privatization of religion. The Free Exercise Clause caused a great expansion of American denominationalism and evangelical revivalism became a common denominator of very many competing religious groups. According to Casanova, by the 1830s evangelical Protestantism became a base for American public religion. By this time religion was important in politics, but public religion was not necessarily a political religion.

However, at the end of 19 th century another stage of disestablishment took place. According to Casanova, it can be called a secularization of life and mind. It concerned mostly schools and intellectual life. After the civil war, capitalist industrialization and urbanization started to change American society. This new society needed new schools.

Traditional colleges and universities, responding to these educational needs, started to specialize and to give up their theological concentration. This was a time of flourishing for natural science and the new theory of Darwinism was becoming more and more influential. The new methods for the interpretation of nature, society, culture and religion were not acceptable to conservative evangelical Protestants. The evangelical movement came to be divided. The liberal wing not only accepted new discoveries but also tried to accommodate them into their faith. Additionally, the liberal wing of evangelicals accepted the Social Gospel and remained public in the sense that it kept its involvement in the world, trying to heal its ills and helping the poor, especially the immigrant poor. The conservative wing of evangelical Protestantism at this stage chose to privatize its religion, withdraw into its denominations and concentrate on saving souls. The symbolic moment of this withdrawal was the Scope's trial when conservative evangelicals lost the public debate on teaching Darwinism at schools (although they won the trial). At that time conservative evangelicals created the American Protestant fundamentalist movement and decided to separate themselves from the corruption of the world.

They remained on their exile from the world and public life until the third stage of disestablishment which is called by Casanova the secularization of "lifeworld". At this stage, Protestantism seemed to lose its most important role in shaping the so – called American lifestyle. Pluralism of values started to be appreciated more than ever before, and public morality grew more and more secular. Due to the long-lasting influx of non-Protestant immigrants to the US, the Protestant ethic gradually ceased to be a unifying value for American society. Additionally, the Supreme Court started changing the interpretation of the First Amendment. The interpretation of "free exercise of religion" was extended to freedom of inquiry, thought and speech and to freedom of conduct. The so called accommodationist approach to the Establishment Clause was changing into a more separationist one. The first one, in general, stressed that the only thing that the Establishment Clause prohibited was the federal establishment of religion while other forms of support for religion were considered legal. The second one revived Jefferson's "wall of separation" metaphor. According to Jefferson and the separationists, only the "wall of separation" between church and state can effectively protect the individual's right of conscience.[8]

These changes, as well as the political unrest and liberal progressive culture of the 1960s, were the reasons for the fundamentalist Protestants to choose an opposite way of adaptation to the new secular environment than in the 1920s. The fundamentalist move towards the deprivatization of religion in the 1970s is sometimes called a "political awakening of evangelicals". Conservative evangelicals (mostly Protestant neo-fundamentalists) considered the changes of the 1960s (including women's emancipation, sexual education and the changes in interpretation of the First Amendment) as results of the destructive influence of "secular humanism". "Secular humanists", according to them, were responsible for a number of political decisions, against which religious people should fight. Among them were: decisions from 1962–1963 banning school prayers, *Roe v. Wade*, which liberalized abortion law on grounds of the "right to privacy", the Equal Rights Amendment. Additionally, conservative evangelicals mobilized around such issues as opposition to acceptance of homosexual acts, enforcement of a traditional vision of

family life and Protestant individualism as well as censorship of media outlets that promote an “anti-family” agenda. The movement was also strongly anti-communist and identified communism with the forces of the Antichrist. [9]

The fundamentalists’ decision to deprivatize their religion at the end of the 20 th century turned out to be an extremely important one and caused serious consequences. This time, the deprivatized religion entered not only public sphere but also political scene. According to Casanova, the deprivatization of conservative evangelical religion can be defined as a fundamentalist anti – modern reaction to lose of privileges. Although this answer might be oversimple , Casanova thinks that “the direction taken by deprivatization in this particular case was a return from sectarian exile back to reestablishment as the hegemonic American civil religion”. [10]

In this paper I would like to show that to a certain degree fundamentalists were successful in reestablishing their religion as a civil or at least public one. This reestablishment took place mostly on the rhetoric al level due to an incorporation of fundamentalist religious language into the political debate by conservative Republican politicians. I would also like to present both political and constitutional consequences of the deprivatized religion’s involvement in American politics.

The return of conservative religion to the American public sphere coincided with serious problems faced by the USA in economy and with the reshaping of the political strategy and electoral base of the Republican Party. In the mid 1970s the inflation was high, people experienced recession and growing unemployment; there was an energy crisis. Some politicians and economists blamed inflation on government spending , while others argued that the problem was structural more than it was fiscal and monetary, and that the postwar economy itself had an inherent propensity toward inflation. Republican s attacked liberal policies concerning welfare provisions, arguing that government public spending, especially on welfare, caused most of the economic problems. In the late 1970s the Republican Party’s rhetoric concentrated also on blaming the Democratic Party to care only for the poor, leaving the middle class behind. The aim of this rhetoric was to cause a so – called “conservative swing” of the middle classes.

Apart from the middle classes, conservative evangelicals also came to be considered as desirable allies by the Republican Party. Their political activism did not go unnoticed by “secular” conservatives. [11] Casting about for a strategy to restore a Republican Party dispirited by consecutive electoral defeats in 1974 and 1976, the Republicans attempted to capitalize on the political strategy displayed by evangelicals and to transfer it from the local to national arena. [12] Republican activists, especially those from the newly created New Right wing of the Party, offered assistance to the emerging leaders of the Christian conservative movement and urged the most vocal leaders of the evangelical community to make common cause with other single-issue groups. They decided that the basis for coalition could be an opposition to “big government” as the threat to both religious and economic values. With that theme, they hoped to harness evangelicals to a comprehensive conservative program, including opposition to most liberal policies. [13] Using their contacts and ample political resources, the secular conservatives helped to build up several national organizations designed to appeal to evangelical Protestants and other

theological conservatives.[14] The most prominent of the new organizations was the Moral Majority, founded by Jerry Falwell, a neo-fundamentalist Baptist pastor, in 1979. Since the creation of this organization we can talk about the emergence of the so – called Religious Right on the American political stage. Moral Majority strongly allied with the New Right and supported Ronald Reagan in the elections. There were many reasons for Falwell’s decision. Apart from blaming Democrats for liberal changes in the interpretation of the First Amendment, conservative evangelicals additionally felt disappointed by the policies of President Carter, the first “born-again” President of the USA. Not only did they blame him for a number of economic problems and failures in foreign policy, but more importantly for “deceiving” them on the issue of anti-abortion rights. However, although the opposition to “big government” was supposed to be a unifying factor of the new coalition, the new alliance was not without friction. Many points on the Religious Right’s agenda were not fully acceptable for the Republican Party’s traditional conservatives, who considered many of the domestic policy issues crucial to the religious conservatives either as privacy issues or states’ prerogatives.

There was, however, one issue in domestic policy that concerned the notion of “big government” and appalled many secular conservatives as well as religious fundamentalists. It was the fact that the federal government was raising and spending money at unprecedented levels. Both groups of conservatives believed “that they did not receive benefits commensurate with their tax burden, that the government had expanded its scope beyond reasonable bounds, that a large government posed a threat to individual citizen liberties, and/or that the government was purposefully undertaking a redistribution of wealth”. [15] Secular conservatives faithful to the idea of “laissez- faire ” and economic freedom felt that their economic liberties were threatened. What disturbed fundamentalists in a unique way, however, was the manner in which the trend toward “big government” resulted in the assumption of tasks historically performed by the family”. [16] For example, fundamentalists felt that “big government” impinged upon their way of life in several ways. First of all, according to them, “the Social Security program had the twin effects of placing elderly grandparents outside the home as well as alleviating their sons and daughters of the direct responsibility of caring for them”. [17] Secondly, they felt that welfare benefits, and especially “the government assistance of indigents, led to such consequences as allowing unwed pregnant adolescents to keep their babies, to live outside their homes, and not to marry upon becoming pregnant”. [18] Thirdly, they were disturbed by programs that provided contraceptives to adolescents. Those programs were believed to increase sexual promiscuity. And finally, fundamentalists felt that government assumption of a greater burden for child day care provided some women with another incentive to live outside their homes [19]. The most important result of all these increases in government spending in the 1960s and 1970s, according to the religious conservatives, was the usurpation of functions historically associated with the family ; and accordingly their opposition to welfare provisions in the late 1970s became very powerful. Secular conservatives who have long opposed social welfare provisions on ideological grounds and who have long called for a conservative reform of the welfare system in the USA were happy to find such allies. Thanks to the support of religious conservatives this reform seemed to be finally becoming possible.

The conservative opposition to the welfare system started as soon as President Roosevelt introduced his “New Deal” in the 1930s. According to them, government interventionism was not in accordance with the American tradition, “laissez- faire ” economics or even with the conservative “organic” concepts of society[20]. However, due to a general support of the “New Deal”, the American conservatives were on the defensive till the 1970s[21]. Nevertheless, in the late 1960s, the American welfare state was in crisis. American liberalism seemed not to have been as successful as it had expected. The liberal reforms to the welfare system introduced by President Johnson, generally called the Great Society, were believed to be a failure as there was still a great number of unemployed and poor even as government spent plenty of money on social programs as well as on health and equal-opportunity programs. In addition, there had been an increase in “entitlements”. Therefore, conservatives were able to give up defensive positions and attack unsuccessful policies. They started to strongly promote their belief that government’s spending on social benefits was the main factor that worsened the economy. They were also trying to convince the public that social spending causes more problems than it heals, e.g. it causes problems of dependency and fraud.

Many liberals at that time would have agreed that the welfare system had serious failures and needed reforms. The system was not fully efficient and in many cases it simply provided a limited cash relief to the poor instead of offering programs preventing poverty and introducing structural solutions to social problems. The liberals would, however, never have agreed with the conservatives that the system was the most important cause of all the economic problems of the country. They also did not agree that cutting federal spending on social provisions will be the solution to both economic recession and to poverty problems. They would rather call for price stabilization through incomes policy, more particularly by establishing a public interest in price and wage decisions in areas of economic concentration where prices and wages did not respond to the play of market forces. Conservatives, on the other hand, offered a new approach strongly connected with the Chicago School of economics. They promoted the “supply-side” theory, which regarded the unregulated market place as the means of salvation and argued that a cut in top tax rates would give the rich increased incentive to work, save and invest. This would stimulate the economy as a whole, and the tax cuts would pay for themselves through increased revenues.[22] These tax cuts would initially be made possible by reduced social spending. Liberals were trying to defend the welfare state, arguing that while cutting taxes might boost the economy, cutting welfare spending would certainly not help the poor. They might have agreed that social programs should be reformed, but they were convinced that the lack of structural reform would never allow all the poor to profit from the economic reform offered by the conservatives.

The public opinion was divided on this issues, although due to serious economic problems and social unrest in the country, many started to lean towards conservative ideas. In fact, the “supply-side” economy was very promising. However, in order to win more public support for the new policy, Republicans decided to introduce the Religious Right’s arguments into the social welfare reform debate. With this strategy, they wanted not only to convince the Religious Right that the GOP cared about the moral issues promoted by the religious conservatives, but also to make sure that religious conservatives would

support the Republican economic agenda. The use of moral language was also designed to convince the generally religious American public. The debate on poverty, therefore, was soon abandoned in favor of a debate on issues of illegitimacy. The way to connect the Religious Right's agenda and the Republican agenda was to use a rhetoric that referred to the conservative Protestant belief in individualism and work ethic and to present it as inseparable from conservative ideas of self-reliance, "laissez-faire" and social spending cuts.

The alliance of religious conservatives with Republicans soon proved to be very effective, especially for the Republican Party. Thanks to the support of the new allies, who provided Republicans with the new moralistic rhetoric, they were able to introduce their long-planned economic reforms and welfare-state spending cuts. The alliance also turned out to be profitable to the Religious Right. Although religious conservatives were not able to achieve all the goals they aimed for, they gained an important role in American politics and their religious language reentered the sphere of public morality. What is more, at the beginning of the 21st century they managed to seriously influence the change in the separatist interpretation of the "Establishment Clause". The introduction of the faith-based initiatives policy by G.W. Bush in 2001, which can be considered as a pay-back for the support of conservative evangelicals, changed the rules concerning the federal funding of religious charities and "lowered" the "wall of separation" between church and state in this area. In this sense, the deprivatized religion managed to influence, at least to some degree, the process of secularization in the first sense (institutional differentiation).

In order to understand the role the Religious Right played in the welfare reform debate and to assess the debt the Republicans owed religious conservatives, it is important to analyze the process whereby fundamentalist religious language was re-introduced into the public morality and welfare reform debate in the USA during 1980s and 1990s.

Ronald Reagan, who won the elections in 1980, as a candidate promised an economic policy that would simultaneously dismantle government regulation, repair American defenses, end inflation, and balance the budget. The most important tool to achieve these aims was the supply-side economy, cutting top tax rates and reducing social spending. The problem was, however, that the most costly entitlements programs – social security, Medicare, civil-service and veterans' pensions – targeted middle class Americans, who were precisely the constituency that had to be satisfied by Republicans. Therefore those programs were untouchable.[23] The available target for budget-cutting, however, lay in programs requiring a "mean test" – proof of need. Though means-tested entitlements – AFDC (Aid to Families with Dependent Children, commonly known simply as welfare), food stamps, child nutrition, housing assistance programs and the like – consumed only 18% of the total expenditures for income security, they had the weakest lobbies behind them and in result suffered nearly 60% of the 1981 cuts.

In order to promote the policy of cutting welfare spending, Reagan used arguments of such conservative critics of federal social provisions like George Gilder and Charles Murray and additionally added the moral language of the Religious Right. The idea of the Protestant work ethic together with self-reliance were presented as the traditional American values and a part of American identity, as opposed to liberal welfare policies

that were supposed to lead to indolence. The conservatives and neoconservatives never mentioned the fact that at the end of the 19th century and in the early 20th, it was also the Protestant religious activists from the Progressive Movement who pressured government to introduce basic social provisions for Americans in order to fight poverty.

Both George Gilder[24] and Charles Murray[25], instead of discussing the actual problems and shortcomings of the liberal welfare system or searching for mechanisms that might prevent poverty, simply denied the idea of welfare in general. They promoted rugged individualism not only as an American creed but also as the American solution to poverty.[26] Both of them blamed the welfare system for having a “devastating impact on the poor”. They also suggested its disintegrating effect on families, making the theme closer to the Religious Right. Many experts claim that they ignored many approaches to understanding the root causes of poverty (e.g. structure, discrimination) by simply blaming the federal welfare programs, especially AFDC, which is a small part of the welfare system, for encouraging low-income individuals to abandon work and family values. Both authors ignored the relationship between economic cycles and unemployment levels, failed to consider the impact of changing work patterns, economic restructuring and deindustrialization on the economy and society in general.[27]

Nevertheless, Gilder and Murray were the authors that provided theoretical justification for the Reagan Administration’s policy of welfare spending cuts. Their views were very useful both for uniting secular and religious conservatives, and for convincing the public that welfare provisions were the cause of moral decay. Religious Right leaders involved in the debate at the time, joined their voices with conservative authors, and their theological and moral arguments were welcome by Republicans. According to Brendon O’Connor:

“The Religious Right’s impact on American politics has been particularly visible in the increasingly strident moralism of debates about social policy and scandals over the private conduct of politicians. Morality and family values have become not just part of conservative political speeches, but also part of the chapter and verse of legislation. This influence was profound in the area of welfare reform. During the Reagan era, welfare debate started incorporating the language of a conservative moral crusade which had been widely unpopular since the New Deal. In the 1980s the moral values and sexual activities of welfare recipients received increased negative attention in policy debates [...]. The welfare debate became increasingly cast as a debate about how to stop so-called illegitimate births. The influence of the Religious Right became evident as conservatives regularly relied on censuring and stigmatizing language when talking about welfare recipients and the effects of providing welfare.”[28]

As an effect of such practices, soon the metaphor of a welfare queen coming in her Cadillac to collect welfare check became widely known and used to ridicule the welfare state.

This rhetoric helped introduce the first significant conservative welfare reforms since the creation of welfare system in the USA. Ronald Reagan signed the Family Support Act (FSA), which reduced spending on public assistance programs, minimized the federal government’s role in public assistance, provided assistance only to the “truly needy”, and

provided assistance on a short-term basis only. It was the most sweeping reform to the public assistance system since the New Deal. Spending on AFDC was cut and strict work and training requirements were added (JOBS program), while at the same time entitlement to food stamps was reduced. As a result many recipients were removed from rolls and homelessness became much more evident.

Reagan's plan for reducing federal government's social spending also included a transfer of social programs to the states, which was a part of the New Federalism program. The Reagan Administration instituted block grant funding as a means of cutting federal spending and restructuring state and federal relations. States and local governments received grants for general functions like health or welfare and were given a great deal of freedom to decide specific uses for the funds. The grants were supposed to reduce bureaucracy and might have sounded like a good idea, but the critics argued that "devolution" would weaken national standards, increase disparities among states and abandon the historic commitment to equitable treatment for all citizens.[29] In fact, when Reagan consolidated many smaller welfare programs into state block grants, the funds allocated were less than the sum previously spent on the individual welfare programs. The block grants also shifted the decision making about specific uses of federal welfare dollars to state political arenas, where support of social welfare was not always as great as in Washington.[30]

The effects of Ronald Reagan's policy are controversial. To some extent the supply-side economy brought the expected effects to American economy. On the other hand, large spending on national defense combined with tax-cuts resulted in a large deficit and national debt. According to social policy experts, the new policy did not limit poverty. Neither did it reduce illegitimacy. On the other hand, the tax cut led to significant changes in the pattern of income distribution. The Urban Institute reported in 1984 that Reagan policies had resulted in a \$ 25 billion transfer in disposable income from the less well-off to the richest fifth of Americans. Disposable income rose by 8.7 % for the top fifth on the income scale, while the bottom fifth suffered an almost 8 % drop, with their benefits reduced and taxes increased (because of regressive social security, payroll, and sales taxes). The number of people whose cash income fell below the poverty line rose from 29.3 million in 1980 to 35.3 million in 1983.[31]

Nevertheless, the next conservative president, George Bush, Sr. , continued Reagan's policy of social spending cuts and tax cuts. Although , due to a huge deficit, he could not keep his promises that he would not raise taxes, he followed the conservative way of thought and did not increase funds which could be used for preventing or fighting poverty. He also continued Reagan's policy of decentralizing the welfare system and continued the privatization of government services, which, according to some social policy experts , raises questions concerning the abrogation of the government's responsibility for social welfare services.[32] According to them, deregulation that joins privatization might cause problems in assessing the effectiveness of certain services because government reduces its efforts to collect data and monitor these programs.

After the presidencies of Ronald Reagan and George Bush, Sr. , it became obvious that the supply-side economy brought positive effects mainly for the rich. The economic and welfare reforms whose introduction was aided by the use of moral language and support of the Religious Right resulted in an income drop for the poorest Americans. On the other hand, the income of the rich increased and their taxes dropped by 5.5%. There was, however, a partial success: unemployment and inflation rates abated. However, there was still recession and the government deficit rose tremendously.[33] Apart from the economic results of Republicans' policy, an important ideological result cannot be overlooked: the language of the Religious Right became an integral part of the welfare reform debate.

In 1992, Americans chose a Democratic president, for a change. Also during his presidency there was an ongoing debate concerning the welfare reform. Already during his campaign, Bill Clinton promised to “end welfare as we know it”. To him, as well as to many liberals and conservatives it was obvious that the welfare system needed a reform. However, the liberals were opposed to the use of very conservative, moralistic and religious language of the debate. Nevertheless, by 1992 this language had already become common both in policy-making circles and among the larger population. The shift was so strong that Democrats as well as Republicans questioned not only the effectiveness and merit of AFDC, but also its moral implications. Clinton's campaign promise to “end welfare as we know it” emerged exactly out of this environment.[34]

However, Clinton outlined an alternative approach, which he called the third way. His 1992 election proposition was somewhat vague on details, but it underlined that welfare rights should be linked with responsibilities. He promoted the state as an enabling force rather than a passive source of ongoing support. To achieve this conservative/liberal mix, Clinton promised to replace the old system with one guided by the conservative ideas of time limits on welfare and compulsory work requirements. Borrowing from work – oriented liberal approaches, his 1992 plan would also offer assistance via job training, and jobs of last resort to get people off welfare.[35] His plan additionally included a raise in earned income credits and “seamless” childcare and healthcare benefits. He wanted to “make work pay” by increasing asset limitations and earning disregards and permitting individuals development accounts. The JOBS program established in 1988 by the Reagan Administration showed that unless more funds would be allocated to training and education programs, the “workfare” might not be effective.[36] He agreed with the conservatives that payment should be limited in time, but in his plan time limits were supposed to be followed by a job. Those who do not find work on their own would be placed in “federally subsidized jobs (1992 plan) or “last resort Government jobs” (1994 plan).[37] Additionally, Clinton linked this reform with an extension of Medicaid coverage to include many low-wage workers.

At the beginning of his term he managed to introduce some of these ideas. First he introduced the earned income credit (EIC) for low-income workers with children and a smaller EIC for low-income workers without children. He also introduced deductions for certain equipment purchased by small business. Later, when congressional control already shifted to Republicans he still managed to raise the minimum wage.[38] His plans

for introducing welfare reform were, however, complicated because its shape was at the heart of the differences between Republicans, who controlled the Congress, and Democrats. Therefore, his overall welfare reform proposal did not find acceptance from the Republican-dominated Congress.

Republicans constructed their own welfare reform plans, which included the abolition of AFDC. Two of the welfare reform bills proposed by Congress were, however, vetoed by President Clinton who saw them as too punitive. Both of them were based on the 1994 Contract with America Act, a Republican 1994 election manifesto, supported by the Religious Right, which centered on reducing illegitimacy. One of the main authors of the Act was Newt Gingrich, who once suggested ending government's involvement in public assistance and place poor children whose parents could not afford to support them in orphanages. The Contract with America not only mentioned reducing illegitimacy but also claimed that the welfare system had actually created more poverty in America.[39]

In addition to those arguments, religious conservatives in Congress also claimed that welfare kept religious charities from providing social help, thus reducing religiosity and morality among the nation. They insisted that the government should pay attention to religious providers and allow them to incorporate religious values into social programs. Only religious values can reform the souls and lives of people who have lost themselves in dependency and immorality. According to Brendon O'Connor, the welfare reform debate was dominated again by the language of the Religious Right, which helped Republicans force their own version of the reform. "Religious leaders had led the way in using harsh critical words to describe the 'self-inflicted' plight of the poor and 'irresponsibility' of those raising children outside of wedlock [...]".[40] It can be concluded that in the 1990s the Republicans argued for the abolition of the AFDC, a 61-year old entitlement program, on predominantly conservative moralistic grounds.[41]

This strategy turned out to be successful again. President Clinton finally signed the bill called Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA). He did it on the third try, after vetoing it twice, although he disliked some of its components. Some of the best-known welfare experts and the President's welfare advisors, Mary Jo Bane, David Ellwood, and Peter Edelman, quit in protest to Clinton's signing the bill. Nonetheless, the biggest reform of welfare system since the 1930s had been introduced. The role that the moral rhetoric (provided by the Religious Right) played in this case in the process of decision making cannot be overlooked.

PRWORA definitely ended AFDC and replaced it with Temporary Assistance to Needy Families, where great emphasis is laid on 'temporary'. It emphasized self-sufficiency through employment. Its four main goals were to: provide temporary assistance for needy families, end welfare dependency through job readiness, work and marriage, reduce out-of-wedlock pregnancies, encourage the formation of two-parent families. Families were allowed to receive TANF for five years only, and after two years of receiving it they had to engage in work, regardless of the age of their children. The states were allowed to require that recipients begin working even immediately after the birth of a child in order to receive TANF payments. Under PRWORA states could deny benefits to unmarried teenagers, mandate that they attend school or require them to live with a parent of

guardian. PRWORA denied benefits to legal immigrants until they become citizens, but President Clinton managed to ease those rules. PRWORA also added much tougher standards on how children's disabilities are measured in order to receive SSI (Supplementary Security Income) and food stamps programs received sizeable cuts. On the other hand, PRWORA provided \$50 million per year from the federal government to abstinence education programs in American schools (not sex education). According to PRWORA former TANF recipients must receive just one year of medical benefits paid by the government after leaving the welfare roll.

Additionally, thanks to the pressure of the religious conservatives in Congress, there was a so – called charitable choice provision included in the TANF Act. Charitable choice applied only to certain programs, notably welfare -to- work programs funded under TANF. However, later it was included also in the Children's Health Act (although in a narrower compass than intended by congressional sponsors), the Community Renewal Tax Relief Act of 2000 and the Community Service Block Grants of 1998.[42] Charitable choice authorized states to provide services through private providers, including religious ones, contracting directly with them or through vouchers issued to participants. According to the new law, religious organizations could participate in government voucher and direct – grant programs on the same terms as other organizations. They could also retain control over the definition, development, practice, and expression of their religious beliefs. Religious contractors were also protected from being required to remove religious symbols from their premises in order to participate in a federally founded program. Moreover, they could receive aid and retain their exemption from the anti-religious discrimination of the employment discrimination laws.[43] TANF also provided for limits on federal audits of religious organizations that would establish segregated accounts for federal funds.

The charitable choice was added to the Act due to a discussion concerning the role of religious organizations in healing social ills in America. The proponents of charitable choice presented the situation as if religious organizations in America were totally eliminated from providing social provisions. It is, however, very important to notice that at the time of the 1996 debate a great number of religious charities were providing such services. Some of them were using only private funds, but some largely relied on the federal money received through contracts with the government. However, although religious charities were eligible for federal founding, there were certain conditions they had to comply with. Most notably, religiously affiliated charitable organizations could contract with the government as long as they were separated institutionally from their churches. That means that religious groups that wanted to provide social services with the financial help from the government had to create secular corporations operating with varying degrees of closeness to their sponsoring religious bodies, and providing secular services. A lot of religious groups accepted and followed these conditions, and some large religiously affiliated organizations such as the Salvation Army, Catholic Charities USA, Lutheran Services in America, and Jewish Family Services have long been among the leading government contractors in the provision of social services in many parts of the nation.[44]

This piece of legislation caused serious constitutional debates concerning the Establishment Clause. Due to strong pressure from Congressmen concerned that such a provision could blur the separation of church and state, especially as a result of audit problems, an important safeguard against violating Establishment Clause was included in the Act. It stated that the organizations may not use federal funds to support “sectarian worship, instruction, or proselytization”. However, due to further concerns about the diminished control over whether the federal money were spent on religious or secular purposes, President Clinton interpreted charitable choice as subject to, and to be implemented consistent with, the so called pervasively sectarian standard, which meant that such sectarian organizations in which “secular activities cannot be separated from sectarian ones”<sup>[45]</sup> would not qualify for funding. Therefore, the reform of 1996 was considered as only a partial success by the Religious Right.

From the Republican point of view, however, the welfare reform of the 1996 was considered a great success as it included many conservative ideas concerning welfare. Soon, they also presented it as very effective, especially in fighting welfare dependency. In fact, in the few years following reform, there was a rapid fall of caseloads. It was generally considered as a sign of success. Some time later, however, it turned out that the success might have been attributed mainly to the booming economy. It also became evident that many people leaving welfare were not able to achieve self-sufficiency. Additionally, many experts claimed that although the reform reduced unemployment, it resulted in increased numbers of working people living under the poverty line, often with no health insurance. The minimum wage remained below the level that would allow an improvement in the living conditions of people previously on welfare, the educational programs, work trainings and child care system for the poorest remained underfunded. The structural problems of American society seemed to have been overlooked by the reform.

Nevertheless, in the 2000 presidential campaign the Republican reform was presented as a very successful one because it reduced welfare entitlements. G.W. Bush declared that he would continue the reform, but there was one more element he wanted to add to it. It was the so called faith-based initiatives policy, which can be defined as “efforts by the federal government to broaden funding and support for the charitable efforts of religious organizations”.<sup>[46]</sup> This policy was designed in order to increase participation of religious charities in American welfare programs. Its main idea was also to allow them to incorporate religious messages in their social provisions programs. It responded to the religious conservatives’ dissatisfaction with the interpretation of the charitable choice provision by the Clinton Administration and was designed to widely extend it. G.W. Bush desperately needed the support of the Religious Right in the presidential elections and knew that the Republican alliance with the Religious Right had been very profitable so far. Additionally, he was personally convinced to their ideas concerning social welfare, being a “born-again” Christian himself.

Therefore, he argued that the pervasively sectarian standard was used in order to discriminate against religious groups and that it was a sheer manifestation of a hostile attitude towards religion. According to him, the Clinton Administration actually hindered the truly effective help for the poor. He was determined to convince the electorate that the

religious organizations are much more effective in providing social help and healing social ills than secular ones.[47] He presented himself as a supporter of small local communities and small congregations which lacked funds for social programs and were the only ones that could reach to the poorest in their area and offer personal in contrast to bureaucratized impersonal help.

However, although G.W. Bush used religious and moral rhetoric, his language was less harsh and condemning than language used in 1996. The rhetoric used by Bush was not only supposed to satisfy the Religious Right, but also to convince voters about his compassionate attitude to the poor. In one of his speeches he said: “I call my philosophy and approach ‘compassionate conservatism.’ [...] It is compassionate to aggressively fight poverty in America. It is conservative to encourage work and community spirit and responsibility and the values that often come with faith. And with this approach, we can change lives, one soul at a time, and make real difference in the lives of our citizens.”[48]

It is not difficult to notice the boldly public role that religion has played in the Bush campaign and the administration’s legislative agenda. On the other hand, as Mark Rozell stresses, “Bush’s faith-based initiative was almost exclusively packaged in terms of the public policy benefits to be derived. By stressing the objectives of the Christian Right while refusing to use the most partisan and jingoistic language available, Bush struck middle ground, at least in the first term”.[49]

Most importantly, however, the faith-based initiatives policy, while it was presented in a different guise, was in accordance with the traditional Republican view on welfare. The main component of the phrase “compassionate conservatism”, often used to support faith-based initiative, was actually “conservatism” not “compassionate”. Marvin Olasky, who popularized the term and provided an ideological background for G.W. Bush’s faith-based initiatives policy, stressed that conservatism and compassion complement each other and that the government should encourage the effective provision of social services rather than provide the service itself. Originally, Olasky was advocating the withdrawal of government from social provision, leaving it only to communities and religious charities. In the “compassionate conservatism” version used for the promotion of faith-based initiatives, the role of the government, however, was supposed to be greater than in the original version. It was supposed to be based on cooperation with religious charities.

The attitude to the poor promoted by “compassionate conservatism” was also in accordance with the attitude taken by conservatives during the 1980s and 1990s welfare debates. In his book, *Renewing American Compassion*, Olasky underlined that “man is sinful and likely to want something for nothing” and that “man’s sinful nature leads to indolence”.[50] The proponents of this “new” approach also stressed that the poor should never be told that they might be victims of racism or economic forces. According to them such a message is not only false but also destructive, because it makes people expect government to correct such processes through welfare provisions. It is, however, not welfare that can help them. What they need is to hear the message of personal responsibility and self-reliance, which can be brought to them only by religion. They need to know that they cannot blame “the system” for their plight. Otherwise, they remain helpless and feeling inadequate.

When G. W. Bush won the elections, one his first actions as President was to issue two executive orders on January 29, 2001 creating the White House Office of Faith-Based and Community Initiatives (WHOFBCI) and additional Centers for FBCI within five federal agencies. [51] President Bush's decisions sought to reduce barriers in the federal grant-making process and to boost participation among religious organizations. Soon after, he started the efforts to introduce the new law through a Congressional bill. However, due to many Congressmen's doubts concerning a proper protection of the Establishment Clause, the bill failed. Nevertheless, President introduced his policy through further executive orders.

The failure in Congress was a result of a heated constitutional debate and doubts concerning the protection of the religious clauses of the First Amendment. More liberally – oriented Congressmen were afraid that the new provisions could violate the religious freedom of the beneficiaries of religious charities' services due to proselytization efforts. Others underlined that sponsoring of the religious organizations' programs by the Government would be a violation of the Establishment Clause. The debate concerned mainly the interpretation of the First Amendment. The proponents of G.W. Bush's policy opposed the separationist interpretation arguing that it discriminate d against religion, and favored the so – called positive neutrality approach, which is a modification of the accommodationist and non-preferentialist approaches. According to positive neutrality government should grant money to religious organizations on exactly the same terms as to secular ones. Additionally, the safeguards against violation of the Establishment Clause should be minimal e.g. only forbidding to use federal money for “inherently religious” purposes, which, however, have never been well defined. The inclusion of the religious message in the services provided by religious organizations, according to the proponents of positive neutrality, would be legal.

In the debate concerning the introduction of positive neutrality interpretation, its proponents often referred to the Supreme Court's decision in Mitchell v. Helms case (2000). The y claimed that according to this decision, which in fact removed the pervasively sectarian standard, G.W. Bush's regulations concerning faith-based initiatives policy were fully legal. Their critics, however, underlined that, according to Mi t chell decision, the program provided by a religious organization should include adequate safeguards against religious indoctrination. The incorporation of a religious message to the program would prevent it from satisfying this requirement. David Ackerman, a legislative attorney analyzing charitable choice for the Congressional Research Service, has argued that the safeguards barring the funding of “sectarian worship, instruction or proselytization” cannot be implemented while the law at the same time protects the right of religious groups to fully practice and express their belie f s while providing social services. He has underlined that for many evangelical organizations the sharing of faith (proselytization) is an essential component to their religious practice.[52] Scott M. Michelman additionally stressed that with beneficiaries in especially vulnerable positions, relying on providers for basic necessities (food, housing), it is possible that “the participation of desperate people in religiously – styled programs may cross the line into coercion”. [53]

Regardless of these concerns, the faith-based initiatives policy was introduced and has been exercised since 2001. And although the 8<sup>th</sup> U.S. Circuit Court of Appeals in 2007<sup>[54]</sup> ruled that the Prison Fellowship Ministries' use of religious instruction and worship in providing rehabilitative services violated the Establishment Clause<sup>[55]</sup>, the Supreme Court's decision in *Hein v. Freedom from Religion Foundation* (2007) accepted faith-based initiatives policy in general as legal. There is no doubt that the positive neutrality approach has been widely popularized during the faith-based initiatives public debate. Additionally, the appointments of conservative Justices<sup>[56]</sup> made by President Bush have been expected to cause a further shift in the Court's interpretation of the constitutional church-state boundaries.

In conclusion, it should be stressed that the faith-based initiatives policy was the result of the alliance between the Republicans and the Religious Right. On one hand, it can be considered partly as a Republican pay-back to the conservative Protestants for their support for the previous Republican welfare reforms. In this respect, the pay-back would include the promotion of one of the most important points of Religious Right agenda – the limitation of the separationist interpretation of the Establishment Clause. On the other hand, it should not be overlooked that both charitable choice and faith-based initiative have been a part of a conservative welfare reform and a way to decentralize the welfare system in the USA. The faith-based initiatives policy followed the trend set by the Reagan Administration through the “New Federalism” and it was strictly connected to the 1996 PRWORA Act. Some experts consider it as a cover way of further devolution of the welfare system. They stress that although during the presidential campaign President Bush presented his policy as the way to provide the poor with more caring, responsible and moral help, one of the main points of “compassionate conservatism” was to reduce the federal welfare system, because it should not be the responsibility of the government to care for the poor.

There is no doubt that the alliance between secular conservatives and the deprivatized fundamentalist religion was profitable for both sides. It is, however, debatable which side gained more from the alliance. As mentioned before, religious conservatives assumed an important place in American politics. They became an important electoral bloc, often providing a decisive vote in the elections. The Religious Right managed to reintroduce conservatively evangelical rhetoric into the public debate and the area of civil religion, and the Jeffersonian “wall of separation” has been lowered at least in a certain area. On the other hand, the Republicans managed to introduce most of their economic reforms and the greatest welfare spending cuts since the 1930s. Additionally, they were able to skillfully use religion as an effective political tool. According to some critics, it was not only the religious moralistic rhetoric that was abused, but also the positive neutrality approach. David Kuo, a former White House Office of Faith-Based and Community Initiatives' employee, suggested that, while transferring the money to religious institutions, the Bush Administration did not consider the criterion of efficiency, but the political sympathies of these organizations.<sup>[57]</sup> In his book *Tempting Faith. An Inside Story of Political Seduction* he gave examples of preferential treatment that has been given mostly to conservatively Protestant evangelical organizations sympathizing with the Religious Right and the Republican Party. It also seems that the tool that faith-based

initiatives policy provided for the devolution of welfare system and for federal welfare savings was much more important than the true concern for the efficiency of the social help. The analysis by such scholars as Professor Robert Wuthnow[58], who proved that there is no evidence that religious programs are more efficient than secular ones, or by John Bartkowski and Helen A. Regis[59] whose research showed that in some cases the reliance on religious charities might contribute to the social exclusion and social divisions based on race and religion, were disregarded by the conservatives. The savings were also much more important than delivering the promised sums of money to the Compassionate Capital Fund, which according to faith-based initiative policy was supposed to help small congregation in participation in social services provisions. [60]

Nevertheless, although much evidence might suggest that the Republican Party used religion instrumentally and therefore profited more from the alliance, the gradual shift in the interpretation of the religious clauses of the First Amendment cannot be ignored, especially from the perspective of secularization theory.

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*Notes:*

[1] This paper is a short review of my Ph.D. research and it partly refers to my article “G.W. Bush’s Faith-Based Initiatives Policy and the Idea of the Separation of Church and State in the U.S.A.,” which will be published in *Politeja. Pismo Wydziału Studiów Międzynarodowych i Politycznych Uniwersytetu Jagiellońskiego*.

[2] Jose Casanova, *Public Religions in the Modern World* (Chicago: The University of Chicago Press, 1994), 211.

[3] *Ibid.*, 212.

[4] *Ibid.*, 221.

[5] *Ibid.*, 213.

[6] *Ibid.*, 214.

[7] Privatization can also have different meanings: it may be understood as withdrawal from public sphere, withdrawal from organized religious institutions and accepting personal interpretation of one’s beliefs, or staying in a religious denomination but selectively believing in the dogmas stressed by these denominations. More about it in: Irena Borowik, *Procesy instytucjonalizacji i prywatyzacji religii w powojennej Polsce* (Kraków: Wydawnictwo Uniwersytetu Jagiellońskiego, 1997).

[8] More about it in: Ryszard M. Małajny, “Mur Separacji” – państwo a kościół w Stanach Zjednoczonych Ameryki (Katowice: Prace Naukowe Uniwersytetu Śląskiego w Katowicach, 1992); and in: The Boisi Center Papers on Religion in the United States, “Separation of Church and State”, The Boisi Center For Religion and American Public Life, [http://www.bc.edu/centers/boisi/meta-elements/pdf/bc\\_papers/BCP-ChurchState.pdf](http://www.bc.edu/centers/boisi/meta-elements/pdf/bc_papers/BCP-ChurchState.pdf).

[9] Kenneth D. Wald, *Religion and Politics in the United States* (New York: Rowman and Littlefield Publishing Group, 2003), 210.

[10] Casanova, op. cit., 226.

[11] The Republican Party's generally conservative outlook must be distinguished from European conservatism. Modern American conservatism, which, just like European conservatism, places emphasis on respecting tradition, additionally considers "laissez-faire" economics (promoted by European liberalism) as traditional for the USA, therefore requiring protection against the introduction of social provisions. American liberals, on the other hand, who generally have a socially liberal approach, do not support economic "laissez-faire" liberalism. More about it in: Wiktor Osiatyński, *Współczesny konserwatyzm i liberalizm amerykański* (Warszawa: PWN, 1984).

[12] Wald, op.cit., 208.

[13] Ibid., 208.

[14] Ibid.

[15] Matthew C. Moen, *The Christian Right and Congress* (Tuscaloosa: University of Alabama Press, 1989), 9.

[16] Ibid., 10.

[17] Ibid.

[18] Ibid.

[19] Ibid.

[20] Organic conservatism was connected to the thought of European conservatives and such ideas as paternalism and "noblesse oblige". According to it, while the hierarchy in the society should be kept, the rich, educated and privileged should also take care of the poor. However, a liberal change such as the introduction of welfare provision by the government and the redistribution should not be accepted as it would undermine hierarchy and tradition. More in: Osiatyński, op. cit.

[21] More about it: ibid.

[22] Daniel J. Boorstin, ed. *The Americans. The National Experience* (New York: Harcourt Brace Jovanovich, 1985), 882.

[23] Ibid., 882.

[24] George Gilder, *Wealth and Poverty* (New York: Basic Books, 1981).

[25] Charles Murray, *Losing Ground: American Social Policy 1950-1980* (New York: Basic Books, 1984).

[26] Brendon O'Connor, *A Political History of American Welfare System. When Ideas Have Consequences*. (New York: Rowman and Littlefield, 2004), 93.

[27] *Ibid.*, 125.

[28] *Ibid.*, 151.

[29] Boorstin, *op. cit.*, 882.

[30] Diana M. DiNitto, *Social Welfare. Politics and Public Policy* (Boston: Pearson Education Inc., 2007), 56.

[31] Boorstin, 884.

[32] More about it: DiNitto, *op. cit.*, 56, and Lester Salamon and Michael S. Lund, ed., *The Reagan Presidency and Governing of America* (Washington D.C.: The Urban Institute, 1984).

[33] DiNitto, *op. cit.*, 59.

[34] O'Connor, *op. cit.*, 188

[35] *Ibid.*, 189.

[36] DiNitto, *op. cit.*, 229.

[37] O'Connor, *op. cit.*, 196.

[38] DiNitto, *op. cit.*, 60.

[39] O'connor, *op. cit.*, 209.

[40] *Ibid.*, 151–152.

[41] *Ibid.*, 147.

[42] Mark D. Stern, "Charitable Choice: the Law As It Is and May Be," in: *Can Charitable Choice Work? Covering Religion's Impact on Urban Affairs and Social Services*, ed. Andrew Walsh (Hartford, Connecticut: The Leonard E. Greenberg Center For the Study of Religion in Public Life, 2001), 157.

[43] Religious organizations are exempt from employment discrimination laws on basis of religion thank to Civil Rights Act 1964 and Equal Employment Opportunity Act 1972. Nevertheless, the lower courts have divided on whether employers taking governmental funds can invoke a provision of the anti-employment discrimination laws permitting religious organizations to engage in religious discrimination. More in: Stern, *op. cit.*, 158.

[44] Peter Dobkin Hall, "Historical Perspective on Religion, Government and Social Welfare in America," in *Can Charitable Choice Work? Covering Religion's Impact on Urban Affairs and Social Services*, ed. Andrew Walsh (Hartford, Connecticut: The

Leonard E. Greenberg Center For the Study of Religion in Public Life, 2001), 78.

[45] More in: Scott M. Michelman, „Faith-Based Initiatives,” *Harvard Journal on Legislation* 39 (2002): 489.

[46] *Ibid.*, 475.

[47] This argument has never been supported by any objective research. More about it in: Robert Wuthnow, *Saving America?: Faith-Based Services and the Future of Civil Society* (Princeton, NJ: Princeton University Press, 2004); John Bartkowski and Helen A. Regis, *Charitable Choice. Religion, Race and Poverty in the Post-Welfare Era* (New York: New York University Press, 2003), and: Mark Chaves, “Religious Congregations and Welfare Reform: Assessing the Potential,” in *Can Charitable Choice Work? Covering Religion’s Impact on Urban Affairs and Social Services*, *op. cit.*, 121–138.

[48] DiNitto, *op. cit.*, 26.

[49] Mark J. Rozell and Gleaves Whitney, eds., *Religion and the Bush Presidency* (New York: Palgrave MacMillan, 2007), 6.

[50] Marvin N. Olasky, *Renewing American Compassion* (New York: Free Press, 1996), 41, 64.

[51] Departments of: Education, Health and Human Services, Housing and Urban Development, Justice, and Labor.

[52] David Ackerman, *Charitable Choice: Constitutional Issues and Developments through the 106 th Congress*, Report prepared for the Congressional Research Service of the U.S. Congress (Washington, D.C., 2000), cited in Amy E. Black, Douglas L. Koopman, and David K. Ryden, *Of Little Faith. The Politics of George W. Bush’s Faith –Based Initiatives* (Washington DC: Georgetown University Press, 2004), 238.

[53] Michelman, *op. cit.*, 488.

[54] In decision: *Americans United for Separation of Church and State v. Prison Fellowship Ministries*.

[55] The Court explained that while the *Mitchell* ruling permitted direct government of a religious organization’s secular activities, the ruling still prohibited direct public funding of religious activities.

[56] Chief Justice John Roberts and Justice Samuel Alito.

[57] More about it in: David Kuo, *Tempting Faith. An Inside Story of Political Seduction* (New York: Free Press, 2006).

[58] Wuthnow, *op. cit.*

[59] Bartkowski and Regis, *op. cit.*

[60] David, op. cit.

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